SEVENTH DAY

TUESDAY, June 12, 2012

Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

ROLL CALL


Absent — Legislators W. Lightfoot, Patterson - 2

Meeting formally opened. At the invitation of Legislator Cindy Kaleh, Father Kevin McKenna of Cathedral Community located at Sacred Heart Cathedral delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Edward O’Brien.

IN MEMORIAM

24. Daniele & O’Brien 12-0217 Expressing Regret of the Monroe County Legislature on the Recent Passing of Marion Brown, Mother of Legislator Debbie Drawe

Intro. 210
Res. 161
27-0

APPROVAL OF MINUTES

Without objection, the Journal of the Session of Day 6, May 8, 2012 was approved as submitted.

PETITIONS AND COMMUNICATIONS

NONE

President Adair recognized Mark Quinn, Horticulturalist for the Parks Department, who introduced the Plant of the Month, the Petunia to the Legislature.

PROCLAMATIONS

By the President of the Legislature — Jeffrey R. Adair

Recognized Jointly with Legislators Debbie Drawe and E. Daniel Quatro, “Jim Stranz” for his dedication to the Scott Firefighter Stairclimb.

Read and Filed.
Recognized Jointly with Legislators Ted O’Brien, Cynthia Kaleh and Rick Antelli, “Building Minds in Sudan” for their passion and commitment to help share the generosity of Rochester, New York with the Communities of South Sudan.

Read and Filed.

RECESS

President Adair recessed the meeting to allow for one Public Hearing entitled…

Prohibiting Cyber-Bullying in Monroe County. Two speakers addressed the Legislature and the hearing concluded at 6:29 P.M.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Ten speakers addressed the Legislature and the Open Forum concluded at 7:03 P.M.

RECESS

A recess was declared by President Adair to allow for a meeting of the Pure Waters Administrative Board.

LOCAL LAWS

1. Gumina & Barker
   Intro. 211
   M. 45
   26-1

   12-0140.L.I. Providing that Local Law (Intro. No. 180 of 2012), Entitled “Prohibiting Cyber-Bullying in Monroe County” Be Lifted from the Table

   (Legislator J. Lightfoot voted in the negative)

2. Gumina & Barker
   Intro. 212
   M. 46
   22-5

   12-0140.L.I. Providing that Local Law (Intro. No. 180 of 2012), Entitled “Prohibiting Cyber-Bullying in Monroe County” Be Adopted

   Andrews/Kaleh
   Intro. 213
   M. 47
   8-19 F

   Motion to Amend Intro 180 of 2012 as follows:

   **Section 1.** Section 382-4(C) of the Local Law shall be amended as follows:

   “C. Cyber bullying- shall mean, with intent to harass, annoy, threaten, or place another a minor in fear of personal injury, engaging in a course of conduct or repeatedly committing acts of abusive behavior over a period of time by communication or causing a communication to be sent by mechanical or electronic means, posting statements or images on the internet, through a computer network, or via cell or smart phone or other electronic device. Acts of abusive behavior shall include, but not limited to: taunting,
threatening; intimidating; insulting; tormenting; humiliating; disseminating sexually explicit photographs, either actual or modified, of a minor; disseminating the private, personal or sexual information, either factual or false, of a minor without lawful authority.

(Legislators O'Brien, Andrews, Bauroth, Esposito, Gamble, Haney, Kaleh and Wilcox voted in the positive)

Intro. 214  Bauroth/O'Brien
M. 48
8-19 F

MOTION TO AMEND INTRO 180 OF 2012

Section 1. Section 382-4(C) of the Local Law shall be amended as follows:

“C. Cyber bullying- shall mean, with intent to harass, annoy, threaten, or place another a minor in fear of personal injury, engaging in a course of conduct or repeatedly committing acts of abusive behavior over a period of time by communication or causing a communication to be sent by mechanical or electronic means, posting statements or images on the internet, through a computer network, or via cell or smart phone. Acts of abusive behavior shall include, but not limited to: taunting; threatening; intimidating; insulting; tormenting; humiliating; disseminating sexually explicit photographs, either actual or modified, of a minor; disseminating the private, personal or sexual information, either factual or false, of a minor without lawful authority.

(Legislators O'Brien, Andrews, Bauroth, Esposito, Gamble, Haney, Kaleh and Wilcox voted in the positive)

Intro. 215  Esposito/Gamble
M. 49
9-18 F

MOTION TO TABLE INTRO. 180 OF 2012

(Legislators O'Brien, Andrews, Bauroth, Esposito, Gamble, Haney, Kaleh, J. Lightfoot and Wilcox voted in the positive)

Intro. 180  Main Motion
Local Law No. TBA
22-5

(MOTIONS, RESOLUTIONS AND NOTICES)

(Note: Legislator Edward O'Brien Left the Chambers and was not Present for Agenda Items #3-6)

3. Drawe & Boyce
   Intro. 216
   Res. 162
   26-0

Confirming Nominations for Young Citizens of the Year and Willie W. Lightfoot Youth Advocate of the Year Awards
Human Services Committee; May 22, 2012 – CV: 10-0

4. Rockow & Yolevich
   Intro. 217
   Res. 163
   26-0

Approving Submission of 2012 Annual Action Plan for Housing and Community Development in Suburban Monroe County and Grant Submission to U.S. Department of Housing and Urban Development Planning and Economic Development Committee; May 21, 2012 – CV: 5-0
Ways and Means Committee; May 23, 2012 – CV: 10-0

5. Hanna & Yolevich
   Intro. 218
   Res. 164
   26-0

Authorizing Contract with Health Care Support Advisors, Inc. for Monroe County Sheriff’s Office to Conduct Criminal Background Checks on HCSA Members’ Potential Employees
Public Safety Committee; May 21, 2012 – CV: 7-0
Ways and Means Committee; May 23, 2012 – CV: 10-0
6. Hanna & Yolevich 12-0174 Authorizing Contract with Bonnie Park, Ph. D., for Juvenile and Family Psychological Services for Monroe County Office of Probation – Community Corrections
   Intro. 219 
   Res. 165 
   26-0
   Public Safety Committee; May 21, 2012 – CV: 7-0
   Ways and Means Committee; May 23, 2012 – CV: 10-0

7. Gumina, Hanna & Yolevich 12-0175 Authorizing Intermunicipal Agreement with City of Rochester to Accept Pass Through Funding from United States Department of Justice for 2012 Edward Byrne Memorial Justice Assistance Grant Program
   Intro. 220 
   Res. 166 
   27-0
   Intergovernmental Relations Committee; May 23, 2012 – CV: 5-0
   Public Safety Committee; May 21, 2012 – CV: 7-0
   Ways and Means Committee; May 23, 2012 – CV: 10-0

8. Colby & Yolevich 12-0176 Authorizing Acquisition of Interests in Real Property for Salt Road Culvert Improvement Project at Four Mile Creek in Town of Webster
   Intro. 221 
   Res. 167 
   27-0
   Transportation Committee; May 22, 2012 – CV: 7-0
   Ways and Means Committee; May 23, 2012 – CV: 10-0

9. Colby & Yolevich 12-0177 Authorizing Acquisition of Interests in Real Property for Redman Road Culvert Improvement Project at West Creek Tributary in Town of Clarkson
   Intro. 222 
   Res. 168 
   27-0
   Transportation Committee; May 22, 2012 – CV: 7-0
   Ways and Means Committee; May 23, 2012 – CV: 10-0

10. Drawe & Yolevich 12-0178 Accepting Grant from New York State Department of Health for Immunization Action Plan Program; Authorizing Contract with University of Rochester
    Intro. 223 
    Res. 169 
    27-0
    Human Services Committee; May 22, 2012 – CV: 9-0
    Ways and Means Committee; May 23, 2012 – CV: 10-0

11. Drawe & Yolevich 12-0179 Accepting Grant from New York State Department of Health for Support of Monroe County Nurse Family Partnership Program; Amending Resolution 294 of 2011 to Increase the Contracts with Visiting Nurse Service of Rochester and Monroe County, Inc. and Nurse-Family Partnership (National Service Office)
    Intro. 224 
    Res. 170 
    27-0
    Human Services Committee; May 22, 2012 – CV: 9-0
    Ways and Means Committee; May 23, 2012 – CV: 10-0

12. Valerio & Yolevich 12-0180 Authorizing Sale of Permanent Easement and Temporary Easement on Property Owned by Monroe County, as Trustee for Monroe Community College to Town of Brighton, Acting for and on Behalf of Brighton Consolidated Sewer District for Monroe Community College Sanitary Sewer Project
    Intro. 225 
    Res. 171 
    27-0
    Recreation and Education Committee; May 22, 2012 – CV: 5-0
    Ways and Means Committee; May 23, 2012 – CV: 10-0

13. Yolevich & Gumina 12-0182 Mortgage Tax Distribution
    Intro. 226 
    Res. 172 
    27-0
    Ways and Means Committee; May 23, 2012 – CV: 10-0

14. Howland & Yolevich 12-0183 Authorizing Contract with O’Brien & Gere for Professional Engineering Services for Rochester Pure Waters District’s Lexington Avenue Tunnel Improvement Project
    Intro. 227 
    Res. 173 
    27-0
    Environment and Public Works Committee; May 23, 2012 – CV: 7-0
    Ways and Means Committee; May 23, 2012 – CV: 10-0
15. Howland & Yolevich
   Intro. 228 Res. 174
   27-0
   Authorizing Contract with Bergmann Associates for Professional Engineering Services for
   Rochester Pure Waters District’s Combined Overflow Abatement System Tunnel
   Improvements Project
   Environment and Public Works Committee; May 23, 2012 – CV: 5-0
   Ways and Means Committee; May 23, 2012 – CV: 11-0

16. Colby & Yolevich
   Intro. 229 Res. 175
   27-0
   Authorizing Contract with C.P. Ward, Inc., for Construction Services for Burnt Mill
   Road Bridge Over Black Creek Project in Town of Riga
   Transportation Committee; May 22, 2012 – CV: 7-0
   Ways and Means Committee; May 23, 2012 – CV: 11-0

17. Colby & Yolevich
   Intro. 230 Res. 176
   27-0
   Resolution Authorizing the Issuance of $747,000 Bonds of the County of Monroe,
   New York, to Finance the Cost of the Restoration of Burnt Mill Road Bridge
   Over Black Creek (BIN 3317300), Including Related Incidental Improvements, in and
   for Said County, at an Estimated Maximum Cost of $747,000 and Superseding the
   Bond Resolution Adopted on December 13, 2011 (Resolution No. 337 of 2011)

18. Colby & Yolevich
   Intro. 231 Res. 177
   27-0
   Authorizing Contract with Villager Construction, Inc., for Construction Services for
   East Ridge Road Project in Town of Irondequoit
   Transportation Committee; May 22, 2012 – CV: 7-0
   Ways and Means Committee; May 23, 2012 – CV: 11-0

19. Colby & Yolevich
   Intro. 232 Res. 178
   27-0
   Resolution Authorizing the Issuance of $13,500,000 Bonds of the County of Monroe,
   New York, to Finance the Cost of the Reconstruction and Improvement of Portions of
   East Ridge Road from City Line to Culver Road in and for Said County, and
   Superseding the Bond Resolution Adopted on December 9, 2008 (Resolution No. 343
   of 2008)

20. Rockow, Hanna, Valerio, Colby, Drawe, Howland, Gumina & Yolevich
    Intro. 233
    27-0
    Adopting 2013-2018 Capital Improvement Program
    Planning and Economic Development Committee; May 21, 2012 – CV: 3-2
    Public Safety Committee; May 21, 2012 – CV: 4-3
    Recreation and Education Committee; May 22, 2012 – CV: 3-2
    Transportation Committee; May 22, 2012 – CV: 4-3
    Human Services Committee; May 22, 2012 – CV: 6-3
    Environment and Public Works Committee; May 23, 2012 – CV: 3-2
    Intergovernmental Relations Committee; May 23, 2012 – CV: 3-2
    Ways and Means Committee; May 23, 2012 – CV: 7-4
    (For Introductory Purposes Only)

21. Rockow, Hanna, Valerio, Colby, Drawe, Howland, Gumina & Yolevich
    Intro. 234 M. 50
    27-0
    Improvement Program,” Be Tabled
22. Rockow, Hanna, Valerio, Colby, Drawe, Howland, Gumina & Yolevich
   Intro. 235
   Res. 179
   27-0

   Matters Of Urgency

23. Daniele, Yolevich & Haney
    Intro. 236
    Res. 180
    27-0

25. Daniele, Yolevich & Boyce
    Intro. 237
    Res. 181
    27-0

26. Daniele & Yolevich
    Intro. 238
    Res. 182
    27-0

22. Rockow, 12-0190 Fixing Public Hearing for Adoption of 2013-2018 Capital Improvement Program
   (Public Hearing is scheduled for Tuesday, July 10, 2012 at 6:15 P.M.)

23. Daniele, 12-0191 Reappointment of Commissioner of Elections- Peter M. Quinn
    Matter of Urgency

25. Daniele & 12-0218 Appointment to Greater Rochester Visitors Association, Inc. Board of Directors
    Matter of Urgency

26. Daniele & 12-0219 Directing the County Treasurer to Cause to be Published and Printed in the Daily
    Record the List of Lands Charged with Unpaid Taxes, Pursuant to Chapter 441 of the
    Laws of 1938, As Amended
    Matter of Urgency

UNFINISHED BUSINESS

Upon Motion by Legislator Anthony Daniele, the Legislature adjourned at 8:19 p.m. until Tuesday, July 10, 2012 at 6:00 p.m.

CHERYL M. ROZZI
Clerk of the Legislature