NINTH DAY

TUESDAY, July 12, 2016

Legislature met pursuant to adjournment.

President Anthony J. Daniele in the Chair.

ROLL CALL


Absent – Legislator Carbone – 1

The meeting formally opened. Prayer led by Pastor Bruce Plummer of Christ Community Church, at the invitation of Legislator Mike Zale. The Pledge of Allegiance to the Flag was led by Legislator Tanya Conley.

IN MEMORIAM

28. Marianetti & Kalez
   Intro. 222
   Res. 163
   28-0

    16-0236 Expressing Regret of the Monroe County Legislature on the Recent Passing of Irene Gossin, Former Monroe County Legislator and Penfield Town Supervisor
    Matter of Urgency

APPROVAL OF MINUTES

Without objection, the Journal of Day 8, June 14, 2016 was approved as submitted.

Note: President Daniele acknowledged Former Monroe County Legislator and Gates Town Supervisor Mark Assini.

PETITIONS AND COMMUNICATIONS

None

PROCLAMATIONS

By the President of the Legislature – Anthony J. Daniele

Recognized jointly with Legislator Frank X. Allkofer, Quintino and Nellie DiCesare, for their dedication to the Town of Gates and Monroe County.
Read and Filed.

Recognized jointly with Legislators Steve Brew and Tracy DiFlorio, the Churchville-Chili Men’s Track and Field
Team, for achieving their first undefeated season in 22 years.
Read and Filed.

Recognized jointly with Legislators George J. Hebert, Frank X. Allkofer, Tina Brown, and Mike Zale, the Spencerport Rangers FIRST Team 3015, for being National Finalists at the 2016 FIRST Robotics Competition. Read and Filed.

Recognized jointly with Legislators Cynthia W. Kalez and James M. Sheppard, Scott Fearing, for his role as Executive Director of the Gay Alliance of the Genesee Valley.
Read and Filed.

Recognized jointly with Legislators James M. Sheppard, Justin F. Wilcox, and Joshua Bauroth, the Brighton Public Forum Debate Teams, for competing in the State Tournament at Hofstra University.
Read and Filed.

RECESS

President Daniele recessed the meeting to allow for a Public Hearing entitled...

"Adopting 2017-2022 Capital Improvement Program"

No speakers addressed the Legislature and the Public Hearing concluded at 6:47 P.M.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. There were five speakers and the Open Forum concluded at 7:02 P.M.

MOTIONS, RESOLUTIONS AND NOTICES

1. Conley & Taylor
   Intro. 223
   Res. 164
   20-8
   16-0155 Adopting 2016 Annual Work Program for Monroe County Legislature
   Agenda/Charter Committee; June 27, 2016 – CV: 3-2
   (Legislators Bauroth, Flugger-Mitchell, Harris, Lightfoot, Morelle, Jr., Munio, Sheppard, and Wilcox
   Voted in the Negative.)
2. DiFlorio, Micciche, Boyce, Terp, Zale, Howland, Taylor & Drawe
   Intro. 224
   M. 53
   28-0

3. DiFlorio, Micciche, Boyce, Terp, Zale, Howland, Taylor & Drawe
   Intro. 225
   M. 54
   Intro. 202
   Res. 165
   28-0

Main Motion

4. Boyce & Brew
   Intro. 226
   Res. 166
   28-0
   16-0182 Confirmation of Appointment to Monroe County Soil and Water Conservation Board

5. DiFlorio & Boyce
   Intro. 227
   16-0189 Authorizing Additions to Three Monroe County Agricultural Districts Planning and Economic Development Committee; June 27, 2016 – CV: 5-0 (For Introductory Purposes Only)

6. DiFlorio & Boyce
   Intro. 228
   M. 55
   28-0
   16-0189 Providing that Resolution (Intro. No. 227 of 2016), Entitled "Authorizing Additions to Three Monroe County Agricultural Districts,” Be Tabled

7. DiFlorio & Boyce
   Intro. 229
   Res. 167
   28-0
   Intro. 230
   M. 56
   28-0
   16-0189 Fixing a Public Hearing by the Planning and Economic Development Committee of the Monroe County Legislature on Resolution (Intro. No. 227 of 2016) Entitled, “Authorizing Additions to Three Monroe County Agricultural Districts” (Public Hearing is scheduled for Monday, August 22, 2016 at 3:15 p.m. before a meeting of the Planning and Economic Development Committee)

Marianetti/Kaleh
Motion to Move Agenda Items 8 through 27 as a Whole
8. Micciche & Drawe
   Intro. 231
   Res. 168
   28-0

   16-0190 Accepting Grant from New York State Division of Homeland Security and Emergency Services for FY2016 State Law Enforcement Terrorism Prevention Program
   Public Safety Committee; June 27, 2016 – CV: 9-0
   Ways and Means Committee; June 28, 2016 – CV: 10-0

9. Micciche & Drawe
   Intro. 232
   Res. 169
   28-0

   16-0191 Accepting Grant from New York State Division of Homeland Security and Emergency Services for FY2016 State Homeland Security Program
   Public Safety Committee; June 27, 2016 – CV: 9-0
   Ways and Means Committee; June 28, 2016 – CV: 10-0

10. Micciche & Drawe
    Intro. 233
    Res. 170
    28-0

    16-0192 Amending Resolution 234 of 2015 to Accept Additional Funding from New York State Office of Victim Services for Victim and Witness Assistance Program for District Attorney’s Office
    Public Safety Committee; June 27, 2016 – CV: 9-0
    Ways and Means Committee; June 28, 2016 – CV: 10-0

11. Micciche & Drawe
    Intro. 234
    Res. 171
    28-0

    16-0193 Amending Resolution 235 of 2015 to Accept Additional Funding from New York State Office of Victim Services for Sheriff’s Victim Assistance Program
    Public Safety Committee; June 27, 2016 – CV: 9-0
    Ways and Means Committee; June 28, 2016 – CV: 10-0

12. Micciche & Drawe
    Intro. 235
    Res. 172
    28-0

    16-0194 Amending Resolution 105 of 2016 to Accept Additional Funding from United States Department of Justice, United States Attorney, for Organized Crime Drug Enforcement Task Forces State and Local Overtime and Authorized Expense Agreement for Fiscal Year 2016
    Public Safety Committee; June 27, 2016 – CV: 9-0
    Ways and Means Committee; June 28, 2016 – CV: 10-0

13. Micciche & Drawe
    Intro. 236
    Res. 173
    28-0

    16-0195 Accepting Grant from New York State Thruway Authority/New York State Canal Corporation for New York State Canal Corporation Marine Patrol Matching Grant Program
    Public Safety Committee; June 27, 2016 – CV: 9-0
    Ways and Means Committee; June 28, 2016 – CV: 10-0

14. Micciche & Drawe
    Intro. 237
    Res. 174
    28-0

    16-0196 Accepting Grant from National Rifle Association Foundation Board to Purchase Thermal Imager for Monroe County Sheriff’s Office
    Public Safety Committee; June 27, 2016 – CV: 9-0
    Ways and Means Committee; June 28, 2016 – CV: 10-0

15. Zale, Micciche & Drawe
    Intro. 238
    Res. 175
    28-0

    16-0197 Authorizing Intermunicipal Agreement with Penfield Central School District for Purchase of Fuel for Vehicles of Monroe County Sheriff’s Office
    Intergovernmental Relations Committee; June 28, 2016 – CV: 5-0
    Public Safety Committee; June 27, 2016 – CV: 9-0
    Ways and Means Committee; June 28, 2016 – CV: 10-0

16. Zale, Micciche & Drawe
    Intro. 239
    Res. 176
    28-0

    16-0198 Authorizing Intermunicipal Agreement with Churchville-Chili Central School District for Purchase of Fuel for Vehicles of Monroe County Sheriff’s Office
    Intergovernmental Relations Committee; June 28, 2016 – CV: 5-0
    Public Safety Committee; June 27, 2016 – CV: 9-0
    Ways and Means Committee; June 28, 2016 – CV: 10-0
17. Zale, Micciche & Drew
Intro. 240
Res. 177
28-0
16-0199 Authorizing Intermunicipal Agreement with Spencerport Central School District for Purchase of Fuel for Vehicles of Monroe County Sheriff's Office Intergovernmental Relations Committee; June 28, 2016 - CV: 5-0 Public Safety Committee; June 27, 2016 - CV: 9-0 Ways and Means Committee; June 28, 2016 - CV: 10-0

18. Zale & Howland
Intro. 241
Res. 178
28-0
16-0200 Authorizing Intermunicipal Agreement with New York State Department of Transportation for Shared Fiber Optic Pathway in County of Monroe Intergovernmental Relations Committee; June 28, 2016 - CV: 5-0 Transportation Committee; June 28, 2016 - CV: 6-0

19. Howland & Drew
Intro. 242
Res. 179
28-0
16-0201 Authorizing Contract with C.P. Ward, Inc., for Construction Services for Woodruff Road Culvert over Honeoye Creek Tributary Project in Town of Rush Transportation Committee; June 28, 2016 - CV: 6-0 Ways and Means Committee; June 28, 2016 - CV: 10-0

20. Howland & Drew
Intro. 243
Res. 180
28-0
16-0202 Authorizing Acquisition of Interest in Real Property for Installation and Maintenance of Traffic Signal Equipment at Entrance to 1127 Dewey Avenue in the City of Rochester Transportation Committee; June 28, 2016 - CV: 6-0 Ways and Means Committee; June 28, 2016 - CV: 10-0

Intro. 244
Res. 181
28-0
16-0203 Authorizing Intermunicipal Agreements with Genesee and Orleans Counties for Elevated Blood Lead Level Inspection Services Intergovernmental Relations Committee; June 28, 2016 - CV: 5-0 Human Services Committee; June 28, 2016 - CV: 9-0 Ways and Means Committee; June 28, 2016 - CV: 10-0

22. Taylor & Drew
Intro. 245
Res. 182
28-0
16-0204 Amending Resolution 63 of 2016 to Amend and Increase Contract with Lifespan of Greater Rochester, Inc. to Administer the New York State Elder Abuse Prevention and Interventions Program Human Services Committee; June 28, 2016 - CV: 9-0 Ways and Means Committee; June 28, 2016 - CV: 10-0

23. Drew & Hebert
Intro. 246
Res. 183
28-0
16-0205 Directing the Refund of Certain Monroe County Taxes Levied and Collected Against Property in Towns of Greece and Gates Ways and Means Committee; June 28, 2016 - CV: 10-0

24. Drew & Hebert
Intro. 247
Res. 184
28-0
16-0206 Authorizing Contract with Phoenix Business, Inc. for SAP Production Support Services Ways and Means Committee; June 28, 2016 - CV: 10-0

25. Micciche & Drew
Intro. 248
Res. 185
28-0
16-0207 Amending Resolution 171 of 2011 to Amend and Increase Contract with Western New York Medical Practice, P.C. for Sheriff’s Employees’ Medical Services Public Safety Committee; June 27, 2016 - CV: 9-0 Ways and Means Committee; June 28, 2016 - CV: 10-0
26. Zale & Drawe
   Intro. 249
   Res. 186
   28-0
   16-0208 Authorizing Intermunicipal Agreement with City of Rochester for Joint Fiber Network Assessment
   Intergovernmental Relations Committee; June 28, 2016 – CV: 5-0
   Ways and Means Committee; June 28, 2016 – CV: 10-0

27. Drawe & Hebert
   Intro. 250
   Res. 187
   28-0
   16-0209 Authorizing Contract with Magellan Advisors LLC for Network Optimization, Management and Efficiency (Joint Fiber Network Assessment)
   Ways and Means Committee; June 28, 2016 – CV: 10-0

Matters of Urgency

29. Terp & Drawe
    Intro. 251
    16-0237 Approving Monroe Community College's 2016-2017 Operating Budget
    (For Introductory Purposes)

30. Terp & Drawe
    Intro. 252
    M. 57
    28-0
    16-0237 Providing that Resolution (Intro. No. 251 of 2016), Entitled “Approving Monroe Community College's 2016-2017 Operating Budget,” Be Tabled

31. Terp & Drawe
    Intro. 253
    Res. 188
    28-0
    (Public Hearing is scheduled for Tuesday, August 9, 2016 at 6:15 p.m.)

32. Drawe & Hebert
    Intro. 254
    Res. 189
    28-0
    16-0238 Amending Resolution 434 of 2015, Standard Work Day and Reporting Resolution for County Elected and Appointed Officials for Retirement Credit Purposes

33. Marianetti & Ancello
    Intro. 255
    16-0239 Confirming Appointment to County of Monroe Industrial Development Agency

President Daniele ruled that Legislator Morelle’s line of questioning was Out of Order. Legislator Morelle Appealed the Ruling of the President and Legislator Wilcox Seconded the motion. A vote was taken and the Ruling of the President was Sustained by the following vote:

Ayes - Legislators Marianetti, Allkofer, Ancello, Boyce, Brew, Brown, Conley, Delehanty, DiFlorio, Drawe, Hebert, Howland, Micciche, Rockow, Taylor, Terp, Zale and President Daniele – 18

Noes - Legislators Kaleh, Bauroth, Felder, Flagler-Mitchell, Harris, Lightfoot, Morelle, Jr., Muoio, Sheppard and Wilcox – 10

Intro. 255
Res. 190
27-1

Main Motion
(Legislator Morelle, Jr. Voted in the Negative.)
34. Delehanty & Conley
   Intro. 256
   Res. 191
   28-0

UNFINISHED BUSINESS

None

Upon Motion by Legislator Marianetti, the Legislature Adjourned at 7:32 P.M. until Tuesday, August 9, 2016 at 6:00 P.M.

JAMIE L. SLOCUM
Clerk of the Legislature