EIGHTH DAY

TUESDAY, JULY 13, 2010

Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

ROLL CALL


Absent — Esposito – 1

Meeting formally opened. At the invitation of Legislator Debbie Drawe, Father James Schwartz of the St. Joe’s Church of Rochester, delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Michael G. Barker.

APPROVAL OF MINUTES

Without objection, the journal of the session of Day 7 of 2010, June 8, 2010 was approved as submitted.

President Adair introduced Mark Quinn from the Parks Department who spoke about the Black Eye Susan’s as this month’s flower of the month.

PETITIONS AND COMMUNICATIONS

PROCLAMATIONS

By the President of the Legislature — Jeffrey R. Adair

Proclaimed Jointly with County Executive Maggie Brooks “Members of the Monroe County/City of Rochester Council for People with Disabilities” celebrating the twentieth anniversary of the signing of the Americans with Disabilities Act.

Read and Filed.

Recognized Jointly with Legislators Michael G. Barker and Anthony Daniele “Dr. Donald Bain” for his devotion to preserving and nurturing the local Irish culture and education.

Read and Filed.

Recognized Jointly with Legislator Debbie Drawe “Bridgette Merriman” on being named a Golisano Children’s Hospital “Miracle Kid” as well as raising money for medical supplies in Ethiopia.

Read and Filed.
Recognized Jointly with Legislators Anthony Daniele and Ciaran T. Hanna “The Pittsford Sutherland Varsity Baseball Team” on winning the Class A New York State Baseball Championship.
Read and Filed.

Recognized Jointly with Legislators Mary A. Valerio and Travis Heider “Jason Wasserman” for being inducted into the Rochester Jewish Community Center Sports Hall of Fame.
Read and Filed.

Recognized Jointly with Legislators Calvin Lee, Jr. and Glenn J. Gamble “Eagle Scout Raimond LeJulius Nichols” for his exceptional achievements and his dedication to community service.
Read and Filed.

Recognized Jointly with Legislators Willie J. Lightfoot and Carrie M. Andrews “Marlin Johnson” for his athletic success, and for his outstanding advocacy and dedication in the fight against breast cancer.
Read and Filed.

Recognized Jointly with Legislator Willie J. Lightfoot “Joseph E. Hall” for his commitment to the residents of the City of Rochester and for the tremendous contribution he has made to our community.
Read and Filed.

FORMAL COMMITTEE REPORTS

NONE

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Two speakers addressed the Legislature on various subjects and the Open Forum concluded at 6:52 P.M.

RECESS

President Adair recessed the meeting to allow for one Public Hearing entitled “Adopting 2011-2016 Capital Improvement Program”. No speakers addressed the Legislature and the hearing concluded at 6:48 P.M.

RECONVENING LEGISLATURE

President Adair reconvened the recessed meeting of July 13, 2010 and proceeded under the Usual Order of Business.
1. Howland, Hanna, Valerio, Antelli, Drawe, Cassetti, Colby, Daniele Intro. 201 M. 30 28-0

Providing That Resolution (Intro No. 168 Of 2010), Entitled “Adopting 2011-2016 Capital Improvement Program” Be Lifted From The Table

2. Howland Hanna, Valerio, Antelli, Drawe, Cassetti, Colby, Daniele Intro. 202 M. 31 28-0

Providing That Resolution (Intro No. 168 Of 2010), Entitled “Adopting 2011-2016 Capital Improvement Program” Be Adopted

Valerio, Planning and Economic Development Committee; May 24, 2010 – CV: 5-0
Antelli, Public Safety Committee; May 24, 2010 – CV: 7-0
Drawe, Recreation and Education Committee; May 25, 2010 – CV: 5-0
Cassetti, Intergovernmental Relations Committee; May 25, 2010 – CV: 5-0
Colby & Daniele Environment and Public Works Committee; May 26, 2010 – CV: 6-0
Intro. 203 M. 32 12-16F

Haney/O’Brien (Amendment #1)

Motion to Amend Intro. No. 168 of 2010 to read as follows:

To reduce the 2011 appropriation for the “Planning and Feasibility” project appearing on page 13 of the Proposed 2011-2016 Capital Improvement Program from $250,000 to $0, as there remains a significant balance of authorized funding within the capital account 1457 already designated for this project.

(Legislators Bronson, Andrews, Beebe, Eckel, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, Maneiro and O’Brien voted in the positive)

Intro. 204 M. 33 12-16F

Haney/O’Brien (Amendment #2)

Motion to Amend Intro. No. 168 of 2010 to read as follows:

To reduce the 2011 appropriation for the “Equipment/Furnishings/Resident Care” project for Monroe Community Hospital appearing on page 21 of the Proposed 2011-2016 Capital Improvement Program from $350,000 to $0, as there remains a significant balance of authorized funding within the capital account 1478 already designated for this project.

(Legislators Bronson, Andrews, Beebe, Eckel, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot, Maneiro and O’Brien voted in the positive)

Intro. 168 Res. 166 28-0

Main Motion
3. **Howland & Hanna**

   **Intro. 205**

   **10-0188**

   Authorizing Addition To Monroe County Southwestern Agricultural District #2 Planning and Economic Development Committee; June 28, 2010 – CV: 5-0

   *(For Introductory Purposes Only)*

4. **Howland & Hanna**

   **Intro. 206**

   **M. 34**

   **28-0**

   **10-0188**

   Providing That Resolution (Intro No. 205 Of 2010), Entitled “Authorizing An Addition To Monroe County Southwestern Agricultural District #2” Be Tabled

5. **Howland & Hanna**

   **Intro. 207**

   **Res. 167**

   **28-0**

   **10-0188**

   Fixing A Public Hearing By The Planning And Economic Development Committee Of The Monroe County Legislature On Resolution (Intro. No. 205 Of 2010), Entitled “Authorizing Addition To Monroe County Southwestern Agricultural District #2”

   *(Public Hearing is scheduled for Monday, July 26, 2010 at 4:30 P.M. before the Planning and Economic Development Committee, Room 406, Legislative Chambers, Monroe County Office Building)*

6. **Hanna & Daniele**

   **Intro. 208**

   **Res. 168**

   **28-0**

   **10-0189**

   Amending Resolution 232 Of 2007 To Amend Contract With Good News Jail & Prison Ministry For Staff And Christian Material To Provide Counseling And Programs For Inmates At Monroe County Jail And Monroe Correctional Facility

   Public Safety Committee; June 28, 2010 – CV: 8-0

   Ways and Means Committee; June 30, 2010 – CV: 10-0

7. **Quatro & Daniele**

   **Intro. 209**

   **Res. 169**

   **28-0**

   **10-0190**

   Accepting Grant From New York State Office Of Parks, Recreation And Historic Preservation For Devil’s Cove Land Acquisition Project

   Recreation and Education Committee; June 29, 2010 – CV: 5-0

   Ways and Means Committee; June 30, 2010 – CV: 10-0

8. **Antelli, Valerio & Daniele**

   **Intro. 210**

   **Res. 170**

   **28-0**

   **10-0191**

   Authorizing Intermunicipal Agreement With And Accepting Gift From Town Of Mendon For Construction Of Improvements On Lehigh Valley Trail

   Intergovernmental Relations Committee; June 29, 2010 – CV: 4-0

   Recreation and Education Committee; June 29, 2010 – CV: 5-0

   Ways and Means Committee; June 30, 2010 – CV: 10-0

9. **Drawe & Daniele**

   **Intro. 211**

   **Res. 171**

   **28-0**

   **10-0192**

   Amending Resolution 292 Of 2008 To Accept Additional Funding From Centers For Disease Control And Prevention For School Based Influenza Immunization Program

   Human Services Committee; June 29, 2010 – CV: 6-0

   Ways and Means Committee; June 30, 2010 – CV: 10-0

10. **Drawe & Daniele**

    **Intro. 212**

    **Res. 172**

    **28-0**

    **10-0193**

    Amending Resolution 339 of 2009 To Accept Additional Funding From New York State Department Of Health For Sexually Transmitted Disease Intervention Program

    Human Services Committee; June 29, 2010 – CV: 6-0

    Ways and Means Committee; June 30, 2010 – CV: 10-0

11. **Drawe & Daniele**

    **Intro. 213**

    **Res. 173**

    **28-0**

    **10-0194**

    Amending Resolution 339 Of 2009 To Accept Additional Funding From New York State Department Of Health For Sexually Transmitted Disease In Jails Program

    Human Services Committee; June 29, 2010 – CV: 6-0

    Ways and Means Committee; June 30, 2010 – CV: 10-0
12. Drawe & 
   Daniele 
   Intro. 214 
   Res. 174 
   28-0
   Accepting Grant From New York State Department Of Health For Local Administration Of 
   Early Intervention Program 
   Human Services Committee; June 29, 2010 – CV: 6-0 
   Ways and Means Committee; June 30, 2010 – CV: 10-0

(Legislator Eckel left the chambers and was not present for the vote)

13. Drawe & 
   Daniele 
   Intro. 215 
   Res. 175 
   27-0
   Amending Resolution 322 Of 2009 To Accept Grant From New York State Department Of 
   Health For Support Of Nurse-Family Partnership Program 
   Human Services Committee; June 29, 2010 – CV: 6-0 
   Ways and Means Committee; June 30, 2010 – CV: 10-0

14. Tucciarello & 
   Daniele 
   Intro. 216 
   Res. 176 
   27-0
   Amending Resolution 320 Of 2009 To Accept Additional Funding From New York State 
   Office For The Aging For Monroe County Office For The Aging Programs 
   Human Services Committee; June 29, 2010 – CV: 6-0 
   Ways and Means Committee; June 30, 2010 – CV: 10-0

15. Colby & 
   Daniele 
   Intro. 217 
   Res. 177 
   27-0
   Authorizing Contracts With Erdman, Anthony And Associates, Inc. For Engineering 
   Services And New York State Department Of Transportation For Twin Bridge Road Bridge 
   At Oatka Creek Project In Town Of Wheatland 
   Transportation Committee; June 30, 2010 – CV: 9-0 
   Ways and Means Committee; June 30, 2010 – CV: 10-0

16. Rockow & 
   Daniele 
   Intro. 218 
   Res. 178 
   27-0
   Authorizing Acquisition Of Interests In Real Property For Lawrence Road Bridge Over 
   Brockport Creek Replacement Project In Town Of Clarkson 
   Transportation Committee; June 30, 2010 – CV: 9-0 
   Ways and Means Committee; June 30, 2010 – CV: 10-0

17. Yolevich & 
   Howland 
   Intro. 219 
   Res. 179 
   27-0
   Appointment To Monroe County Board Of Health 
   Agenda/Charter Committee; June 28, 2010 – CV: 5-0

(Legislator Eckel returned to the chambers and was present for the remainder of the meeting)

18. Yolevich, 
   Howland & 
   Bronson 
   Intro. 220 
   Res. 180 
   28-0
   Appointments To Monroe County Recycling Advisory Committee 
   Agenda/Charter Committee; June 28, 2010 – CV: 5-0

19. Howland, 
   Barker & 
   Bronson 
   Intro. 221 
   Res. 181 
   28-0
   Confirmation Of Appointments To Monroe County Veterans Advisory Committee 
   Agenda/Charter Committee; June 28, 2010 – CV: 5-0
20. Colby & Daniele  
Intro. 222  
Res. 182  
28-0  
10-0206  
Authorizing Contract With Crane Hogan Structural Systems, Inc. For Construction Services  
For North Greece Road Bridge At Northrup Creek Project In Town Of Greece  
Transportation Committee; June 30, 2010 – CV: 9-0  
Ways and Means Committee; June 30, 2010 – CV: 10-0  

21. Colby & Daniele  
Intro. 222  
Res. 182  
28-0  
10-0206.br  
Resolution Authorizing The Issuance Of $1,180,000 Bonds Of The County Of Monroe,  
New York, To Finance The Cost Of The Design and Replacement Of North Greece Road  
Bridge Over Northrup Creek (BIN 3317530), In And For Said County, At An Estimated  
Maximum Cost of $1,180,000 And Superseding The Bond Resolution Adopted On  
December 8, 2009 (Resolution No. 377 Of 2009)  
Transportation Committee; June 30, 2010 – CV: 9-0  
Ways and Means Committee; June 30, 2010 – CV: 10-0  

Matters of Urgency  

22. Quatro & Yolevich  
Intro. 224  
Res. 184  
28-0  
10-0238  
Adopting Standard Work Day And Reporting Resolution For County Elected And  
Appointed Officials For Retirement Credit Purposes  

23. Daniele & Yolevich  
Intro. 225  
Res. 185  
28-0  
10-0239  
Accepting Reimbursement From New York State Board Of Elections For Help America  
Vote Act  

24. Valerio & Daniele  
Intro. 226  
10-0240  
Approving Monroe Community College’s 2010-2011 Operating Budget  
(For Introductory Purposes Only)  

25. Valerio & Daniele  
Intro. 227  
M. 35  
28-0  
10-0240  
Providing That Resolution (Intro. No. 226 Of 2010), Entitled “Approving Monroe  
Community College’s 2010-2011 Operating Budget,” Be Tabled  

26. Valerio & Daniele  
Intro. 228  
Res. 186  
28-0  
10-0240  
Fixing Public Hearing On Resolution (Intro. No. 226 Of 2010), Entitled “Approving  
Monroe Community College’s 2010-2011 Operating Budget”  
(Public Hearing is Scheduled before a Joint Meeting of the Recreation and Education and  
Ways and Means Committees on Wednesday, July 28, 2010 at 6:00 P.M.)  

27. Daniele & Yolevich  
Intro. 229  
10-0241.LL  
Eleting Retirement Incentive Program As Authorized By Part A Of Chapter 105, Laws Of  
2010, And Authorizing County To Offer Local Incentive, For Eligible Employees Of  
County Of Monroe  
(For Introductory Purposes Only)  

28. Daniele & Yolevich  
Intro. 230  
M. 36  
28-0  
10-0241.LL  
Incentive Program As Authorized By Part A Of Chapter 105, Laws Of 2010, And  
Authorizing County To Offer Local Incentive, For Eligible Employees Of County Of  
Monroe” Be Tabled
29. Daniele & Yolevich
   Intro. 231
   M. 187
   28-0

10-0241.LL Fixing Public Hearing On Local Law (Intro. No. 229 Of 2010), Entitled “Electing Retirement Incentive Program As Authorized By Part A Of Chapter 105, Laws Of 2010, And Authorizing County To Offer Local Incentive, For Eligible Employees Of County Of Monroe”

/Public Hearing is Scheduled for Tuesday, August 10, 2010 at 6:15 P.M./

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UNFINISHED BUSINESS

Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 7:25 p.m. until Tuesday, August 10, 2010 at 6:00 p.m.

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CHERYL M. ROZZI
Clerk of the Legislature