

FOURTH DAY

TUESDAY, MARCH 11, 2008

Legislature met pursuant to adjournment.

President Wayne E. Zyra in the Chair.

ROLL CALL

Present — Legislators Adair, Andrews, Barker, Beebe, Bronson, Casseti, Colby, Cruz, Daniele, Dobson, Driscoll, Esposito, Eckel, Gamble, Gumina, Haney, Hanna, Heider, Kaleh, LaFountain, Lee, Lightfoot, McCann, O'Brien, Quatro, Tucciarello, Valerio, Yolevich, Zyra - 29

Meeting formally opened. At the invitation of Legislator Anthony Daniele, The Reverend Kevin Murphy of St. Louis Church, delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Stephen Tucciarello.

MOTIONS, RESOLUTIONS AND NOTICES

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|-----|---|---------|---|
| 35. | Quatro &
Bronson
Intro. 67
Res. 47 | 08-0117 | Expressing Regret of the Monroe County Legislature on the Recent Passing of United States Army Corporal Kevin Mowl
Matter Of Urgency |
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This resolution was read into the record and adopted unanimously with each Legislator rising in his or her place for a moment of silence.

APPROVAL OF MINUTES

Without objection, the journal of the session of Day 3, February 12, 2008 was approved as submitted.

PETITIONS AND COMMUNICATIONS

PROCLAMATIONS

By the President of the Legislature — **WAYNE E. ZYRA**

Proclaimed By County Executive Maggie Brooks and Legislator John (Jack) G. Driscoll "John Zito" for his outstanding work as a Monroe County Probation Officer, and for making our community a safer place.

Read and Filed.

Recognized Jointly with Legislator Ciaran T. Hanna "Pat Dupont" for his many accomplishments running for the Fairport Varsity Cross Country Team.

Read and Filed.

Recognized Jointly with Legislator Edward M. O'Brien "Quentin Gause" for his outstanding accomplishments.
Read and Filed.

Recognized Jointly with Legislators Calvin Lee, Jr. and Willie Lightfoot "George Mathers Forbes School No. 4" for its outstanding accomplishment.
Read and Filed.

Recognized Jointly with Legislators Edward M. O'Brien and Vincent Esposito "Eastridge Varsity Cheerleading Squad" for its outstanding achievement.
Read and Filed.

Recognized Jointly with Legislator Edward M. O'Brien "Wayne Washington" for his outstanding accomplishments.
Read and Filed.

RECESS

A recess was declared by President Zyra to allow for two **Public Hearings** entitled...

"Enacting a Local Law To Deter The Consumption Of Alcohol By Minors In Monroe County". One speaker addressed the Legislature and the hearing concluded at 6:30 P.M.

"Prohibiting The Public Defender From Engaging In Political Activity". No speakers addressed the Legislature and the hearing concluded at 6:31 P.M.

RECONVENING LEGISLATURE

President Zyra reconvened the recessed meeting of February 12, 2008 and proceeded under the Usual Order of Business.

FORMAL COMMITTEE REPORTS

NONE

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Thirteen speakers addressed the Legislature on various subjects and the Open Forum concluded at 7:08 P.M.

RECESS

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

RECONVENING LEGISLATURE

President Zyra reconvened the recessed meeting of March 11, 2008 and proceeded under the Usual Order of Business.

LOCAL LAWS

1. Tucciarello & Colby
Intro. 68
M. 14
29-0 08-0008 A Local Law (Intro. No. 23 of 2008) To Deter The Consumption Of Alcohol By Minors In Monroe County, Be Lifted From The Table

2. Tucciarello & Colby
Intro. 69
M. 15
29-0 08-0008 Providing That Local Law (Intro. No.23 of 2008), Entitled "Enacting a Local Law To Deter The Consumption Of Alcohol By Minors In Monroe County," Be Adopted

Intro. 23 Main Motion
Local Law No. TBA
29-0

3. Driscoll, Colby & Barker
Intro. 70
M. 16
29-0 08-0046 Providing That Local Law (Intro. No. 62 of 2008), Entitled "Prohibiting The Public Defender From Engaging In Political Activity" Be Lifted From The Table

4. Driscoll, Colby & Barker
Intro. 71
M. 17
29-0 08-0046 Providing That Local Law (Intro. No. 62 of 2008), Entitled "Prohibiting The Public Defender From Engaging In Political Activity" Be Adopted

Intro. 62 Main Motion
Local Law No. TBA
29-0

MOTIONS, RESOLUTIONS AND NOTICES

5. LaFountain, Barker & Haney
Intro. 72
Res. 48
29-0 08-0047 Collection Of Partial Property Tax Payments
Ways and Means Committee; February 27, 2008 – CV: 11-0

6. Tucciarello & Hanna
Intro. 73
Res. 49
29-0 08-0052 Authorizing Initiation Of Process For Making Additions To Monroe County Agricultural Districts
Planning and Economic Development Committee; February 25, 2008 – CV: 5-0

7. Tucciarello & Hanna
Intro. 74
Res. 50
29-0
08-0053
Authorizing Review Of Monroe County Northwestern Agricultural District No. 5
Planning and Economic Development Committee; February 25, 2008- CV: 5-0
8. Tucciarello & LaFountain
Intro. 75
Res. 51
29-0
08-0054
Accepting Grant From Genesee Transportation Council For Land Use Project
Planning and Economic Development Committee; February 25, 2008 – CV: 5-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
9. Tucciarello & LaFountain
Intro. 76
Res. 52
29-0
08-0055
Approving Public Employees Blanket Bond For Genesee/Finger Lakes Regional Planning Council
Planning and Economic Development Committee; February 25, 2008 – CV: 5-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
(Legislator Adair declared his interest prior to the vote)
10. Tucciarello & LaFountain
Intro. 77
Res. 53
29-0
08-0056
Authorizing Annual Contribution To Genesee/Finger Lakes Regional Planning Council
Planning and Economic Development Committee; February 25, 2008 – CV: 5-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
11. Barker & LaFountain
Intro. 78
Res. 54
29-0
08-0057
Accepting Grant From City Of Rochester For Participation In Youth Violence Strike Force
Public Safety Committee; February 25, 2008 – CV: 8-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
12. Barker & LaFountain
Intro. 79
Res. 55
29-0
08-0058
Authorizing Contract With The Center For Dispute Settlement For Review Of Selected Internal Affairs Cases
Public Safety Committee; February 25, 2008 – CV: 8-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
13. Barker & LaFountain
Intro. 80
Res. 56
29-0
08-0059
Accepting Grant From United States Department Of Justice, Bureau Of Justice Assistance, For Office Of Sheriff, District Attorney's Office, And Department Of Public Safety, Office Of Probation And Community Corrections, For Bulletproof Vest Partnership Grant Program
Public Safety Committee; February 25, 2008 – CV: 8-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
14. Barker & LaFountain
Intro. 81
Res. 57
29-0
08-0060
Accepting Grant From New York State Governor's Traffic Safety Committee For Selective Traffic Enforcement Program
Public Safety Committee; February 25, 2008 – CV: 8-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
15. Barker & LaFountain
Intro. 82
Res. 58
29-0
08-0061
Accepting Grant From New York State Division Of Criminal Justice Services For Motor Vehicle Theft And Insurance Fraud Prosecution Program
Public Safety Committee; February 25, 2008 – CV: 8-0
Ways and Means Committee; February 27, 2008 – CV: 11-0

16. Barker & LaFountain
Intro. 83
Res. 59
29-0
08-0062
Accepting Grant From New York State Division Of Criminal Justice Services For Public Defender Indigent Parolee Program
Public Safety Committee; February 25, 2008 – CV: 8-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
17. Barker & LaFountain
Intro. 84
Res. 60
29-0
08-0063
Accepting Grant From New York State Governor's Traffic Safety Committee For Child Passenger Safety Program (Department Of Public Safety)
Public Safety Committee; February 25, 2008 – CV: 8-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
18. Barker & LaFountain
Intro. 85
Res. 61
29-0
08-0064
Accepting Grant From New York State Governor's Traffic Safety Committee For Child Passenger Safety Program (Sheriff's Office)
Public Safety Committee; February 25, 2008 – CV: 8-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
19. Barker & LaFountain
Intro. 86
Res. 62
29-0
08-0065
Accepting Grant From New York State Governor's Traffic Safety Committee For Child Passenger Safety Program (Department Of Public Health)
Public Safety Committee; February 25, 2008 – CV: 8-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
20. Valerio & LaFountain
Intro. 87
Res. 63
29-0
08-0066
Authorizing Contract With Monroe Community College To Provide Professional Services Through Agriculture And Life Sciences Institute
Recreation and Education Committee; February 26, 2008 – CV: 4-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
21. Valerio & LaFountain
Intro. 88
Res. 64
29-0
08-0067
Authorizing Contract With Environmental Design And Research, P.C. For Professional Engineering Services For Ellison Park Area Master Plan Update
Recreation and Education Committee; February 26, 2008 – CV: 4-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
22. Dobson, Barker & LaFountain
Intro. 89
Res. 65
29-0
08-0068
Authorizing Intermunicipal Agreement With City Of Rochester For A Firearm Instructor
Intergovernmental Relations Committee; February 26, 2008 – CV: 5-0
Public Safety Committee; February 25, 2008 – CV: 8-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
23. Dobson, Barker & LaFountain
Intro. 90
Res. 66
29-0
08-0069
Authorizing Intermunicipal Agreements With Ten Municipalities For STOP-DWI Law Enforcement Program
Intergovernmental Relations Committee; February 26, 2008 – CV: 5-0
Public Safety Committee; February 25, 2008 – CV: 8-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
24. Hanna & LaFountain
Intro. 91
Res. 67
29-0
08-0070
Accepting Grant From National Association Of County And City Health Officials For Medical Reserve Corps Capacity Building Program
Human Services Committee; February 26, 2008 – CV: 7-0
Ways and Means Committee; February 27, 2008 – CV: 11-0

25. Hanna & LaFountain
Intro. 92
Res. 68
29-0
- 08-0071
- Accepting Grant From New York State Department Of Health For HIV Surveillance Program
Human Services Committee; February 26, 2008 – CV: 7-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
26. Hanna & LaFountain
Intro. 93
Res. 69
29-0
- 08-0072
- Accepting Grant From New York State Department Of Health For Family Resources And Support Program
Human Services Committee; February 26, 2008 – CV: 7-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
27. Cassetti & LaFountain
Intro. 94
Res. 70
29-0
- 08-0073
- Amending 2008-2013 Capital Improvement Program To Add A Capital Project Entitled, "Rehabilitate Runway 10-28 And Related Safety Improvements – Phase 1" At Greater Rochester International Airport; And Authorizing A Contract With Clough Harbour & Associates, LLP For Design Services For The Rehabilitate 10-28 And Related Safety Improvements – Phase 1 Project At The Greater Rochester International Airport
Environment and Public Works Committee; February 27, 2008 – CV: 7-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
28. Cassetti & LaFountain
Intro. 95
Res. 71
29-0
- 08-0073 br.
- Resolution Authorizing The Issuance Of \$8,000,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Rehabilitation Of Runway 10/28 And The Construction Of Related Safety Improvements – Phase 1, Including Incidental Improvements, At The Greater Rochester International Airport In And For Said County, At An Estimated Maximum Cost Of \$8,000,000
Environment and Public Works Committee; February 27, 2008 – CV: 7-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
29. Cassetti & LaFountain
Intro. 96
Res. 72
29-0
- 08-0074
- Authorizing Contract With Lu Engineers For Professional Engineering Services For Selective Demolition Of Wastewater Facilities Project
Environment and Public Works Committee; February 27, 2008 – CV: 7-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
30. Colby & LaFountain
Intro. 97
Res. 73
29-0
- 08-0076
- Authorizing Contract With DiFiore Construction, Inc. For Construction Services For Garnsey Road Improvement Project In The Town Of Perinton
Transportation Committee; February 27, 2008 – CV: 8-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
31. Colby & LaFountain
Intro. 98
Res. 74
29-0
- 08-0077
- Authorizing A Contract With New York State Department Of Transportation
Transportation Committee; February 27, 2008 – CV: 8-0
Ways and Means Committee; February 27, 2008 – CV: 11-0
32. Colby & LaFountain
Intro. 99
Res. 75
29-0
- 08-0077 br.
- Resolution Authorizing The Issuance Of \$ 3,400,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Reconstruction Of Various Highways, Including But Not Limited To Milling, Resurfacing And Improving Drainage, Edge Treatment, Shoulders And Roadway Conditions, In And For Said County, And Superseding The Bond Resolution Adopted On December 11, 2007 (Resolution No. 485 Of 2007)
Transportation Committee; February 27, 2008 – CV: 8-0
Ways and Means Committee; February 27, 2008 – CV: 11-0

33. LaFountain & Barker
Intro. 100
Res. 76
29-0
- 08-0078
- Directing Correction, Cancellation And Levy Of Certain Monroe County Taxes In Towns Of Brighton, Chili, Gates, Henrietta, Irondequoit, Sweden and Wheatland
Ways and Means Committee; February 27, 2008 – CV: 11-0
34. LaFountain & Barker
Intro. 101
Res. 77
29-0
- 08-0084 br.
- A Resolution Authorizing The Issuance Pursuant To Section 90.00 Or 90.10 Of The Local Finance Law Of Refunding Bonds Of The County Of Monroe, New York And Providing For Other Matters In Relation Thereto And The Payment Of The Bonds To Be Refunded Thereby
Ways and Means Committee; February 27, 2008 – CV: 11-0

Matters of Urgency

36. Hanna & Yolevich
Intro. 102
- 08-0118
- Requesting County Administration To Explore Alternative For Seniors Affected By Elimination Of East Rochester Senior Nutrition Program
Matter Of Urgency
- Intro. 103
M. 18
14-15 F
- Andrews/Eckel
Motion to Commit Intro. 102 of 2008 to Committee
(Legislators Bronson, Andrews, Beebe, Cruz, Esposito, Eckel, Gamble, Gumina, Haney, Heider, Kaleh, Lee, Lightfoot and O'Brien voted in the positive)
- Intro. 102
Res. 78
16-13
- (Legislators Bronson, Andrews, Beebe, Cruz, Esposito, Eckel, Gamble, Haney, Heider, Kaleh, Lee, Lightfoot and O'Brien voted in the negative)*
37. Yolevich & Dobson
Intro. 104
- 08-0119
- Appointment Of Legislative Representatives To The Action for A Better Community Board, Agricultural and Farmland Protection Board, Council For Elders, Fishery Advisory Board, Genesee Transportation Council, Board of Health, Library System- Board of Trustees, Monroe County Emergency Medical Services Advisory Board, Operating Practices Board – 911, Monroe County Soil and Water Conservation Board, Environmental Management Council, Arts and Cultural Council and Monroe County Planning Board
Matter Of Urgency
- Intro. 105
M. 19
29-0
- Quatro/Driscoll
Motion to Table Intro. No. 104 of 2008

UNFINISHED BUSINESS

Upon Motion by Legislator Quatro, the Legislature adjourned at 8:01 P.M. until Tuesday, April 8, 2008 at 6:00 P.M.

DAVID M. BARRY, JR.
Clerk of the Legislature