THIRD DAY

TUESDAY, MARCH 13, 2007

Legislature met pursuant to adjournment.

President Wayne E. Zyra in the Chair.

ROLL CALL

Present — Legislators Adair, Aldersley, Andrews, Barker, Bronson, Cassetti, Colby, Cruz, Dobson, DiRaddo, Driscoll, Eckel, Gamble, Haney, Hanna, Heider, LaFountain, Lightfoot, Malta, McCann, O'Brien, Palumbo, Quatro, Smith, Tucciarello, Valerio, Yolevich, Zyra — 28

Absent — Legislator Lee — 1

Meeting formally opened. At the invitation of Legislator David C. Malta, Reverend Long Kim Tran of Pinnacle Baptist Church delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Robert J. Colby.

APPROVAL OF MINUTES

Without objection, the journal of the session of Day 2, February 13, 2007 was approved as submitted.

PETITIONS AND COMMUNICATIONS

PROCLAMATIONS

By the President of the Legislature — WAYNE E. ZYRA

Proclaiming Jointly with County Executive Maggie Brooks "April 8-14, 2007 to be Parks and Recreation Week" in Monroe County.

Read and Filed.

Recognized Jointly with Legislators Jeffrey R. Adair, E. Daniel Quatro and Paul E. Haney "Our Lady Of Mercy High School Varsity Indoor Track Team" for their local and state-wide accomplishments this year, and wish them the best of luck next season.

Read and Filed.

Recognized Jointly with Legislator Willie J. Lightfoot "Fernando Menezes" to thank him for his contribution to the 19th ward and for making Monroe County his home.

Read and Filed.

Recognized Jointly with Legislators Travis R. Heider, Harry B. Bronson and Paul E. Haney "Brighton Volunteer Ambulance" for its exceptional commitment to the Town of Brighton and to the Monroe County community.

Read and Filed.

Recognized Jointly with Legislator Edward M. O'Brien "Maria Sulli" for her outstanding achievements and wish her success in her future endeavors.

Read and Filed.

RECESS

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

"Amending Monroe County Code, Chapter 39 (Defense and Indemnification Of County Officers And Employees), To Provide For The Defense And Indemnification Of Monroe Community College Officers And Employees, the Monroe County Airport Authority Members, Officers, Agents, Representatives and Employees, And Other Entities Or Natural Persons As The County Of Monroe Is Required To Indemnify By Law Or Contract". No speakers addressed the Legislature and the hearing concluded at 6:25 p.m.

Amending Local Law No. 1 Of 2001, As Amended By Local Law Nos. 6 And 8 Of 2002, Local Law Nos. 3, 8 And 14 Of 2003, Local Law Nos. 2 And 3 Of 2004, Local Laws Nos. 6 And 7 Of 2005 And Local Laws Nos. 2, 3, 6, 9 And 10 Of 2006 And Local Law No. 1 And ___Of 2007 To Revise Empire Zone Boundary". No speakers addressed the Legislature and the hearing concluded at 6:26 p.m.

RECONVENING LEGISLATURE

President Zyra reconvened the recessed meeting of March 13, 2007 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. Four speakers addressed the Legislature on various subjects and the Open Forum concluded at 6:35 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 13, 2007 and proceeded under the Usual Order of Business.

LOCAL LAWS

1. DiRaddo & Valerio Intro. 137 M. 27 28-0	07-0013	Providing That Local Law (Intro. No. 112 Of 2007) Entitled, "Amending Monroe County Code, Chapter 39 (Defense and Indemnification Of County Officers And Employees), To Provide For The Defense And Indemnification Of Monroe Community College Officers And Employees, the Monroe County Airport Authority Members, Officers, Agents, Representatives and Employees, And Other Entities Or Natural Persons As The County Of Monroe Is Required To Indemnify By Law Or Contract," Be Lifted From The Table

2. DiRaddo & Valerio — 07-0013
Intro. 138
M. 28
28-0

Providing That Local Law (Intro. No. 112 Of 2007) Entitled, "Amending Monroe County Code, Chapter 39 (Defense and Indemnification Of County Officers And Employees), To Provide For The Defense And Indemnification Of Monroe Community College Officers And Employees, the Monroe County Airport Authority Members, Officers, Agents, Representatives and Employees, And Other Entities Or Natural Persons As The County Of Monroe Is Required To Indemnify By Law Or Contract," Be Adopted
Agenda Charter Committee; January 22, 2007 – CV: 5-0

Intro. 112
Local Law No. TBA
28-0

Main Motion

3. Driscoll & Barker — 07-0031
Intro. 139

Amending Local Law No. 1 Of 2001, As Amended By Local Law Nos. 6 And 8 Of 2002, Local Law Nos. 3, 8 And 14 Of 2003, Local Law Nos. 2 And 3 Of 2004, Local Laws Nos. 6 And 7 Of 2005 And Local Laws Nos. 2, 3, 6, 9, And 10 Of 2006 And Local Law Nos. 1, ___ And ___ Of 2007 To Revise Empire Zone Boundary
Planning and Economic Development Committee; February 26, 2007 – CV: 5-0
(For Introductory Purposes Only)

4. Driscoll & Barker — 07-0031
Intro. 140
M. 29
28-0

Providing That Local Law (Intro. No. 139 Of 2007), Entitled "Amending Local Law No. 1 Of 2001, As Amended By Local Law Nos. 6 And 8 Of 2002, Local Law Nos. 3, 8 And 14 Of 2003, Local Law Nos. 2 And 3 Of 2004, Local Law Nos. 6 And 7 Of 2005 And Local Laws Nos. 2, 3, 6, 9, And 10 Of 2006 And Local Law Nos. 1, ___ And ___ Of 2007 To Revise Empire Zone Boundary," Be Tabled

5. Driscoll & Barker — 07-0031
Intro. 141
Res. 108
28-0

Fixing A Public Hearing on Local Law (Intro. No. 139 Of 2007), Entitled "Amending Local Law No. 1 Of 2001, As Amended By Local Law Nos. 6 And 8 Of 2002, Local Law Nos. 3 8 And 14 Of 2003, Local Law Nos. 2 And 3 Of 2004, Local Law Nos. 6 And 7 Of 2005 And Local Laws Nos. 2, 3, 6, 9 And 10 Of 2006 And Local Law Nos. 1, __ And ___Of 2007 To Revise Empire Zone Boundary"
(Public Hearing is Scheduled for Tuesday, April 10, 2007 at 6:15 P.M.)

6. Driscoll & Barker — 07-0089
Intro. 142
M. 30
28-0

Providing That Local Law (Intro. No.134 Of 2007), Entitled "Amending Local Law No. 1 Of 2001, As Amended By Local Law Nos. 6 And 8 Of 2002, Local Law Nos. 3, 8 And 14 Of 2003, Local Law Nos. 2 And 3 Of 2004 And Local Law Nos. 6 And 7 Of 2005 And Local Law Nos. 2,3,6,9 And 10 Of 2006 And Local Law Nos. 1 And __Of 2007 To Revise Empire Zone Boundary," Be Lifted From the Table

7. Driscoll & Barker — 07-0089
Intro. 143
M. 31
28-0

Providing That Local Law (Intro. No. 134 Of 2007), Entitled "Amending Local Law No. 1 Of 2001, As Amended By Local Law Nos. 6 And 8 Of 2002, Local Law Nos. 3, 8 And 14 Of 2003, Local Law Nos. 2 And 3 Of 2004 And Local Law Nos. 6 And 7 Of 2005 And Local Law Nos. 2,3,6,9 And 10 Of 2006 And Local Law Nos. 1 And __Of 2007 To Revise Empire Zone Boundary" Be Adopted

Intro. 134
Local Law No. TBA
28-0

Main Motion

MOTIONS, RESOLUTIONS AND NOTICES

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8. Driscoll & Barker — 07-0032
Intro. 144
Res. 109
28-0

Authorizing Extension Of Anniversary Date Of Monroe County's Northeastern Agricultural District No. 3; Combining Monroe County's Northeastern No. 3. And Southeastern No. 4 Agricultural Districts to Form Eastern Agricultural District No. 6; Authorizing Review Of Monroe County Eastern Agricultural District No. 6
Planning and Economic Development Committee; February 26, 2007 – CV: 5-0

9.	Driscoll & Barker Intro. 145 Res. 110 28-0	07-0033	Authorizing Initiation Of Process For Making Additions To Monroe County Agricultural Districts Planning and Economic Development Committee; February 26, 2007 – CV: 5-0
10.	Driscoll & Barker Intro. 146 Res. 111 28-0	07-0034	Resolution Approving The Issuance Of Certain Bonds By County Of Monroe Industrial Development Agency And Pledging Non-Interference With The Rights Of The Holders Of The Bonds Planning and Economic Development Committee; February 26, 2007 – CV: 5-0
11.	Driscoll & LaFountain Intro. 147 Res. 112 28-0	07-0035	Accepting Grant From Genesee Transportation Council For Land Use Project Planning and Economic Development Committee; February 26, 2007 - CV: 5-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
12.	Driscoll & LaFountain Intro. 148 Res. 113 28-0	07-0036	Approving Public Employees Blanket Bond For Genesee/Finger Lakes Regional Planning Council Planning and Economic Development Committee; February 26, 2007 – CV: 5-0 Ways and Means Committee; February 28, 2007 - CV: 8-0
13.	Driscoll & LaFountain Intro. 149 Res. 114 28-0	07-0037	Authorizing Annual Contribution To Genesee/Finger Lakes Regional Planning Council Planning and Economic Development Committee; February 26, 2007 – CV: 5-0 Ways and Means Committee; February 28, 2007 - CV: 8-0
14.	Driscoll & Barker Intro. 150 Res. 115 28-0	07-0038	Resolution Approving The Issuance Of Certain Bonds By The County Of Monroe Industrial Development Agency And Pledging Non-Interference With The Rights Of The Holders Of The Bonds Planning and Economic Development Committee; February 26, 2007 – CV: 5-0
15.	Barker & LaFountain Intro. 151 Res. 116 28-0	07-0039	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 26, 2007 - CV: 6-0 Ways and Means Committee; February 28, 2007 - CV: 8-0
16.	Barker & LaFountain Intro. 152 Res. 117 28-0	07-0040	Accepting Grant From New York State Division Of Criminal Justice Services For Public Defender Indigent Parolee Program Public Safety Committee; February 26, 2007 - CV: 6-0 Ways and Means Committee; February 28, 2007 - CV: 8-0
17.	Barker & LaFountain Intro. 153 Res. 118 28-0	07-0041	Accepting Grant From New York State Division Of Criminal Justice Services For Police Video Equipment Enhancement Project Public Safety Committee; February 26, 2007 - CV: 6-0 Ways and Means Committee; February 28, 2007 - CV: 8-0
18.	Barker, Malta & LaFountain Intro. 154 Res. 119 28-0	07-0042	Authorizing Municipal Cooperation Agreement With City Of Rochester For Weed & Seed Anti-Gang Violence Initiative Public Safety Committee; February 26, 2007 – CV: 6-0 Intergovernmental Relations Committee; February 27, 2007 – CV: 4-0 Ways and Means Committee; February 28, 2007 - CV: 8-0

19.	Barker & LaFountain Intro. 155 Res. 120 28-0	07-0043	Accepting Grant From New York State Division Of Criminal Justice Services For Motor Vehicle Theft And Insurance Fraud Prosecution Program Public Safety Committee; February 26, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
20.	Barker & LaFountain Intro. 156 Res. 121 28-0	07-0044	Accepting Grant From New York State Division Of Criminal Justice Services For STEPS/Road To Recovery Program Public Safety Committee; February 26, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
21.	Barker & LaFountain Intro. 157 Res. 122 28-0	07-0045	Authorizing Transfer Of Special Traffic Operations Program-Driving While Intoxicated (STOP-DWI) Reserve Funds to STOP-DWI Operating Budget To Purchase Services In Order To Link Computer Programs For Local Law Enforcement Public Safety Committee; February 26, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
22.	Barker, Malta & LaFountain Intro. 158 Res. 123 28-0	07-0046	Authorizing Intermunicipal Agreements With Ten Municipalities For STOP-DWI Law Enforcement Program Public Safety Committee; February 26, 2007 – CV: 6-0 Intergovernmental Relations Committee; February 27, 2007 – CV: 4-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
23.	Barker & LaFountain Intro. 159 Res. 124 28-0	07-0047	Accepting Grant From New York State Department Of Probation And Correctional Alternatives For Alternatives To Incarceration Classification/ Alternatives Program And Enhanced Drug/Alcohol Treatment Program Public Safety Committee; February 26, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
24.	Barker & LaFountain Intro. 160 Res. 125 28-0	07-0048	Authorizing Contract With Susan Vinocour, J.D., Ph.D., For Juvenile And Family Psychological Services Public Safety Committee; February 26, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
25.	Barker & LaFountain Intro. 161 Res. 126 28-0	07-0049	Accepting Grant From New York State Division Of Criminal Justice Services For Stop Violence Against Women Program Public Safety Committee; February 26, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
26.	Barker & LaFountain Intro. 162 Res. 127 28-0	07-0050	Accepting Grant From New York State Division Of Criminal Justice Services For Expansion Of Local Reentry Task Force Services; Authorizing Contract With Catholic Family Center Public Safety Committee; February 26, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
27.	Barker & LaFountain Intro. 163 Res. 128 28-0	07-0051	Accepting Byrne Justice Assistance Grant From New York State Division Of Criminal Justice Services For Field Intelligence Officer Public Safety Committee; February 26, 2007 - CV: 6-0 Ways and Means Committee; February 28, 2007 - CV: 8-0
28.	Barker & LaFountain Intro. 164 Res. 129 28-0	07-0052	Accepting Grant From New York State Office Of Children And Family Services For Juvenile Justice Mental Health Project; Authorizing Contract With Unity Hospital Of Rochester Public Safety Committee; February 26, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0

29.	Barker & LaFountain Intro. 165 Res. 130 28-0	07-0053	Accepting Grant From Urban Development Corporation d/b/a Empire State Development Corporation For Monroe County Regional Crime Laboratory Modernization Plan Public Safety Committee; February 26, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
30.	Tucciarello, Barker & LaFountain Intro. 166 Res. 131 28-0	07-0054	Authorizing Contracts With Crane-Hogan Structural Systems, Inc., John W. Danforth Company, And M.L. Caccamise Electrical Corporation For Construction Of Emergency Communications Facility Project Public Safety Committee; February 26, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
31.	Barker, Tucciarello, Malta & LaFountain Intro. 167 Res. 132 28-0	07-0055	Authorizing Advertisement For Bids And Authorizing An Intermunicipal Agreement With The Town Of Perinton for Sidewalks For Whitney Road Culvert Over Thomas Creek Project, Town Of Perinton Transportation Committee; February 28, 2007 – CV: 7-0 Intergovernmental Relations Committee; February 27, 2007 – CV: 4-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
32.	Dobson & LaFountain Intro. 168 Res. 133 28-0	07-0056	Accepting Grant From New York State Department Of Health For Family Resources And Support Program Human Services Committee; February 27, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
33.	Dobson & LaFountain Intro. 169 Res. 134 28-0	07-0057	Accepting Grant From New York State Department Of Health For Sexually Transmitted Disease Intervention Program Human Services Committee; February 27, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
34.	Dobson & LaFountain Intro. 170 Res. 135 28-0	07-0058	Authorizing Contract With Catholic Diocese Of Rochester To Provide Religious Services For Residents Of Monroe Community Hospital Human Services Committee; February 27, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
35.	Dobson & LaFountain Intro. 171 Res. 136 28-0	07-0059	Authorizing License Agreement With Rochester Eye And Human Parts Bank, Inc. To Occupy Space At Monroe County Medical Examiner's Facility, 740 East Henrietta Road, Rochester, New York Human Services Committee; February 27, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
36.	Dobson & LaFountain Intro. 172 Res. 137 28-0	07-0060	Amending Resolution 292 Of 2006 To Accept Additional Funding From New York State Department Of Health For Abstinence Education And Promotion Initiative Program Human Services Committee; February 27, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
37.	Dobson & LaFountain Intro. 173 Res. 138 28-0	07-0061	Amending Resolution 313 Of 2006 To Accept Additional Funding From New York State Department Of Health For Healthy Neighborhoods Program Human Services Committee; February 27, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
38.	Dobson & LaFountain Intro. 174 Res. 139 28-0	07-0062	Amending Resolution 314 Of 2006 To Accept Additional Funding From New York State Department Of Health For Tobacco Enforcement Program Human Services Committee; February 27, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0

39.	Cassetti & LaFountain Intro. 175	07-0063	Approving An Increase And Improvement Of Facilities In The Rochester Pure Waters District Environment and Public Works Committee; February 28, 2007 - CV: 6-0 Ways and Means Committee; February 28, 2007 - CV: 8-0 *(For Introductory Purposes Only)*
40.	Cassetti & LaFountain Intro. 176 M. 32 28-0	07-0063	Providing That Resolution (Intro. No. 175 Of 2007), Entitled "Approving An Increase And Improvement Of Facilities In The Rochester Pure Waters District," Be Tabled
41.	Cassetti & LaFountain Intro. 177 Res. 140 28-0	07-0063	Calling A Public Hearing For The Purpose Of Considering A Proposed Increase And Improvement Of Facilities In The Rochester Pure Waters District In The County Of Monroe, New York *(Public Hearing is Scheduled for Tuesday, April 10, 2007 at 6:16 P.M.)*
42.	Cassetti & LaFountain Intro. 178	07-0065	Approving An Increase And Improvement Of Facilities In The Irondequoit Bay South South Central Pure Waters District Environment and Public Works Committee; February 28, 2007 - CV: 6-0 Ways and Means Committee; February 28, 2007 - CV: 8-0 *(For Introductory Purposes Only)*
43.	Cassetti & LaFountain Intro. 179 M. 33 28-0	07-0065	Providing That Resolution (Intro. No. 178 Of 2007), Entitled "Approving An Increase And Improvement Of Facilities In The Irondequoit Bay South Central Pure Waters District," Be Tabled
44.	Cassetti & LaFountain Intro. 180 Res. 141 28-0	07-0065	Calling A Public Hearing For The Purpose Of Considering A Proposed Increase And Improvement Of Facilities In The Irondequoit Bay South Central Pure Waters District In The County Of Monroe, New York *(Public Hearing is Scheduled for Tuesday, April 10, 2007 at 6:17 P.M.)*
45.	Cassetti & LaFountain Intro. 181	07-0067	Approving An Increase And Improvement Of Facilities In The Northwest Quadrant Pure Waters District Environment and Public Works Committee; February 28, 2007 - CV: 6-0 Ways and Means Committee; February 28, 2007 - CV: 8-0 *(For Introductory Purposes Only)*
46.	Cassetti & LaFountain Intro. 182 M. 34 28-0	07-0067	Providing That Resolution (Intro. No. 181 Of 2007), Entitled "Approving An Increase And Improvement Of Facilities In The Northwest Quadrant Pure Waters District," Be Tabled
47.	Cassetti & LaFountain Intro. 183 Res. 142 28-0	07-0067	Calling A Public Hearing For The Purpose Of Considering A Proposed Increase And Improvement Of Facilities In The Northwest Quadrant Pure Waters District In The County Of Monroe, New York *(Public Hearing is Scheduled for Tuesday, April 10, 2007 at 6:18 P.M.)*
48.	Cassetti & LaFountain Intro. 184	07-0069	Approving An Increase And Improvement Of Facilities In The Gates-Chili-Ogden Sewer District Environment and Public Works Committee; February 28, 2007 - CV: 6-0 Ways and Means Committee; February 28, 2007 - CV: 8-0 *(For Introductory Purposes Only)*

49.	Cassetti & LaFountain Intro. 185 M. 35 28-0	07-0069	Providing That Resolution (Intro. No.184 Of 2007),Entitled "Approving An Increase And Improvement Of Facilities In The Gates-Chili-Ogden Sewer District," Be Tabled
50.	Cassetti & LaFountain Intro. 186 Res. 143 28-0	07-0069	Calling A Public Hearing For The Purpose Of Considering A Proposed Increase And Improvement Of Facilities In The Gates-Chili-Ogden Sewer District In The County Of Monroe, New York *(Public Hearing is Scheduled for Tuesday, April 10, 2007 at 6:19 P.M.)*
51.	Cassetti & LaFountain Intro. 187 Res. 144 28-0	07-0071	Accepting Grant From New York State Urban Development Corporation d/b/a Empire State Development Corporation For Monroe County Mill Seat Landfill Bioreactor Project Environment and Public Works Committee; February 28, 2007 - CV: 6-0 Ways and Means Committee; February 28, 2007 - CV: 8-0
52.	Cassetti & LaFountain Intro. 188 Res. 145 28-0	07-0072	Authorizing Contract With Clough Harbour & Associates, LLP For Design Services For Terminal Improvements – Phase II Project At Greater Rochester International Airport Environment and Public Works Committee; February 28, 2007 - CV: 6-0 Ways and Means Committee; February 28, 2007 - CV: 8-0
53.	Cassetti & LaFountain Intro. 189 Res. 146 28-0	07-0073	Authorizing Contract With Clough Harbour & Associates, LLP For Design And Monitoring Services For Environmental Management Project At Greater Rochester International Airport Environment and Public Works Committee; February 28, 2007 - CV: 6-0 Ways and Means Committee; February 28, 2007 - CV: 8-0
54.	Cassetti & LaFountain Intro. 190 Res. 147 28-0	07-0074	Authorizing Contract With Samuel A. Cooper, Jr., D/B/A Cooper Logics, For Professional Consulting Services At Greater Rochester International Airport Environment and Public Works Committee; February 28, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
55.	Cassetti & LaFountain Intro. 191 Res. 148 28-0	07-0075	Authorizing Award Of Contracts With LeChase Construction Services, LLC, John W. Danforth Company And O'Connell ElectricCompany For Construction For Relocation Of The Very High Frequency Omni Range And Runway Visual Range Aid And Related Improvements Project At Greater Rochester International Airport Environment and Public Works Committee; February 28, 2007- CV: 6-0 Ways and Means Committee; February 28, 2007 - CV: 8-0
56.	Cassetti & LaFountain Intro. 192 Res. 149 28-0	07-0075 br.	Resolution Authorizing The Issuance Of $3,200,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Relocation Of The Very High Frequency Omni Range And Runway Visual Range Aid And Related Improvements At The Greater Rochester International Airport In And For Said County, And Superseding The Bond Resolution Adopted on January 9, 2001 (Resolution No. 17 Of 2001) Environment and Public Works Committee; February 28, 2007- CV: 6-0 Ways and Means Committee; February 28, 2007 - CV: 8-0
57.	Tucciarello & LaFountain Intro. 193 Res. 150 28-0	07-0076	Authorizing Department of Transportation To Advertise For Bids For Intelligent Transportation System Camera Deployment Project Transportation Committee; February 28, 2007 – CV: 7-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
58.	LaFountain & McCann Intro. 194 Res. 151 28-0	07-0077	Authorizing Settlement Of Lawsuit Entitled "The State Of New York vs. Eastman Kodak Co.,Bausch & Lomb, Inc., Xerox Corp., E.I. Dupont De Nemours & Co., Rochester Gas & Electric Co., Chloride Power Electronics, Inc., On Behalf Of Its Former Division, Chloride Electro Network, Bastian Bros., Co., Luster Coate Metalizing Corp., The University of Rochester And Monroe County" Ways and Means Committee; February 28, 2007 – CV: 8-0

59.	Yolevich, LaFountain & McCann Intro. 195 Res. 152 28-0	07-0078	Authorizing Sale Of County-Owned Tax Foreclosed Property, Town Of Sweden Ways and Means Committee; February 28, 2007 – CV: 8-0
60.	Dobson & LaFountain Intro. 196 Res. 153 28-0	07-0090	Amending Resolution 312 Of 2006 To Accept Additional Funding From New York State Department Of Health For Consolidated Child And Family Health Program Human Services Committee; February 27, 2007 – CV: 6-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
61.	Valerio & LaFountain Intro. 197 Res. 154 28-0	07-0091	Accepting Grant From New York State Office Of Parks, Recreation And Historic Preservation For Snowmobile Trail Development And Maintenance Program And Authorizing Contracts With Hilton Sno-Flyers And Webster Ridge Runners For Development And Maintenance Of Trails Recreation and Education Committee; February 27, 2007 – CV: 4-0 Ways and Means Committee; February 28, 2007 – CV: 8-0
62.	DiRaddo & Valerio Intro. 198 Res. 155 28-0	07-0092	Appointment To Cooperative Extension Of Monroe County

Matter of Urgency

63.	Smith & LaFountain Intro. 199	07-0123	Adopting A Resolution Regarding Salaries and Benefits for Monroe County Water Authority Board Members Matter Of Urgency
	Intro. 200 M. 36		Haney/Palumbo A Motion to Amend Intro. No. 199 to read as follows:

Amend the second paragraph to read as follows:

"We recommend that Your Honorable Body adopt a resolution providing that ~~total compensation provided to all new, Monroe County Water Authority Board members shall be limited to an annual salary, as established in the Monroe County Budget, and that~~ no healthcare or other fringe benefit shall be provided to new, *current or former* Monroe County Water Authority Board members ~~appointed after the effective date of this resolution.~~"

Amend the third paragraph to read as follows:

"**The specific legislative action required is** to adopt a resolution requiring no health care or fringe benefit shall be provided to new, *current or former* Monroe County Water Authority Board members ~~appointed after the effective date of this resolution, such that the total compensation provided to all new board members is limited to an annual salary established by the Legislature, through adoption of the County Budget.~~"

Legislator Smith raised a point of order stating that the amendment was out of order. President Zyra ruled in support of Legislator Smith's point of order. Legislator Haney appealed the ruling of the chair. A motion to challenge the Ruling of the Chair was moved by Legislator Aldersley and seconded by Legislator Palumbo. President Zyra deferred to Legislative Council Patrick W. Pardyjak for an official interpretation on the motion to challenge the Ruling of the Chair. Mr. Pardyjak stated that the official motion was to Sustain the Ruling of the Chair and President Zyra's ruling was sustained by the following vote:

Ayes - Legislators Smith, Adair, Barker, Cassetti, Colby, DiRaddo, Dobson, Driscoll, Hanna, LaFountain, Malta, McCann, Quatro, Tucciarello, Valerio, Yolevich and Zyra - 17

Noes - Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Gamble, Haney, Heider, Lee and Lightfoot – 10

Note: Legislator O'Brien was recused from voting with the permission of the President.

Intro. 201
M. 37
10-17-1 F

Lightfoot/Andrews
A motion to Amend Intro. No. 199 to read as follows:
(Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Gamble, Haney, Heider, Lee and Lightfoot voted in the positive)

Note: Legislator O'Brien was recused from voting with the permission of the President.

Amend the second paragraph to read as follows:

"We recommend that Your Honorable Body adopt a resolution providing that ~~total compensation provided to all new, Monroe County Water Authority Board members shall be limited to an annual salary, as established in the Monroe County Budget, and that~~ no healthcare or other fringe benefit shall be provided to new Monroe County Water Authority Board members ~~appointed after the effective date of this resolution.~~ *and to amend the 2007 Adopted County Budget (resolution 434 of 2006) to reduce the salaries of the Monroe County Water Authority Board members to zero.*"

Amend the third paragraph to read as follows:

"The specific legislative action required is to adopt a resolution requiring no health care or fringe benefit shall be provided to new Monroe County Water Authority Board members ~~appointed after the effective date of this resolution, such that the total compensation provided to all new board members is limited to an annual salary established by the Legislature, through adoption of the County Budget.~~ *and to amend the 2007 Adopted County Budget (resolution 434 of 2006) Salary Schedule in the following ways:*

Flat Salary Schedule for the Monroe County Water Authority Board-Chair will be decreased to $0.00

Flat Salary Schedule for the Monroe County Water Authority Board-Member will be decreased to $0.00"

Intro. 202
M. 38

Aldersley/Palumbo
A motion to Amend Intro. No. 199 to read as follows:

To amend with the insertion of a third paragraph after the existing second paragraph to read as follows:

"*In keeping with efforts to strengthen local authority reform and accountability standards, it is the belief of this Honorable Body that we must enforce the intent of the enabling legislation of the Monroe County Water Authority Board that calls for two party representation. Therefore, we also recommend the reorganization of the Monroe County Water Authority Board, in a manner that reflects the bipartisan intent of state law*

To amend the existing third paragraph as follows and to become paragraph four:

"The specific legislative action required is to adopt a resolution requiring no health care or fringe benefit shall be provided to new Monroe County Water Authority Board members appointed after the effective date of this resolution, such that the total compensation provided to all new board members is limited to an annual salary established by the Legislature, through adoption of the County Budget. *It is also required that this Honorable Body adopt a resolution requesting the New York State Legislature to amend NYS Public Authorities Law to legislate the reorganization of the Monroe County Water Authority Board in the following manner: The Monroe County Water Authority, a public benefit corporation, shall consist of seven members: three of whom to be appointed by the Monroe County Executive, two of whom to be appointed by the President of the Monroe County Legislature and two of whom shall be appointed by the Minority Leader of the Monroe County Legislature; all seven members will be subject to confirmation by a majority of the Monroe County Legislature.*"

Legislator McCann stated that the amendment was out of order because it had the same subject matter of a referral that appeared before the body during the same legislative session. President Zyra ruled in support of Legislator's McCann point of order that the amendment is out of order. Legislator Aldersley moved and Legislator Palumbo seconded a motion to Appeal the Ruling of the Chair.

RECESS

Legislator Palumbo requested a brief recess.

RECONVENING LEGISLATURE

President Zyra reconvened the recessed meeting of March 13, 2007 and proceeded under the Usual Order of Business.

President Zyra's ruling was sustained by the following vote:

Ayes - Legislators Smith, Adair, Barker, Cassetti, Colby, DiRaddo, Dobson, Driscoll, Hanna, LaFountain, Malta, McCann, Quatro, Tucciarello, Valerio, Yolevich and Zyra - 17

Noes - Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Gamble, Haney, Heider, Lee and Lightfoot – 10

Note: Legislator O'Brien was recused from voting with the permission of the President.

Intro. 203
M. 39

Heider/Palumbo
A motion to amend Intro. No. 199 to read as follows:

To amend with the insertion of a third paragraph after the existing second paragraph to read as follows:

"On Wednesday, March 14, 2007, it will have been seven months since the release of the State Comptroller's Audit Report indicating that nearly $500,000 in excessive and unearned salary and benefits were inappropriately paid to six officials at the Monroe County Water Authority between 1/1/2000 -1/10/2005. Since this time, there have been minimal actions taken to alleviate these grievances. This Honorable Body must not fail to exercise our duties of oversight and demanding accountability of the Monroe County Water Authority. Therefore, and in full accordance with the powers of this Honorable Body as described in the Code of Monroe County under Article II, §C2-6, Subsection 5, we call upon this Honorable Body to begin a detailed investigation of all irregularities of conduct of the Monroe County Water Authority. This investigation shall not only determine the nature and extent of violations, criminal and otherwise, that may have been committed, but will also include in its findings recommendations for such new laws, by-laws and rules of procedure that will serve to prevent future abuses or lapses of conduct."

To amend with the insertion of a fifth paragraph after the existing third paragraph to read as follows:

It is also required that this Honorable Body adopt a resolution authorizing the Environment and Public Works Committee to take on the investigative capacity, as delineated in the Code of Monroe County under Article II, §C2-6, Subsection 5, regarding the improprieties that occurred at the Monroe County Water Authority between 1/1/2000 -1/10/2005, as indicated in the State Comptroller's Audit Report: 'Monroe County Water Authority: Propriety of Salary and Benefits.'"

A point of order was raised by Legislator E. Daniel Quatro that the amendment was out of order. President Zyra ruled in support of Legislator Quatro's point of order that the amendment is out of order. A vote was taken to sustain the Ruling of the Chair by the following:

Ayes - Legislators Smith, Adair, Barker, Cassetti, Colby, DiRaddo, Dobson, Driscoll, Hanna, LaFountain, Malta, McCann, Quatro, Tucciarello, Valerio, Yolevich and Zyra – 17

Noes - Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Gamble, Haney, Heider, Lee and Lightfoot – 10

Note: Legislator O'Brien was recused from voting with the permission of the President.

Intro. 199 Res. 156 26-1-1	Main Motion *(Legislator Bronson voted in the negative)* *Note: Legislator O'Brien was recused from voting with the permission of the President.*

UNFINISHED BUSINESS

64.	Colby, Smith & Bronson Intro. 204 M. 40 28-0	07-0020	"Accepting Grant From New York State Office Of Temporary And Disability Assistance For Food Stamp Nutrition Education Project", Be Lifted From The Table
65.	Colby, Smith & Bronson Intro. 205 M. 41 28-0	07-0020	"Accepting Grant From New York State Office Of Temporary And Disability Assistance For Food Stamp Nutrition Education Project", Be Adopted
66.	Intro. 121 Res. 157 28-0		Main Motion

Upon Motion by Legislator Smith, the Legislature adjourned at 8:15 P.M. until Tuesday, April 10, 2007 at 6:00 P.M.

DAVID M. BARRY, JR.
Clerk of the Legislature