

**DRAFT**

**FOURTH DAY**

**TUESDAY, APRIL 10, 2007**

Legislature met pursuant to adjournment.

President Wayne E. Zyra in the Chair.

**ROLL CALL**

Present — Legislators Adair, Barker, Bronson, Cassetti, Colby, Cruz, DiRaddo, Driscoll, Eckel, Gamble, Haney, Hanna, Heider, LaFountain, Lee, Lightfoot, Malta, McCann, O'Brien, Palumbo, Quatro, Smith, Tucciarello, Valerio, Yolevich, Zyra — 26

Absent — Legislators Dobson, Aldersley and Andrews — 3

*Note: Legislator Aldersley entered the Chambers and was present for the remainder of the meeting*

Meeting formally opened. At the invitation of Legislator Harry B. Bronson, Right Reverend Jack M. McKelvey of the Episcopal Diocese of Rochester, delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator José A. Cruz.

**IN MEMORIAMs**

36. Smith & Palumbo Intro. 122 Res. 158 26-0	07-0150	Expressing Regret of the Monroe County Legislature On The Recent Passing Of The Honorable Joseph Campbell, Former Supervisor of the Town of Gates Matter Of Urgency
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*This resolution was read into record and adopted unanimously with each Legislator rising in her or his place for a moment of silence.*

37. Smith & Palumbo Intro. 123 Res. 159 26-0	07-0151	Expressing Regret of the Monroe County Legislature On The Recent Passing Of The Honorable Adrian B. Stanton, Jr., Former Supervisor of the Town of Webster Matter Of Urgency
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*This resolution was read into record and adopted unanimously with each Legislator rising in her or his place for a moment of silence.*

**APPROVAL OF MINUTES**

Without objection, the journal of the session of Day 3, March 13, 2007 was approved as submitted.

**PETITIONS AND COMMUNICATIONS**

**PROCLAMATIONS**

By the President of the Legislature — WAYNE E. ZYRA

Recognized Jointly with Legislator Richard Yolevich, "Dr. Thomas Dimitry" to thank him for his continued efforts on behalf of military veterans in our community

Read and Filed.

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Recognized Jointly with Legislator C. Stephen Eckel, "Jackie Enright" for all of her hard work, dedication and business achievements and to wish her success in all of her future endeavors.  
Read and Filed

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Recognized Jointly with Legislators Carla M. Palumbo and C. Stephen Eckel, "Hahn Photographic" for their contribution to the Maplewood Neighborhood and for making Monroe County their home.  
Read and Filed

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Recognized Jointly with Legislators Stephanie Polowe Aldersley, Edward M. O'Brien and C. Stephen Eckel "Paul E. Baker" for his heroic actions and deep dedication to serving his country with honor and immeasurable courage.  
Read and Filed

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RECESS

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

*Note: Legislator Aldersley entered the Chambers during the Public Hearings and was present for the remainder of the meeting*

"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 Law Nos. 2, 3, 9 And 10 Of 2006 And Local Law Nos. 1, 4 And \_\_\_ Of 2007 To Revise Empire Zone Boundary" No speakers addressed the Legislature and the hearing concluded at 6:27 P.M.

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"Approving An Increase And Improvement Of The Facilities Of The Rochester Pure Waters." No speakers addressed the Legislature and the hearing concluded at 6:28 P.M.

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"Approving An Increase And Improvement Of The Facilities Of The Irondequoit Bay South Central Pure Waters District." No speakers addressed the Legislature and the hearing concluded at 6:29 P.M.

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"Approving An Increase And Improvement Of The Facilities Of The Northwest Quadrant Pure Waters District." No speakers addressed the Legislature and the hearing concluded at 6:30 P.M.

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"Approving An Increase And Improvement Of The Facilities Of The Gates-Chili-Ogden Sewer District." No speakers addressed the Legislature and the hearing concluded at 6:31 P.M.

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RECONVENING LEGISLATURE

President Zyra reconvened the recessed meeting of April 10, 2007 and proceeded under the Usual Order of Business.

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FORMAL COMMITTEE REPORTS

NONE

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## PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Six speakers addressed the Legislature on various subjects and the Open Forum concluded at 6:45 P.M.

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## RECESS

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

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## RECONVENING LEGISLATURE

President Zyra reconvened the recessed meeting of April 10, 2007 and proceeded under the Usual Order of Business.

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## LOCAL LAWS

1. Driscoll & Barker  
Intro. 124  
M. 42  
27-0      07-0031      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 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, 4 And \_\_ Of 2007 To Revise Empire Zone Boundary," Be Lifted From the Table
  
2. Tucciarello, Driscoll & Barker  
Intro. 125  
M. 43  
27-0      07-0031      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 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, 4 And \_\_ Of 2007 To Revise Empire Zone Boundary" Be Adopted  
Planning and Economic Development Committee; February 26, 2007 - CV: 5-0
  
- Intro. 139      Main Motion  
Local Law No. TBA  
27-0

### N. Consideration of Motions, Resolutions and Notices

3. Cassetti & LaFountain  
Intro. 126  
M. 44  
27-0      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 Lifted From The Table
  
4. Cassetti & LaFountain  
Intro. 127  
M. 45  
27-0      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 Adopted  
Environment and Public Works Committee; February 28, 2007 - CV: 6-0  
Ways and Means Committee; February 28, 2007 - CV: 8-0
  
- Intro. 175      Main Motion  
Res. 160  
27-0

5. LaFountain & McCann  
Intro. 128  
Res. 161  
27-0  
07-0063.br Resolution Authorizing The Issuance Of \$18,000,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Increase And Improvement Of The Facilities Of The Rochester Pure Waters District In And For Said County, And Superseding The Bond Resolution Adopted On May 9, 2006 (Resolution No. 105 Of 2006)  
Environment and Public Works Committee; February 28, 2007 - CV: 6-0  
Ways and Means Committee; February 28, 2007 - CV: 8-0
  
6. Cassetti & LaFountain  
Intro. 129  
M. 46  
27-0  
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 Lifted From The Table
  
7. Cassetti & LaFountain  
Intro. 130  
M. 47  
27-0  
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 Adopted  
Environment and Public Works Committee; February 28, 2007 - CV: 6-0  
Ways and Means Committee; February 28, 2007 - CV: 8-0  
  
Intro. 178  
Res. 162  
27-0  
Main Motion
  
8. Cassetti & LaFountain  
Intro. 131  
Res. 163  
27-0  
07-0065.br Resolution Authorizing The Issuance Of \$12,000,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Increase And Improvement Of The Facilities Of The Irondequoit Bay South Central Pure Waters District In And For Said County, And Superseding The Bond Resolution Adopted On May 9, 2006 (Resolution No. 107 Of 2006)  
Environment and Public Works Committee; February 28, 2007 - CV: 6-0  
Ways and Means Committee; February 28, 2007 - CV: 8-0
  
9. Cassetti & LaFountain  
Intro. 132  
M. 48  
27-0  
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 Lifted From The Table
  
10. Cassetti & LaFountain  
Intro. 133  
M. 49  
27-0  
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 Adopted  
Environment and Public Works Committee; February 28, 2007 - CV: 6-0  
Ways and Means Committee; February 28, 2007 - CV: 8-0  
  
Intro. 181  
Res. 164  
27-0  
Main Motion
  
11. Cassetti & LaFountain  
Intro. 134  
Res. 165  
27-0  
07-0067.br Resolution Authorizing The Issuance Of \$8,000,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Increase And Improvement Of The Facilities Of The Northwest Quadrant Pure Waters District In And For Said County, And Superseding The Bond Resolution Adopted On May 9, 2006 (Resolution No. 109 Of 2006)  
Environment and Public Works Committee; February 28, 2007 - CV: 6-0  
Ways and Means Committee; February 28, 2007 - CV: 8-0
  
12. Cassetti & LaFountain  
Intro. 135  
M. 50  
27-0  
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 Lifted From The Table

13. Cassetti & LaFountain  
Intro. 136  
M. 51  
27-0  
Intro. 184  
Res. 166  
27-0
- 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 Adopted  
Environment and Public Works Committee; February 28, 2007 - CV: 6-0  
Ways and Means Committee; February 28, 2007 - CV: 8-0
- Main Motion
14. Cassetti & LaFountain  
Intro. 137  
Res. 167  
27-0
- 07-0069.br
- Resolution Authorizing The Issuance Of \$7,000,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Increase And Improvement Of The Facilities Of The Gates-Chili-Ogden Sewer District In And For Said County, And Superseding The Bond Resolution Adopted On May 9, 2006 (Resolution No. 111 Of 2006)  
Environment and Public Works Committee; February 28, 2007 - CV: 6-0  
Ways and Means Committee; February 28, 2007 - CV: 8-0
15. Driscoll & LaFountain  
Intro. 138  
Res. 168  
27-0
- 07-0101
- Accepting Grant From Monroe County Industrial Development Corporation  
Planning and Economic Development Committee; March 26, 2007 - CV: 4-0  
Ways and Means Committee; March 28, 2007- CV: 10-0
16. Driscoll & LaFountain  
Intro. 139  
Res. 169  
27-0
- 07-0102
- Accepting Grant From County Of Monroe Industrial Development Agency  
Planning and Economic Development Committee; March 26, 2007 - CV: 4-0  
Ways and Means Committee; March 28, 2007- CV: 10-0
17. Driscoll & LaFountain  
Intro. 140  
Res. 170  
27-0
- 07-0103
- Authorizing Contract With Greater Rochester Enterprise For General Operating Expenses  
Planning and Economic Development Committee; March 26, 2007 - CV: 4-0  
Ways and Means Committee; March 28, 2007- CV: 10-0
18. Yolevich, Cassetti, Malta, Colby & LaFountain  
Intro. 141  
Res. 171  
27-0
- 07-0104
- Authorizing Intermunicipal Agreement Between Village Of Spencerport And Northwest Quadrant Pure Waters District For Construction And Services  
Intergovernmental Relations Committee; March 27, 2007 - CV: 4-0  
Environment and Public Works Committee; March 28, 2007 - CV: 7-0  
Ways and Means Committee; March 28, 2007 - CV: 10-0
19. Smith & LaFountain  
Intro. 142  
Res. 172  
27-0
- 07-0106
- Accepting Two Grants From New York State Office Of Children and Family Services; Authorizing Contract With Coordinated Care Services, Inc. For Monroe County County Youth Asset Building Initiative  
Human Services Committee; March 27, 2007 - CV: 7-0  
Ways and Means Committee; March 28, 2007 - CV: 10-0
20. Quatro & LaFountain  
Intro. 143  
Res. 173  
27-0
- 07-0107
- Accepting Grant From New York State Department Of Health For Sexually Transmitted Disease In Jails Program  
Human Services Committee; March 27, 2007 - CV: 7-0  
Ways and Means Committee; March 28, 2007 - CV: 10-0

21. Adair & LaFountain  
Intro. 144  
Res. 174  
27-0

07-0108 Authorizing Contract With Coordinated Care Services, Inc. For Nurse-Family Partnership Program  
Human Services Committee; March 27, 2007 - CV: 7-0  
Ways and Means Committee; March 28, 2007 - CV: 10-0
22. Cassetti & LaFountain  
Intro. 145  
Res. 175  
27-0

07-0109 Authorizing Contract With M/E Engineering, P.C. For Professional Services For Professional Services For Monroe County Jail Sprinkler Project  
Environment and Public Works Committee; March 28, 2007 - CV: 7-0  
Ways and Means Committee; March 28, 2007 - CV: 10-0
23. Cassetti & LaFountain  
Intro. 146  
Res. 176  
25-2

07-0110 Authorizing Energy Performance Contract With Siemens Building Technologies, Inc. For Energy Conservation Improvements At Rochester Pure Waters District's Frank E. Van Lare Wastewater Treatment Facility  
Environment and Public Works Committee; March 28, 2007 - CV: 6-1  
Ways and Means Committee; March 28, 2007 - CV: 9-1  
*(Legislators Lee and Haney voted in the negative)*
24. Cassetti & LaFountain  
Intro. 147  
Res. 177  
27-0

07-0112 Authorizing Contract With URS Corporation For Design And Monitoring Services For Environmental Compliance Project At Greater Rochester International Airport  
Environment and Public Works Committee; March 28, 2007 - CV: 7-0  
Ways and Means Committee; March 28, 2007 - CV: 10-0
25. Tucciarello, Cassetti & LaFountain  
Intro. 148  
Res. 178  
27-0

07-0113 Authorizing Ten-Year Master Grant Agreement With New York State For Aid Relating To Improvements At Greater Rochester International Airport; Accepting New York State Financial Assistance For Airport Improvements  
Environment and Public Works Committee; March 28, 2007 - CV: 7-0  
Ways and Means Committee; March 28, 2007 - CV: 10-0
26. Tucciarello & LaFountain  
Intro. 149  
Res. 179  
26-0-1

07-0114 Authorizing Acquisition of Property Interests For Construction And Maintenance Of Traffic Signal Equipment At Ridgeway Avenue In The Town Of Greece  
Transportation Committee; March 28, 2007 - CV: 8-0  
Ways and Means Committee; March 28, 2007 - CV: 10-0  
*(Legislator DiRaddo abstained from voting with permission from President Zyra)*
27. Malta, Tucciarello & LaFountain  
Intro. 150  
Res. 180  
27-0

07-0115 Authorizing Acquisition Of Property Interests In Real Property For Schlegel Road Culvert Replacement Project In The Town Of Webster  
Transportation Committee; March 28, 2007 - CV: 8-0  
Ways and Means Committee; March 28, 2007 - CV: 10-0
28. Tucciarello & LaFountain  
Intro. 151  
Res. 181  
27-0

07-0116 Authorizing Acquisition Of Property Interests In Real Property For Lawton Road Bridge Replacement Project In The Town Of Clarkson  
Transportation Committee; March 28, 2007 - CV: 8-0  
Ways and Means Committee; March 28, 2007 - CV: 10-0
29. Barker, Tucciarello & LaFountain  
Intro. 152  
Res. 182  
27-0

07-0117 Authorizing Acquisition Of Property Interests In Real Property For Whitney Road Culvert Replacement Project In The Town Of Perinton  
Transportation Committee; March 28, 2007 - CV: 8-0  
Ways and Means Committee; March 28, 2007 - CV: 10-0

30. LaFountain & 07-0118 Authorizing Sale Of County Owned Tax Foreclosed Property, Town Of Irondequoit  
McCann Ways and Means Committee; March 28, 2007 - CV: 10-0  
Intro. 153  
Res. 183  
27-0
31. LaFountain & 07-0119 Authorizing Sale Of County Owned Tax Foreclosed Property, Town Of Irondequoit  
McCann Ways and Means Committee; March 28, 2007 - CV: 10-0  
Intro. 154  
Res. 184  
27-0
32. LaFountain & 07-0120 Directing Correction, Cancellation And Levy Of Certain Monroe County Taxes In City  
McCann Of Rochester And Towns Of Brighton, Greece, Irondequoit And East Rochester  
Intro. 155 Ways and Means Committee; March 28, 2007 - CV: 10-0  
Res. 185  
27-0
33. LaFountain & 07-0121 Authorizing In Rem Tax Foreclosure Action No. 137  
McCann Ways and Means Committee; March 28, 2007 - CV: 10-0  
Intro. 156  
Res. 186  
27-0
34. LaFountain & 07-0122 Authorizing Acquisition Of Properties On Hillcrest Road In The Town Of Brighton  
McCann Ways and Means Committee; March 28, 2007 - CV: 10-0  
Intro. 157  
Res. 187  
27-0
35. LaFountain & 07-0124 Authorizing Implementation Of Project Labor Agreement For Monroe Community  
McCann College Building 9 Expansion And Renovation Project (Wolk Nursing School Of Excellence  
Intro. 158 And Phase I Renovations)  
Res. 188 Ways and Means Committee; March 28, 2007 - CV: 10-0  
27-0

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UNFINISHED BUSINESS

NONE

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Upon Motion by Legislator Smith, the Legislature adjourned at 6:57 P.M. until Tuesday, May 8, 2007 at 6:00 P.M.

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DAVID M. BARRY, JR.  
Clerk of the Legislature