

SIXTH DAY

TUESDAY, MAY 13, 2008

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Legislature met pursuant to adjournment.

President Wayne E. Zyra in the Chair.

ROLL CALL

Present — Legislators Adair, Andrews, Barker, Beebe, Bronson, Cassetti, Colby, Daniele, Dobson, Driscoll, Eckel, Esposito, Gamble, Gumina, Haney, Hanna, Heider, Kaleh, LaFountain, Lee, Lightfoot, McCann, O'Brien, Quatro, Tucciarello, Valerio, Yolevich, Zyra — 28

Absent - Legislator Cruz - 1

Note: Legislator Cruz entered the Chambers and was present for the remainder of the meeting.

Meeting formally opened. At the invitation of Legislator Mary A. Valerio, Pastor Wally Fleming of Pearce Memorial Church delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Mark J. Cassetti.

APPROVAL OF MINUTES

Without objection, the journal of the session of Day 5 of 2008, April 8, 2008 was approved as submitted.

PETITIONS AND COMMUNICATIONS

PROCLAMATIONS

By the President of the Legislature — Wayne E. Zyra

Recognized Jointly with Legislators E. Daniel Quatro and Carmen F. Gumina "Officer Gretchen O'Dea" for her bravery and active service to the Town of Webster.

Read and Filed.

Recognized Jointly with Legislators E. Daniel Quatro and Carmen F. Gumina "Eric Thornton" for his important contribution to our community of establishing a recycling program helping to preserve our natural environment.

Read and Filed.

Recognized Jointly with Legislators Harry B. Bronson, Jeffrey R. Adair, Jack Driscoll, Travis R. Heider, and Robert J. Colby "Shenise Johnson" for her phenomenal high school basketball career.

Read and Filed.

Recognized Jointly with Legislators Harry B. Bronson, Jeffrey R. Adair, Jack Driscoll, Travis R. Heider, and Robert J. Colby "Dane Miller" for his sportsmanship and outstanding achievements.

Read and Filed.

Recognized Jointly with Legislators Harry B. Bronson, Jeffrey R. Adair, Jack Driscoll, Travis R. Heider, and Robert J. Colby "Rush-Henrietta Royal Comets Boys Basketball Team" for its inspiring championship season.

Read and Filed.

Recognized Jointly with Legislators Harry B. Bronson, Jeffrey R. Adair, Jack Driscoll, Travis R. Heider, and Robert J. Colby "Rush- Henrietta Royal Comets Girls Basketball Team" for their inspiring championship season.

Read and Filed.

Recognized Jointly with Legislators Glenn J. Gamble and Anthony Daniele "Jennifer Tomm DiPasquale" for her outstanding accomplishments.

Read and Filed.

Recognized Jointly with Legislators Willie J. Lightfoot and Calvin Lee, Jr. "Successful Pathways" for its work on behalf of the Greater Rochester community.

Read and Filed.

Recognized Jointly with Legislators Harry B. Bronson, Jeffrey R. Adair, Jack Driscoll, Travis R. Heider and Robert J. Colby "Dane Miller" for his sportsmanship and outstanding achievements.

Read and Filed.

Recognized Jointly with Legislators Harry B. Bronson and Jose A. Cruz "YWCA Of Rochester & Monroe County" for its tremendous contribution to the community.

Read and Filed.

Recognized Jointly with Legislators Harry B. Bronson, Travis R. Heider and Paul E. Haney "French Road Elementary School" for its outstanding commitment to the Jump Rope for Heart event.

Read and Filed.

RECESS

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

Enacting Local Law Authorizing Sale By Negotiated Contract Of Portion Of Parcel Of Rochester Pure Waters District Owned Land At 2100 St. Paul Street, City Of Rochester". No speakers addressed the Legislature and the hearing concluded at 6:40 P.M.

"Approving An Increase And Improvement Of The Facilities Of The Rochester Pure Waters". No speakers addressed the Legislature and the hearing concluded at 6:41 P.M.

"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 6:42 P.M.

“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 6:43 P.M.

“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 6:44 P.M.

RECONVENING LEGISLATURE

President Zyra declared the public hearings closed and reconvened the recessed meeting of May 13, 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. Three speakers addressed the Legislature on various subjects and the Open Forum concluded at 6:50 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 May 13, 2008 and proceeded under the Usual Order of Business.

LOCAL LAWS

1. Cassetti & LaFountain Intro. 135 M. 26 29-0 08-0111 Providing That Local Law (Intro. No. 107 of 2008), Entitled “Authorizing Sale By Negotiated Contract Of A Portion Of A Parcel Of Rochester Pure Waters District Owned Land At 2100 St. Paul Street, City Of Rochester,” Be Lifted from the Table
2. Cassetti & LaFountain Intro. 136 M. 27 29-0 08-0111 Providing That Local Law (Intro. No. 107 of 2008), Entitled “Authorizing Sale By Negotiated Contract Of A Portion Of A Parcel Of Rochester Pure Waters District Owned Land At 2100 St. Paul Street, City Of Rochester,” Be Adopted Environment and Public Works Committee; March 27, 2008 – CV: 6-0 Ways and Means Committee; March 26, 2008 – CV: 9-0

3. Cassetti & 08-0111 Main Motion
LaFountain
Intro. 107
Local Law # TBA
29-0

MOTIONS, RESOLUTIONS AND NOTICES

4. Cassetti & 08-0103 Providing That Resolution (Intro. No. 117 Of 2008), Entitled "Approving An Increase
LaFountain And Improvement Of Facilities In The Rochester Pure Waters District," Be Lifted From
Intro. 137 The Table
M. 28
29-0

5. Cassetti & 08-0103 Providing That Resolution (Intro. No. 117 Of 2008), Entitled "Approving An Increase
LaFountain And Improvement Of Facilities In The Rochester Pure Waters District," Be Adopted
Intro. 138 Environment and Public Works Committee; March 27, 2008 - CV: 6-0
M. 29 Ways and Means Committee; March 26, 2008 - CV: 9-0

Intro. 139
M. 30
14-15 F

Haney/Andrews (*Amendment 1*)

A Motion to Amend Intro. No. 117 of 2008 and insert a new Section 6 to read as follows:

"Section 6. The \$1,000,000 in Engineering, Land, Legal, Administrative, and Finance projects cost estimates will be funded by the unrestricted/unreserved fund balance of the Rochester Pure Waters District and the remaining \$4,000,000 will e included in the project costs amended into Bond Resolution 161 of 2007."

(Legislators Bronson, Andrews, Beebe, Cruz, Eckel, Esposito, Gamble, Gumina, Haney, Heider, Kaleh, Lee, Lightfoot, and O'Brien voted in the positive.)

6. Cassetti & 08-0103 Main Motion
LaFountain
Intro. 117
Res. 97
29-0

7. Cassetti & 08-0103 br. Resolution Authorizing The Issuance Of \$23,000,000 Bonds Of The County Of
LaFountain Monroe, New York, To Finance The Cost Of The Increase And Improvement Of
Intro. 140 The Facilities Of The Rochester Pure Waters District In And For Said County,
Res. 98 And Superseding The Bond Resolution Adopted On April 10, 2007
29-0 (Resolution No. 161Of 2007)
Environment and Public Works Committee; March 27, 2008 - CV: 6-0
Ways and Means Committee; March 26, 2008 - CV: 9-0

8. Cassetti & 08-0105 Providing That Resolution (Intro. No. 120 Of 2008), Entitled "Approving An Increase
LaFountain And Improvement Of Facilities In The Irondequoit Bay South Central Pure Waters
Intro. 141 District," Be Lifted From The Table
M. 31
29-0

9. Cassetti & 08-0105 Providing That Resolution (Intro. No. 120 Of 2008), Entitled "Approving An Increase
LaFountain And Improvement Of Facilities In The Irondequoit Bay South Central Pure Waters
Intro. 142 District," Be Adopted
M. 32 Environment and Public Works Committee; March 27, 2008 - CV: 6-0
29-0 Ways and Means Committee; March 27, 2008 - CV: 9-0

10. Cassetti & LaFountain
Intro. 120
Res. 99
29-0 08-0105 Main Motion
11. Cassetti & LaFountain
Intro. 143
Res. 100
29-0 08-0105 br. Resolution Authorizing The Issuance Of \$14,000,000 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 April 10, 2007 (Resolution No. 163 Of 2007) Environment and Public Works Committee; March 27, 2008 - CV: 6-0
Ways and Means Committee; March 26, 2008 - CV: 9-0
12. Cassetti & LaFountain
Intro. 144
M. 33
29-0 08-0107 Providing That Resolution (Intro. No. 123 Of 2008), Entitled "Approving An Increase And Improvement Of Facilities In The Northwest Quadrant Pure Waters District," Be Lifted From The Table
13. Cassetti & LaFountain
Intro. 145
M. 34
29-0 08-0107 Providing That Resolution (Intro. No. 123 Of 2008), Entitled "Approving An Increase And Improvement Of Facilities In The Northwest Quadrant Pure Waters District," Be Adopted
Environment and Public Works Committee; March 27, 2008 - CV: 6-0
Ways and Means Committee; March 26, 2008 - CV: 9-0
14. Cassetti & LaFountain
Intro. 123
Res. 101
29-0 08-0107 Main Motion
15. Cassetti & LaFountain
Intro. 146
Res. 102
29-0 08-107 br. Resolution Authorizing The Issuance Of \$9,500,000 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 April 10, 2007 (Resolution No. 165 Of 2007) Environment and Public Works Committee; March 27, 2008 - CV: 6-0
Ways and Means Committee; March 26, 2008 - CV: 9-0
16. Cassetti & LaFountain
Intro. 147
M. 35
29-0 08-0109 Providing That Resolution (Intro. No. 126 Of 2008), Entitled "Approving An Increase And Improvement Of Facilities In The Gates-Chili-Ogden Sewer District," Be Lifted From The Table
17. Cassetti & LaFountain
Intro. 148
M. 36
29-0 08-0109 Providing That Resolution (Intro. No. 126 Of 2008), Entitled "Approving An Increase And Improvement Of Facilities In The Gates-Chili-Ogden Sewer District," Be Adopted
Environment and Public Works Committee; March 27, 2008 - CV: 6-0
Ways and Means Committee; March 26, 2008 - CV: 9-0
18. Cassetti & LaFountain
Intro. 126
Res. 103
29-0 08-0109 Main Motion
19. Cassetti & LaFountain
Intro. 149
Res. 104
29-0 08-0109 br. Resolution Authorizing The Issuance Of \$8,500,000 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 April 10, 2007 (Resolution No. 167 Of 2007) Environment and Public Works Committee; - March 27, 2008 - CV: 6-0

Ways and Means Committee; March 26, 2008 - CV: 9-0

20. Yolevich & Dobson
Intro. 150
Res. 105
29-0
08-0122 Appointments to the Monroe County Traffic Safety Board
21. Barker & LaFountain
Intro. 151
Res. 106
29-0
08-0130 Accepting Grant From New York State Division Of Criminal Justice Services For Motor Vehicle Theft And Insurance Fraud Prevention Program
Public Safety Committee; April 21, 2008 - CV: 9-0
Ways and Means Committee; April 23, 2008 - CV: 11-0
22. Barker & LaFountain
Intro. 152
Res. 107
29-0
08-0131 Accepting Grant From New York State Division Of Criminal Justice Services For Crimes Against Revenue Prosecution Program
Public Safety Committee; April 21, 2008 - CV: 9-0
Ways and Means Committee; April 23, 2008 - CV: 11-0
23. Barker & LaFountain
Intro. 153
Res. 108
29-0
08-0132 Accepting Grant From New York State Division Of Criminal Justice Services For STEPS/Road to Recovery Project In District Attorney's Office
Public Safety Committee; April 21, 2008 - CV: 9-0
Ways and Means Committee; April 23, 2008 - CV: 11-0
24. Valerio & LaFountain
Intro. 154
Res. 109
29-0
08-0133 Accepting Grant From New York State Office Of Parks, Recreation And Historic Preservation For Snowmobile Trail And Maintenance Program And Authorize Contracts With Hilton Sno-Flyers And Webster Ridge Runners For Development And Maintenance Of Trails
Recreation and Education Committee; April 22, 2008 - CV: 5-0
Ways and Means Committee; April 23, 2008 - CV: 11-0
25. Valerio & LaFountain
Intro. 155
Res. 110
29-0
08-0134 Authorizing Contracts With Gay Alliance Of The Genesee Valley, Ten Ugly Men, Inc., Operation Patriot Foundation, Inc. And Springut Group, Inc. For Ticketed Events In Monroe County Parks
Recreation and Education Committee; April 22, 2008 - CV: 3-2
Ways and Means Committee; April 23, 2008 - CV: 11-0
26. Dobson, Colby & LaFountain
Intro. 156
Res. 111
29-0
08-0135 Authorizing Intermunicipal Agreement With Monroe County Water Authority For Water Main Installation In Conjunction With Mill Road Phase I Improvement Project, Town Of Greece
Intergovernmental Relations Committee; April 22, 2008 - CV: 5-0
Transportation Committee; April 23, 2008 - CV: 9-0
Ways and Means Committee; April 23, 2008 - CV: 11-0
27. Hanna & LaFountain
Intro. 157
Res. 112
29-0
08-0136 Accepting Grant From United States Department Of Housing And Urban Development For The Homeless Youth Project; Authorizing Contract With Hillside Children's Center, Inc.
Human Services Committee; April 21, 2008 - CV: 6-0
Ways and Means Committee; April 23, 2008 - CV: 11-0
28. Cassetti & LaFountain
Intro. 158
Res. 113
29-0
08-0137 Authorizing Supplemental Grant Agreement #1 With New York State For Aid Relating To Improvements At Greater Rochester International Airport
Environment and Public Works Committee; April 21, 2008 - CV: 6-0
Ways and Means Committee; April 23, 2008 - CV: 11-0
29. Cassetti & LaFountain
Intro. 159
Res. 114
08-0138 Authorizing Contract With Barton & Loguidice, P.C. For Professional Engineering Services For Gates-Chili-Ogden Sewer District's Scottsville Road Pump Station Improvements Project
Environment and Public Works Committee; April 21, 2008 - CV: 6-0

- 29-0 Ways and Means Committee; April 23, 2008 – CV: 11-0
30. Cassetti & LaFountain 08-0140 Authorizing Contract With John W. Danforth Company And Schuler-Haas Electric Corp. For Construction Of Northwest Quadrant Pure Waters District's Northwest Quadrant Wastewater Treatment Facility Auxiliary Centrifuge Project
Intro. 160 Environment and Public Works Committee; April 21, 2008 – CV: 6-0
Res. 115 Ways and Means Committee; April 23, 2008 – CV: 11-0
29-0
31. Cassetti & LaFountain 08-0142 Amending 2008-2013 Capital Improvement Program To Add Capital Project Entitled, "Airport Parking Garage Upgrade" At The Greater Rochester International Airport
Intro. 161 Environment and Public Works Committee; April 21, 2008 – CV: 6-0
Res. 116 Ways and Means Committee; April 23, 2008 – CV: 11-0
29-0
32. Cassetti & LaFountain 08-0142 br. Resolution Authorizing The Issuance Of 17,000,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of Airport Parking Garage Upgrades, Including Incidental Improvements And Costs At The Greater Rochester International Airport, In And For Said County, At An Estimated Maximum Cost Of \$17,000,000
Intro. 162 Environment and Public Works Committee; April 21, 2008 – CV: 6-0
Res. 117 Ways and Means Committee; April 23, 2008 – CV: 11-0
29-0
33. Colby & LaFountain 08-0143 Authorizing Contract With Keeler Construction Company, Inc. For Construction Services For Big Ridge Road Improvement Project, Town Of Ogden
Intro. 163 Transportation Committee; April 23, 2008 – CV: 9-0
Res. 118 Ways and Means Committee; April 23, 2008 – CV: 11-0
29-0
34. Colby & LaFountain 08-0143 br. Resolution Authorizing The Issuance Of \$2,425,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Reconstruction And Improvement Of Portions Of Big Ridge Road, In And For Said County, And Superseding The Bond Resolution Adopted On January 9, 2007 (Resolution No. 54 Of 2007)
Intro. 164 Transportation Committee; April 23, 2008 – CV: 9-0
Res. 119 Ways and Means Committee; April 23, 2008 – CV: 11-0
29-0
35. Colby & LaFountain 08-0144 Authorizing Contract With Crane-Hogan Structural Systems, Inc. For Replacement Of Attridge Road Bridge At Black Creek, Town Of Riga
Intro. 165 Transportation Committee; April 23, 2008 – CV: 9-0
Res. 120 Ways and Means Committee; April 23, 2008 – CV: 11-0
29-0
36. Yolevich, Colby, Dobson & LaFountain 08-0145 Authorizing Contract For Engineering Services With Barton and Loguidice, P.C., And Authorizing An Agreement With New York State Department Of Transportation For Preventative Maintenance Repairs To Wilder Road Bridge At Salmon Creek Project, Town Of Parma
Intro. 166 Transportation Committee; April 23, 2008 – CV: 9-0
Res. 121 Intergovernmental Relations Committee; April 22, 2008 – CV: 5-0
29-0 Ways and Means Committee; April 23, 2008 – CV: 11-0
37. Barker, Colby & LaFountain 08-0146 Authorizing Contract For Engineering Services With Bergmann Associates And Authorizing A Contract With New York State Department Of Transportation For Lincoln Road Project In Town Of Perinton And Town/Village Of East Rochester
Intro. 167 Transportation Committee; April 23, 2008 – CV: 9-0
Res. 122 Ways and Means Committee; April 23, 2008 – CV: 11-0
29-0
38. LaFountain & Barker 08-0147 Authorizing Contract With Bonadio & Company, LLP For Professional Consulting Services Relating To Accounting And Auditing Issues
Intro. 168 Ways and Means Committee; April 23, 2008 – CV: 6-5
Res. 123 *(Legislator Valerio declared her interest prior to the vote)*
15-14 *(Legislators Bronson, Andrews, Beebe, Cruz, Eckel, Esposito, Gamble, Gumina, Haney, Heider, Kaleb, Lee, Lightfoot, and OBrien voted in the negative.)*

39. Quatro, Yolevich & Dobson
Intro. 169
Res. 124
29-0 08-0148 Appointment to the Monroe County Recycling Advisory Committee
40. Cassetti & LaFountain
Intro. 170
Res. 125
29-0 08-0149 Authorizing Extension Of License Agreement With Crown Atlantic, LLC For Wireless Communications Tower At VanLare Wastewater Treatment Facility And Grant Utility Easement to Rochester Gas and Electric Environment and Public Works Committee; April 21, 2008 – CV: 6-0 Ways and Means Committee; April 23, 2008 – CV: 11-0

Matters Of Urgency

41. Valerio & Adair
Intro. 171
Res. 126
29-0 08-0185 Accepting Donation Of Totem Pole From Midtown Rochester Properties LLC For Permanent Display At Monroe County's Seneca Park Zoo
Matter Of Urgency
42. Barker & LaFountain
Intro. 172
Res. 127
29-0 08-0186 Authorizing Contract With PGA Tournament Corporation, Inc. For Security Services For PGA Championship At Oak Hill Country Club
Matter Of Urgency

UNFINISHED BUSINESS

NONE

Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 7:32 P.M. until Tuesday, June 10, 2008 at 6:00 p.m.

DAVID M. BARRY, JR.
Clerk of the Legislature