
TUESDAY, AUGUST 12, 2008

Legislature met pursuant to adjournment.

President Wayne E. Zyra in the Chair.

ROLL CALL

Present — Legislators Adair, Andrews, Barker, Beebe, Bronson, Cassetti, Colby, Cruz, Daniele, Dobson, Driscoll, Eckel, Esposito, 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 Jose A. Cruz, The Reverend Elias Nieves of the Iglesia Obra de Dios Pentecostal, delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Harry B. Bronson.

APPROVAL OF MINUTES

Without objection, the journal of the session of Day 9, July 8, 2008 was approved as submitted.

PETITIONS AND COMMUNICATIONS

PROCLAMATIONS

By the President of the Legislature — Wayne E. Zyra

Recognized “Elmer and Sharon Potters of Sharel Ventures LLC” for receiving the McDonald’s Corporation’s Golden Arch Award, for their dedication to the betterment of the community.

Read and Filed.

Recognized Jointly with Legislator Richard Yolevich “Hilton Varsity Baseball Team” for a successful 2008 season, winning the New York State Western Regional Championship, the 2008 AAA Section V Championship, the Monroe County Public High School Division II Championship, and for advancing to the New York State Class AA Final Four.

Read and Filed.

Recognized Jointly with Legislator Richard Yolevich “Eric Fontanez” as a New York State Champion and Federation Champion in the High Jump at the New York State Public High School Athletic Association State Meet and Federation Championships.

Read and Filed.

Recognized Jointly with Legislators Vincent J. Esposito, Edward M. O'Brien and C. Stephen Eckel, "Irondequoit High School Odyssey of the Mind Dinostories Teams" for their outstanding achievement.
Read and Filed.

Recognized Jointly with Legislators C. Stephen Eckel and Michael G. Barker "Bruce Boncke, BME Associates" for his professional accomplishments and exemplary leadership in promoting green home building.
Read and Filed.

Recognized Jointly with Legislators Harry B. Bronson and Glenn J. Gamble "The Center for Disability Rights" for ten years of invaluable service to the community.
Read and Filed.

Recognized Jointly with Legislators C. Stephen Eckel and Edward M. O'Brien "Dominic Mazzaferro" for earning his bachelor's degree.
Read and Filed.

Recognized Jointly with Legislator Willie J. Lightfoot "Golden Boy Transmission" for twenty-two years of excellent service and hard work in the 19th Ward community.
Read and Filed

Recognized Jointly with Legislator Willie J. Lightfoot "Julius Café" for exceptional service to the community.
Read and Filed

FORMAL COMMITTEE REPORTS

NONE

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Five speakers addressed the Legislature on various subjects and the Open Forum concluded at 6:50 P.M.

MOTIONS, RESOLUTIONS AND NOTICES

President Zyra recognized former Monroe Community College President R. Thomas Flynn and wished him well in his future endeavors.

President Zyra recognized Legislator Bronson who stated that he was proposing a motion regarding the duties of the presidency. Legislator Quatro raised a point of order and President Zyra concurred with Legislator Quatro's point of order. Legislator Bronson made a motion to Appeal the Ruling of the Chair. The Ruling of the Chair was sustained by the following vote:

Ayes - Legislators Quatro, Adair, Barker, Cassetti, Colby, Daniele, Dobson, Driscoll, Hanna, LaFountain, McCann, Tucciarello, Valerio, Yolevich and Zyra - 15

Noes – Legislators Bronson, Andrews, Beebe, Cruz, Eckel, Esposito, Gamble, Gumina, Haney, Heider, Kaleh, Lee, Lightfoot and O'Brien - 14

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| | Intro. 238
M. 49
14-15 F | | Bronson/Andrews
Motion to Suspend the Rules of the Monroe County Legislature
<i>(Legislators Bronson, Andrews, Beebe, Cruz, Eckel, Esposito, Gamble, Gumina, Haney, Heider, Kaleh, Lee, Lightfoot and O'Brien voted in the positive)</i> |
| | Intro. 239
M. 50
29-0 | | Quatro/Bronson
Motion to Move the Agenda Item Nos. 1-15 as a whole |
| 1. | Valerio &
LaFountain
Intro. 240
M. 51
29-0 | 08-0234 | Providing That Resolution (Intro. No. 235 Of 2008), Entitled "Approving Monroe Community College Operating Budget For Fiscal Year 2008-2009," Be Lifted From the Table |
| 2. | Valerio &
LaFountain
Intro. 241
M. 52
29-0 | 08-0234 | Providing That Resolution (Intro. No. 235 Of 2008), Entitled "Approving Monroe Community College Operating Budget For Fiscal Year 2008-2009," Be Adopted
Recreation and Education Committee; July 23, 2008 – CV: 5-0
Ways and Means Committee; July 23, 2008 – CV: 11-0 |
| | Intro. 235
Res. 179
29-0 | | Main Motion |
| 3. | Tucciarello &
LaFountain
Intro. 242
Res. 180
29-0 | 08-0218 | Approving Issuance Of Tax-Exempt Bonds By County Of Monroe Industrial Development Agency On Behalf Of Jimmie's Meat Packing Company, Inc. The In Town Of Henrietta, Monroe County, New York
Planning and Economic Development Committee; July 23, 2008 – CV: 5-0
Ways and Means Committee; July 23, 2008 – CV: 11-0 |
| 4. | Tucciarello &
LaFountain
Intro. 243
Res. 181
29-0 | 08-0219 | Authorizing Submission Of Joint Grant Application To New York State Department Of State For Update And Expansion Of Lake Ontario Regional Dredging Plan
Planning and Economic Development Committee; July 23, 2008 – CV: 5-0
Ways and Means Committee; July 23, 2008 – CV: 11-0 |
| 5. | Barker &
Colby
Intro. 244
Res. 182
29-0 | 08-0220 | Repealing Resolution 288 Of 1976 Which Requires Standardization Of "Ivory Soap" for Soap Purchases For Inmate Use At Monroe County Jail
Public Safety Committee; July 21, 2008 – CV: 7-0 |
| 6. | Barker &
LaFountain
Intro. 245
Res. 183
29-0 | 08-0221 | Authorizing Contract With The Foundation For Quality Care Upstate (FQCU) For Monroe County Sheriff's Office To Conduct Criminal Background Checks On FQCU Members' Potential Employees
Public Safety Committee; July 21, 2008 – CV: 7-0
Ways and Means Committee; July 23, 2008 – CV: 11-0 |
| 7. | Barker &
LaFountain
Intro. 246
Res. 184
29-0 | 08-0222 | Authorizing Contract With New York State Appellate Division Fourth Department For Provision Of Court Security Services By Monroe County Sheriff
Public Safety Committee; July 21, 2008 – CV: 7-0
Ways and Means Committee; July 23, 2008 – CV: 11-0 |

8. Barker & LaFountain
Intro. 247
Res. 185
29-0 08-0223 Accepting Aid To Localities Grant From State Of New York, Division Of Criminal Justice Services, For Offices Of Public Defender And District Attorney
Public Safety Committee; July 21, 2008 – CV: 7-0
Ways and Means Committee; July 23, 2008 – CV: 11-0
9. Barker, Cassetti, Dobson & LaFountain
Intro. 248
Res. 186
29-0 08-0224 Amending 2008-2013 Capital Improvement Program And 2008 Capital Budget To Add A Project Entitled “Monroe County Public Safety Laboratory Project;” Authorize Financing For Monroe County Public Safety Laboratory Project; Accept Grants From United States Department Of Justice; Accepting Grant Funding From New York State Division Of Criminal Justice Services; Authorizing Intermunicipal Agreement With City Of Rochester For Funding For Monroe County Public Safety Laboratory Project; And Amending Resolution 9 Of 2007 To Add Capital Fund To Be Established Pursuant To Financing Authorization Requested Herein
Public Safety Committee; July 21, 2008 – CV: 7-0 (As Amended)
Environment and Public Works Committee; July 23, 2008 – CV: 7-0
Intergovernmental Relations Committee; July 22, 2008 – CV: 5-0
Ways and Means Committee; July 23, 2008 – CV: 11-0
10. Barker, Cassetti, Dobson & LaFountain
Intro. 249
Res. 187
29-0 08-0224 br. Amending 2008-2013 Capital Improvement Program And 2008 Capital Budget To Add A Project Entitled “Monroe County Public Safety Laboratory Project;” Authorize Financing For Monroe County Public Safety Laboratory Project; Accept Grants From United States Department Of Justice; Accepting Grant Funding From New York State Division Of Criminal Justice Services; Authorizing Intermunicipal Agreement With City Of Rochester For Funding For Monroe County Public Safety Laboratory Project; And Amending Resolution 9 Of 2007 To Add Capital Fund To Be Established Pursuant To Financing Authorization Requested Herein
Public Safety Committee; July 21, 2008 – CV: 7-0 (As Amended)
Environment and Public Works Committee; July 23, 2008 – CV: 7-0
Intergovernmental Relations Committee; July 23, 2008 – CV: 5-0
Ways and Means Committee; July 23, 2008 – CV: 11-0
11. Hanna & LaFountain
Intro. 250
Res. 188
29-0 08-0225 Accepting Grant From Mercy Residential Services For Families First/Project To Reunite Families
Human Services Committee; July 24, 2008 – CV: 7-0
Ways and Means Committee; July 23, 2008 – CV: 11-0
12. Cassetti & LaFountain
Intro. 251
Res. 189
29-0 08-0226 Accepting Grant From New York State Department Of Environmental Conservation For Environmental Protection Fund – Nonpoint/Non-Agriculture Program
Environment and Public Works Committee; July 23, 2008 – CV: 7-0
Ways and Means Committee; July 23, 2008 – CV: 11-0
13. Cassetti & Tucciarello
Intro. 252
Res. 190
29-0 08-0227 Authorizing Agreement With Pollution Prevention Institute A Unit Of The Golisano Institute For Sustainability At Rochester Institute Of Technology To Assist The County In Development Of A Comprehensive Sustainability Performance Program
Environment and Public Works Committee; July 23, 2008 – CV: 7-0
14. Colby & LaFountain
Intro. 253
Res. 191
29-0 08-0228 Amending 2008 Capital Budget And Bond Resolution 502 Of 2007 To Provide An Increase In Funding, Authorize A Contract For Engineering Services With Clough Harbour & Associates, LLP And Authorize A Contract With New York State Department Of Transportation For Rehabilitation Of Union Street Bridge At Oatka Creek Project In Town Of Wheatland
Transportation Committee; July 23, 2008 – CV: 7-0
Ways and Means Committee; July 23, 2008 – CV: 11-0

15. Colby & LaFountain
Intro. 254
Res. 192
29-0 08-0228 br. Amending 2008 Capital Budget And Bond Resolution 502 Of 2007 To Provide An Increase In Funding, Authorize A Contract For Engineering Services With Clough Harbour & Associates, LLP And Authorize A Contract With New York State Department Of Transportation For Rehabilitation Of Union Street Bridge At Oatka Creek Project In Town Of Wheatland
Transportation Committee; July 23, 2008 – CV: 7-0
Ways and Means Committee; July 23, 2008 – CV: 11-0
16. LaFountain & Barker
Intro. 255
Res. 193
29-0 08-0229 Settlement Of Lawsuit Entitled “Lawrence LeBlanc v. Monroe County Sheriff’s Department And Christopher A. Vossler”
Ways and Means Committee; July 23, 2008 – CV: 11-0
17. LaFountain & Barker
Intro. 256
Res. 194
29-0 08-0230 Directing Correction, Cancellation And Levy Of Certain Monroe County Taxes In The Town Of Irondequoit
Ways and Means Committee; July 23, 2008 – CV: 11-0
18. LaFountain & Barker
Intro. 257
Res. 195
29-0 08-0231 Accepting Grant From New York State Department Of State Shared Municipal Services Incentive Grant Program For Incentive Program To Reduce County Health Care Costs
Ways and Means Committee; July 23, 2008 – CV: 11-0

Matter Of Urgency

19. Quatro & Driscoll
Intro. 258
Elect. 4
29-0 08-0266 Election of Clerk of the Monroe County Legislature
Matter Of Urgency

UNFINISHED BUSINESS

NONE

Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 7:05 P.M. until Tuesday, September 9, 2008 at 6:00 p.m.

DAVID M. BARRY, JR.
Clerk of the Legislature