

DRAFT

ELEVENTH DAY

TUESDAY, OCTOBER 10, 2006

Legislature met pursuant to adjournment.

President Wayne E. Zyra in the Chair.

ROLL CALL

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

Absent — Legislator Cruz — 1

Note: Legislator Cruz entered the Chambers later in the meeting.

Meeting formally opened. At the invitation of Legislator Carrie M. Andrews, The Reverend Michael Roberts delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Travis R. Heider.

MOTIONS, RESOLUTIONS AND NOTICES

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|-----|--|---------|---|
| 37. | Smith &
Palumbo
Intro. 360
Res. 264
28-0 | 06-0380 | Expressing Regret Of The Monroe County Legislature On The Recent Passing Of United States Army First Lieutenant James N. Lyons
Matter of Urgency |
|-----|--|---------|---|

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 10, September 12, 2006 was approved as submitted.

PETITIONS AND COMMUNICATIONS

PROCLAMATIONS

By the President of the Legislature — WAYNE E. ZYRA

Recognized Jointly with Legislators Bill Smith and Carla M. Palumbo "National Day of the Republic of China on Taiwan" and commend its citizens worldwide for their and their country's accomplishments and contributions to the community of nations.

Read and Filed.

Recognized Jointly with Legislators Mary A. Valerio and Jeffrey R. Adair "Leo R. Downey, Jr." for his professional and personal dedication to the New York State Office of Parks, Recreation and Historic Preservation.

Read and Filed

Recognized Jointly with Legislator C. Stephen Eckel, "Monroe County Sheriff's Deputy Marla Furnal" for her commitment to public safety and for her impressive achievement at the National Police Equestrian Competition.

Read and Filed

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

RECESS

A recess was declared by President Zyra to allow for one Public Hearing entitled...

A Local Law 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 Law Nos. 2, 3, And 6 Of 2006 To Revise Empire Zone Boundary." No speakers addressed the Legislature and the hearing concluded at 6:20 P.M.

RECONVENING LEGISLATURE

President Zyra reconvened the recessed meeting of October 10, 2006 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. Eight speakers addressed the Legislature on various subjects and the Open Forum concluded at 6:40 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 October 10, 2006 and proceeded under the Usual Order of Business.

LOCAL LAWS

1. Driscoll & Barker
Intro. 361
M. 78
29-0 06-0340 Providing That Local Law (Intro. No. 355 Of 2006), 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 Od 2004, Local Law Nos. 6 And 7 Of 2005 And Local Law Nos. 2, 3 And 6 Of 2006 To Revise Empire Zone Boundary,"
Be Lifted From The Table

2. Driscoll & Barker
Intro. 362
M. 79 06-0340 Providing That Local Law (Intro. No. 355 Of 2006), 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 Od 2004, Local Law Nos. 6 And 7 Of 2005 And Local Law Nos. 2, 3 And 6 Of 2006 To Revise Empire Zone Boundary,"
Be Adopted

- Intro. 355 Main Motion
Local Law No. TBA
29-0

3. Driscoll & LaFountain Intro. 363 06-0313 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 And ___ Of 2006 To Revise Empire Zone Boundary." (*Pictometry International Corp.*)
Planning and Economic Development Committee; October 2, 2006 - CV: 5-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
(*For Introductory Purposes Only*)
4. Driscoll & LaFountain Intro. 364 M. 80 29-0 06-0313 Providing That Local Law (Intro. No. 363 Of 2006), 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 Law Nos. 2, 3, 6 And ___ Of 2006 To Revise Empire Zone Boundary," Be Tabled
5. Driscoll & LaFountain Intro. 365 Res. 265 29-0 06-0313 Fixing A Public Hearing On Local Law (Intro. No. 363 Of 2006), 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 Law Nos. 2, 3, 6 And ___ Of 2006 To Revise Empire Zone Boundary."
(*Public Hearing is Scheduled for Tuesday, November 14, 2006 at 6:15 P.M.*)

MOTIONS, RESOLUTIONS AND NOTICES

6. Driscoll & LaFountain Intro. 366 Res. 266 29-0 06-0312 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; October 2, 2006 - CV: 5-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
7. Barker & LaFountain Intro. 367 Res. 267 29-0 06-0314 Accepting Grant From New York State Crime Victims Board For Victim Witness Program
Public Safety Committee; October 2, 2006 - CV: 8-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
8. Barker & LaFountain Intro. 368 Res. 268 29-0 06-0315 Accepting Grant From New York State Division Of Criminal Justice Services For Operation IMPACT III Program
Public Safety Committee; October 2, 2006 - CV: 8-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
9. Barker & LaFountain Intro. 369 Res. 269 28-1 06-0316 Appropriating Grant Funding From National Rifle Association Foundation For Sheriff's Home Firearms Safety Course
Public Safety Committee; October 2, 2006 - CV: 8-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
(*Legislator Andrews voted in the negative*)
10. Barker & LaFountain Intro. 370 Res. 270 29-0 06-0317 Accepting Grant From New York State Office Of Homeland Security For Law Enforcement Terrorism Prevention Program
Public Safety Committee; October 2, 2006 - CV: 8-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
11. Barker & LaFountain Intro. 371 Res. 271 29-0 06-0318 Accepting Grant From New York State Department Of State's Office Of Fire Prevention And Control For Consumable Supplies And Related Material Necessary For Analysis And Testing Of Fire-Generated Evidence
Public Safety Committee; October 2, 2006 - CV: 8-0
Ways and Means Committee; October 4, 2006 - CV: 10-0

12. Barker & LaFountain
Intro. 372
Res. 272
29-0
06-0319 Accepting Grant From New York State Division Of Criminal Justice Services For Aid To Labs Program
Public Safety Committee; October 2, 2006 - CV: 8-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
13. Barker & LaFountain
Intro. 373
Res. 273
29-0
06-0320 Accepting Grant From New York State Office Of Homeland Security For State Homeland Security Program
Public Safety Committee; October 2, 2006 - CV: 8-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
14. Barker & LaFountain
Intro. 374
Res. 274
29-0
06-0321 Accepting Grant From New York State Office Of Homeland Security For Law Enforcement Terrorism Prevention Program
Public Safety Committee; October 2, 2006 - CV: 8-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
15. Barker & LaFountain
Intro. 375
Res. 275
29-0
06-0322 Accepting Grant From New York State Division Of Criminal Justice Services For Supplemental Aid To Localities Program For Medical Examiner's Office
Public Safety Committee; October 2, 2006 - CV: 8-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
16. Barker & LaFountain
Intro. 376
Res. 276
29-0
06-0323 Accepting Grant From New York Division Of Probation And Correctional Alternatives For Domestic Violence Project
Public Safety Committee; October 2, 2006 - CV: 8-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
17. Barker & LaFountain
Intro. 377
Res. 277
29-0
06-0324 Accepting Grant From City Of Rochester For Participation In Youth Violence Strike Force
Public Safety Committee; October 2, 2006 - CV: 8-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
18. Malta, Tucciarello & LaFountain
Intro. 378
Res. 278
29-0
06-0325 Authorizing Intermunicipal Agreement With Town Of Henrietta For Installation Of Temporary Traffic Signal Located At Brighton-Henrietta Town Line Road And Clay Road
Intergovernmental Relations Committee; October 3, 2006 - CV: 4-0
Transportation Committee; October 4, 2006 - CV: 7-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
19. Malta, Dobson & LaFountain
Intro. 379
Res. 279
29-0
06-0326 Authorizing Intermunicipal Agreement With Orleans County For Elevated Blood Lead Level Investigation Services
Intergovernmental Relations Committee; October 3, 2006 - CV: 4-0
Human Service Committee; October 3, 2006 - CV: 7-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
20. Malta, Dobson & LaFountain
Intro. 380
Res. 280
29-0
06-0327 Authorizing Intermunicipal Agreement With Genesee County For Services Provided By Monroe County Medical Examiner's Office
Intergovernmental Relations Committee; October 3, 2006 - CV: 4-0
Human Service Committee; October 3, 2006 - CV: 7-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
21. Dobson & LaFountain
Intro. 381
Res. 281
29-0
06-0328 Accepting Grant From Health Research, Inc. For Public Health Preparedness And Response To Bioterrorism Program
Human Services Committee; October 3, 2006 - CV: 7-0
Ways and Means Committee; October 4, 2006 - CV: 10-0

22. Dobson & LaFountain 06-0329 Accepting Grant From New York State Office Of Temporary And Disability Assistance For Local Administration Fund
Intro. 382 Human Services Committee; October 3, 2006 - CV: 7-0
Res. 282 Ways and Means Committee; October 4, 2006 - CV: 10-0
29-0
23. Dobson & LaFountain 06-0330 Accepting Grant From New York State Office Of Children And Family Services For "A Partnership For Youth"
Intro. 383 Human Services Committee; October 3, 2006 - CV: 7-0
Res. 283 Ways and Means Committee; October 4, 2006 - CV: 10-0
29-0
24. Dobson & LaFountain 06-0331 Accepting Grant From New York State Office For The Aging For Implementation Of Weatherization Referral And Packaging Program
Intro. 384 Human Services Committee; October 3, 2006 - CV: 7-0
Res. 284 Ways and Means Committee; October 4, 2006 - CV: 10-0
29-0
25. Dobson & LaFountain 06-0332 Amending Resolution 448 Of 2005 To Accept Additional Funding From New York State Office Of Children And Family Services For Youth Services For 2006
Intro. 385 Human Services Committee; October 3, 2006 - CV: 7-0
Res. 285 Ways and Means Committee; October 4, 2006 - CV: 10-0
29-0
26. Cassetti & LaFountain 06-0333 Authorizing Contracts With Avis Rent A Car System, LLC, Budget Rent A Car Systems, Inc., The Hertz Corporation, SNORAC, Inc. d/b/a Enterprise Rent-A-Car, Vanguard Car Rental USA, Inc. d/b/a Alamo Rent A Car, and Vanguard Car Rental USA, Inc. d/b/a National Car Rental, For Operation Of Car Rental Concessions And Lease Of Space At The Greater Rochester International Airport
Intro. 386 Environment and Public Works Committee; October 4, 2006 - CV: 8-0
Res. 286 Ways and Means Committee; October 4, 2006 - CV: 10-0
29-0
27. Cassetti & LaFountain 06-0334 Scheduling Public Hearings For Assessment Rolls Of The Pure Waters Sewer Districts For 2007 And Confirmation And Adoption Of Assessment Rolls
Intro. 387 Environment and Public Works Committee; October 4, 2006 - CV: 8-0
Ways and Means Committee; October 4, 2006 - CV: 10-0
(For Introductory Purposes Only)
28. Cassetti & LaFountain 06-0334 Providing That Resolution (Intro. No. 387 Of 2006), Entitled "Confirming And Adopting Assessment Rolls Of Pure Waters Sewer Districts For 2007," Be Tabled
Intro. 388
M. 81
29-0
29. Cassetti & LaFountain 06-0334 Scheduling Public Hearings For Assessment Rolls Of The Pure Waters Sewer Districts For 2007 And Confirmation And Adoption Of Assessment Rolls
Intro. 389 (Public Hearings are Scheduled for Thursday, December 7, 2006 at 5:31 p.m. before the
Res. 287 Ways and Means Committee)
29-0
30. Tucciarello & LaFountain 06-0336 Authorizing Advertisement For Bids For Atlantic Avenue/Jackson Road Intersection Project In The Town Of Penfield
Intro. 390 Transportation Committee; October 4, 2006 - CV: 7-0
Res. 288 Ways and Means Committee; October 4, 2006 - CV: 10-0
29-0
31. LaFountain & McCann 06-0337 Authorizing Sale Of County Owned Tax Foreclosed Property In The Town Of Riga
Intro. 391 Ways and Means Committee; October 4, 2006 - CV: 10-0
Res. 289
29-0

32. LaFountain & McCann 06-0338 Directing Correction, Cancellation And Levy Of Certain Monroe County Taxes In City Of Rochester And Town Of Penfield
Intro. 392 Ways and Means Committee; October 4, 2006 - CV: 10-0
Res. 290
29-0
33. Barker & LaFountain 06-0344 Accepting Grant From New York State Emergency Management Office For Citizens Corps Program For Federal Fiscal Year 2006
Intro. 393 Public Safety Committee; October 2, 2006 - CV: 8-0
Res. 291 Ways and Means Committee; October 4, 2006 - CV: 10-0
29-0
34. Dobson & LaFountain 06-0345 Accepting Grant From New York State Department Of Health For Abstinence Education And Promotion Initiative Program
Intro. 394 Human Services Committee; October 3, 2006 - CV: 7-0
Res. 292 Ways and Means Committee; October 4, 2006 - CV: 10-0
29-0
35. Dobson & LaFountain 06-0346 Amending Resolution 450 Of 2005, As Amended By Resolution 250 Of 2006, To Accept Additional Funding From New York State Office For The Aging For 2006 Aging Programs
Intro. 395 Human Services Committee; October 3, 2006 - CV: 7-0
Res. 293 Ways and Means Committee; October 4, 2006 - CV: 10-0
29-0
36. DiRaddo & Valerio 06-0347 Reappointment To Monroe Community College Board Of Trustees
Intro. 396
Res. 294
29-0

UNFINISHED BUSINESS

Legislator Paul E. Haney inquired about the receipt of rent payments in 2005 and 2006 from the Rochester Sports Authority to the County of Monroe for Frontier Field. Finance Director Stephen W. Gleason stated that the County had not received any payments in 2005 or 2006.

Upon Motion by Legislator Smith, the Legislature adjourned at 6:55 P.M. until Tuesday, November 14, 2006 at 6:00 P.M.

DAVID M. BARRY, JR.
Clerk of the Legislature