

**ELEVENTH DAY**

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**DRAFT**

**WEDNESDAY, SEPTEMBER 26, 2007**

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Legislature met pursuant to Special Meeting  
Notice Regarding Consideration of  
File No. 07-0333

President Wayne E. Zyra in the Chair.

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**ROLL CALL**

Present — Legislators Adair, Aldersley, Andrews, Barker, Bronson, Cassetti, Colby, Cruz, DiRaddo, Dobson, Driscoll, Eckel, Gamble, Haney, Hanna, Heider, LaFountain, Lee, Lightfoot, Malta, McCann, O'Brien, Palumbo, Quatro, Smith, Tucciarello, Valerio, Yolevich, Zyra — 29

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Meeting formally opened. President Zyra requested a moment of silent prayer. The Pledge of Allegiance to the Flag was led by Legislator Mark J. Cassetti.

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**ANNOUNCEMENT**

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President Zyra stated that notification of this special meeting was given to legislators and the media by the Clerk of the Legislature in accordance with Section C2-9C(2) of the Monroe County Charter and Section 545-5 of the Rules of the Legislature of the County of Monroe. The sole purpose of this meeting was for the consideration of Referral 07-0333 deemed to be Matters of Urgency Pursuant to Section 545-24 (A) (3) of the Rules of the Monroe County Legislature of the County of Monroe.

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**PUBLIC FORUM**

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An Open Forum was conducted to allow speakers to address the Legislature. Two speakers addressed the Legislature and the Open Forum concluded at 6:13 P.M.

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**PETITIONS AND COMMUNICATIONS**

**From the President of the Legislature — WAYNE E. ZYRA**

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**Regarding Calling a Special Meeting of the Legislature**  
Read and Filed. (RF07-332)

September 26, 2007

Mr. David Michael Barry, Clerk  
Monroe County Legislature  
407 County Office Building  
Rochester, New York 14614

**RE: Special Meeting of the Monroe County Legislature**

Dear Mr. Barry:

Pursuant to the authority vested in me as President of the Legislature by Section C2-9C of the County Charter and Section 545-5 of the Rules of the Monroe County Legislature, I hereby direct you to call a special meeting of the Legislature for Wednesday, September 26, 2007, at 6:00 P.M. in the Chambers of the Legislature, 406 County Office Building to consider the following business, deemed to be matters of urgency pursuant to section 545-24 (A) (3) of the Rules of the Legislature of the County of Monroe.

The business to be conducted at the special meeting will be to consider referral 07-0333, *Enact the F.A.I.R. Plan to End Monroe County's Budget Crisis*, which includes the following legislative actions:

1. Adopt the reimbursement option for Medicaid purposes described in section 2 of chapter 58 of the laws of 2005 by adopting the resolution set forth in section 2(b)(ii) of chapter 58 of the laws of 2005;
2. Authorize the County Executive, or her designee, to execute intermunicipal agreements, and any amendments thereto, with the City of Rochester and Towns and Villages in Monroe County for the provision of funds by Monroe County to those municipalities such that they experience no loss of revenue as a result of the election under section 2 of chapter 58 of the laws of 2005;
3. Adopt a resolution to establish a Monroe County motor vehicle registration fee.

Please give notice of this special meeting of the County Legislature to the members of the Legislature in accordance with the provisions of Section C2-9C (2) of the County Charter.

Sincerely,  
**WAYNE E. ZYRA**  
President  
Monroe County Legislature

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**OTHER COUNTY OFFICIALS**

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**David M. Barry, Jr., Clerk of the Legislature — Regarding Special Meeting of the Monroe County Legislature.**  
Read and Filed. (RF07-333)

September 26, 2007

**Re: Calling Special Meeting of the Monroe County Legislature**

Dear Legislator:

At the direction of the President of the Monroe County Legislature, Wayne E. Zyra, a **Special Meeting of the Monroe County Legislature** is hereby called pursuant to Section C2-9C of the Monroe County Charter and Section 545-5 of the *Rules* of the Legislature for Wednesday, September 26, 2007 at 6:00 P.M. in the Chambers of the Legislature, 406 County Office Building, to consider the following business, deemed to be matters of urgency pursuant to section 545-24 (A) (3) of the Rules of The Legislature.

The business to be conducted at the special meeting will be to consider referral 07-0333 **Enact the F.A.I.R. Plan to End Monroe County's Budget Crisis**, which includes the following legislative actions:

- 1) Adopt the reimbursement option for Medicaid purposes described in section 2 of chapter 58 of the laws of 2005 by adopting the resolution set forth in section 2(b)(ii) of chapter 58 of the laws of 2005;
- 2) Authorize the County Executive, or her designee, to execute intermunicipal agreements, and any amendments thereto, with the City of Rochester and Towns and Villages in Monroe County for the provision of funds by Monroe County to those municipalities such that they experience no loss of revenue as a result of the election under section 2 of chapter 58 of the laws of 2005;
- 3) Adopt a resolution to establish a Monroe County motor vehicle registration fee.

Sincerely,  
**DAVID M. BARRY, JR.**  
Clerk  
Monroe County Legislature

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### MOTIONS, RESOLUTIONS AND NOTICES

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- Haney/Lightfoot
- Intro. 368  
M. 102  
12-17 F  
A motion was made to Adjourn the meeting until Saturday, September 29, 2007 at 9:00 a.m.  
*(Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Eckel, Gamble, Haney, Heider, Lee, Lightfoot and O'Brien voted in the positive)*
1. Smith &            07-0333      Adopt The Reimbursement Option For Medicaid Purposes Described In Section 2 Of Chapter 58 Of The Laws Of 2005 By Adopting The Resolution Set Forth In Section 2(b)(ii) Of Chapter 58 Of The Laws of 2005  
McCann  
Intro. 369  
Res. 349  
17-12  
Matter of Urgency  
*(Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Eckel, Gamble, Haney, Heider, Lee, Lightfoot and O'Brien voted in the negative)*
2. Smith &            07-0333      Authorizing Intermunicipal Agreements With City Of Rochester And Towns And Villages In Monroe County For Provision Of Funds By Monroe County To Those Municipalities Such That They Experience No Loss Of Revenue As A Result Of Election Under Section 2 Of Chapter 58 Of The Laws Of 2005  
McCann  
Intro. 370  
Matter of Urgency
- Intro. 371  
M. 103  
Eckel/Aldersley  
A Motion to Amend Intro. 370 of 2007 as follows:
- “Section 1.        The County Executive, or her designee, is hereby authorized to execute Intermunicipal agreements, and any amendments thereto, with the City of Rochester and the Towns and Villages and Suburban School Districts in Monroe County for the provision of funds by Monroe County to those municipalities such that they experience no loss of revenue as a result of the election under section 2 of chapter 58 of laws of 2005.”

President Zyra Ruled the Amendment Out of Order. Legislator Aldersley raised a Point of Order and Appealed the Ruling of the Chair. The Ruling of the Chair was sustained by the following vote:

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

Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Eckel, Gamble, Haney, Heider, Lee, Lightfoot and O'Brien - 12

President Zyra concurred with Legislator Smith's point of order in reference to Intro. No 370 of 2007. Legislator Palumbo made a motion to Appeal the Ruling of the Chair. The Ruling of the Chair was sustained by the following vote:

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

Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Eckel, Gamble, Haney, Heider, Lee, Lightfoot and O'Brien - 12

Legislator Smith raised an additional point of order stating that the subject matter raised by Legislator Aldersley was not related to Intro. No. 370 of 2007. President Zyra concurred with Legislator Smith and stated his ruling. Legislator Aldersley made a motion to Appeal the Ruling of the Chair and President Zyra's ruling was sustained by the following vote:

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

Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Eckel, Gamble, Haney, Heider, Lee, Lightfoot and O'Brien - 12

Intro. 370      Main Motion

Res. 350

17-12

*(Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Eckel, Gamble, Haney, Heider, Lee, Lightfoot and O'Brien voted in the negative)*

3. Smith &  
McCann  
Intro. 372  
Res. 351  
17-12

07-0333

Authorizing Establishment Of Monroe County Motor Vehicle Registration Fee  
Matter Of Urgency

*(Legislators Palumbo, Aldersley, Andrews, Bronson, Cruz, Eckel, Gamble, Haney, Heider, Lee, Lightfoot and O'Brien voted in the negative)*

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Upon Motion by Legislator Smith, the Legislature adjourned at 8:15 P.M. until Tuesday, October 9, 2007 at 6:00 P.M.

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**DAVID M. BARRY, JR.**  
Clerk of the Legislature