

ELEVENTH DAY

TUESDAY, OCTOBER 12, 2010

Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

ROLL CALL

Present — Legislators Adair, Andrews, Antelli, Barker, Beebe, Bronson, Cassetti, Colby, Daniele, Drawe, Eckel, Esposito, Gamble, Gumina, Haney, Hanna, Heider, Howland, Kaleh, Lee, Maneiro, McCann, O'Brien, Quatro, Rockow, Tucciarello, Valerio, Yolevich – 28

Absent — Lightfoot – 1

President Adair recognized former Monroe County Legislator Stephanie Polowe Aldersley.

Meeting formally opened. At the invitation of Legislator Richard A. Beebe, Reverend Alan Kinney from the Greece United Methodist Church delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Paul E. Haney.

APPROVAL OF MINUTES

Without objection, the journal of the session of Day 10 of 2010, September 14, 2010 was approved as submitted.

PETITIONS AND COMMUNICATIONS

PROCLAMATIONS

By the President of the Legislature — Jeffrey R. Adair

Recognized Jointly with Legislator Paul E. Haney “Stuart J. Mitchell III” for his four decades of remarkable leadership and dedicated service to our community.

Read and Filed.

Recognized Jointly with Legislators Calvin Lee, Jr. and Saul A. Maneiro “Hochstein School of Music & Dance” on the celebration of its 90th Anniversary.

Read and Filed.

Recognized Jointly with Legislators Cynthia Kaleh, Richard A. Beebe, C. Stephen Eckel and Willie Joe Lightfoot “Rochester Fire Department Engine 5” on the celebration of 125 years of extraordinary public service to the Lyell-Otis Neighborhood.
Read and Filed.

FORMAL COMMITTEE REPORTS

NONE

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Four speakers addressed the Legislature and the Open Forum concluded at 6:28 P.M.

RECESS

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

RECONVENING LEGISLATURE

President Adair reconvened the recessed meeting of October 12, 2010 and proceeded under the Usual Order of Business.

LOCAL LAWS

1. Howland & Hanna
Intro. 292
10-0265.LL 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, Local Law Nos. 2, 3, 6, 9 And 10 Of 2006, Local Law Nos. 1, 4, 7 And 8 Of 2007, Local Law Nos. 3, 5, 6, 10 And 12 Of 2008 And Local Law No. 7 Of 2009, To Revise Empire Zone Boundary
Planning and Economic Development Committee; September 27, 2010 – CV: 5-0
(For Introductory Purposes Only)

2. Howland & Hanna
Intro. 293
M. 51
28-0
10-0265.LL Providing that Local Law (Intro. No. 292 of 2010), 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, Local Law Nos. 2, 3, 6, 9 And 10 Of 2006, Local Law Nos. 1, 4, 7 And 8 Of 2007, Local Law Nos. 3,5,6,10 And 12 Of 2008 And Local Law No. 7 Of 2009 To Revise Empire Zone Boundary”
Be Tabled

3. Howland & Hanna
Intro. 294
Res. 232
28-0
10-0265.LL Fixing Public Hearing On Local Law (Intro. No. 292 of 2010), 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, Local Law Nos. 2, 3, 6, 9 And 10 Of 2006, Local Law Nos. 1, 4, 7 And 8 Of 2007, Local Law Nos. 3,5,6,10 And 12 Of 2008 And Local Law No. 7 Of 2009 To Revise Empire Zone Boundary”
(Public Hearing is Scheduled for Tuesday, November 9, 2010 at 6:15 P.M.)

CONSIDERATION OF MOTIONS, RESOLUTIONS AND NOTICES

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| Intro. 295
M. 52
28-0 | | Quatro/Bronson
Move Remainder of Agenda as a Whole. |
| 4. Yolevich &
Howland
Intro. 296
Res. 233
28-0 | 10-0264 | Reappointments To Monroe County Library System Board Of Trustees |
| 5. Howland &
Daniele
Intro. 297
Res. 234
28-0 | 10-0266 | Approving Designation Of Monroe County Industrial Development Corporation As Issuer Of Recovery Zone Facility Bonds
Planning and Economic Development Committee; September 27, 2010 – CV: 5-0
Ways and Means Committee; September 29, 2010 – CV: 10-0 |
| 6. Hanna &
Daniele
Intro. 298
Res. 235
28-0 | 10-0267 | Accepting Grant From New York State Governor’s Traffic Safety Committee For “Buckle Up New York” Enforcement Campaign
Public Safety Committee; September 27, 2010 – CV: 8-0
Ways and Means Committee; September 29, 2010 – CV: 10-0 |
| 7. Hanna &
Daniele
Intro. 299
Res. 236
28-0 | 10-0268 | Accepting Grant From New York State Governor’s Traffic Safety Committee For Child Passenger Safety Program (Sheriff’s Office)
Public Safety Committee; September 27, 2010 – CV: 8-0
Ways and Means Committee; September 29, 2010 – CV: 10-0 |
| 8. Hanna &
Daniele
Intro. 300
Res. 237
28-0 | 10-0269 | Accepting Gift From TARGET To Purchase Electronic Equipment For District Attorney’s Office
Public Safety Committee; September 27, 2010 – CV: 8-0
Ways and Means Committee; September 29, 2010 – CV: 10-0 |
| 9. Hanna &
Daniele
Intro. 301
Res. 238
28-0 | 10-0270 | Amending Resolution 297 Of 2009 To Authorize Contract With Sorenson Forensics For 2009 Forensic DNA Backlog Reduction Program
Public Safety Committee; September 27, 2010 – CV: 8-0
Ways and Means Committee; September 29, 2010 – CV: 10-0 |
| 10. Hanna &
Daniele
Intro. 302
Res. 239
28-0 | 10-0271 | Accepting Grant From New York State Division Of Criminal Justice Services For 2010-2011 DNA Laboratory Capacity Enhancement Program
Public Safety Committee; September 27, 2010 – CV: 8-0
Ways and Means Committee; September 29, 2010 – CV: 10-0 |
| 11. Hanna &
Daniele
Intro. 303
Res. 240
28-0 | 10-0272 | Accepting Grant From New York State Division Of Criminal Justice Services For 2010-2011 Aid To Crime Laboratories Program (Public Safety Laboratory)
Public Safety Committee; September 27, 2010 – CV: 8-0
Ways and Means Committee; September 29, 2010 – CV: 10-0 |

12. Valerio & Daniele
Intro. 304
Res. 241
28-0
10-0273 Authorizing Contract With School Of Medicine And Dentistry Of The University Of Rochester For Veterinary Care Services At Seneca Park Zoo
Recreation and Education Committee; September 28, 2010 – CV: 5-0
Ways and Means Committee; September 29, 2010 – CV: 10-0
13. Valerio & Daniele
Intro. 305
Res. 242
28-0
10-0274 Authorizing Contract With Sutter’s Marine, Inc. For Operation And Maintenance Of Marina Concession In Irondequoit Bay Park West
Recreation and Education Committee; September 28, 2010 – CV: 5-0
Ways and Means Committee; September 29, 2010 – CV: 10-0
14. Valerio & Daniele
Intro. 306
Res. 243
28-0
10-0275 Amending 2010-2015 Capital Improvement Program To Add Capital Project Entitled “Monroe Community College Window Replacement And Masonry Repairs Project”
Recreation and Education Committee; September 28, 2010 – CV: 5-0
Ways and Means Committee; September 29, 2010 – CV: 10-0
15. Valerio & Daniele
Intro. 307
Res. 244
28-0
10-0275.br Resolution Authorizing The Issuance Of \$2,500,000 Bonds Of The County Of Monroe, New York To Finance The Cost Of The Monroe Community College Window Replacement And Masonry Project For The Monroe Community College, In And For Said County
Recreation and Education Committee; September 28, 2010 – CV: 5-0
Ways and Means Committee; September 29, 2010 – CV: 10-0
16. Cassetti, Valerio & Daniele
Intro. 308
Res. 245
28-0
10-0276 Authorizing Acceptance Of Incentive Award From New York State Energy Research And Development Authority New Construction Program For Monroe Community College Building 9 Phase II Renovations Project
Environment and Public Works Committee; September 29, 2010 – CV: 6-0
Recreation and Education Committee; September 28, 2010 – CV: 5-0
Ways and Means Committee; September 29, 2010 – CV: 10-0
17. Antelli, Drawe & Daniele
Intro. 309
Res. 246
28-0
10-0277 Accepting Grant From New York State Department Of Health; Authorizing Intermunicipal Agreement With City Of Rochester And Contracts With Metrix Marketing, Inc., Schneider Laboratories, Inc., Cornell University And Catholic Family Center For Primary Prevention Of Childhood Lead Poisoning Project
Intergovernmental Relations Committee; September 28, 2010 – CV: 5-0
Human Services Committee; September 28, 2010 – CV: 7-0
Ways and Means Committee; September 29, 2010 – CV: 10-0
18. Drawe & Daniele
Intro. 310
Res. 247
28-0
10-0278 Accepting Grant From New York State Department Of Health For Public Health Preparedness And Response To Bioterrorism Program
Human Services Committee; September 28, 2010 – CV: 7-0
Ways and Means Committee; September 29, 2010 – CV: 10-0
19. Drawe & Daniele
Intro. 311
Res. 248
28-0
10-0279 Accepting Grant From New York State Governor’s Traffic Safety Committee For Child Passenger Safety Program (Department Of Public Health)
Human Services Committee; September 28, 2010 – CV: 7-0
Ways and Means Committee; September 29, 2010 – CV: 10-0
20. Drawe & Daniele
Intro. 312
Res. 249
28-0
10-0280 Accepting Grant From New York State Department Of Health For Healthy Neighborhoods Program
Human Services Committee; September 28, 2010 – CV: 7-0
Ways and Means Committee; September 29, 2010 – CV: 10-0

21. Hanna & Daniele
Intro. 313
Res. 250
28-0
- 10-0281
- Accepting Grant From New York State Division Of Criminal Justice Services For 2010-2011 Aid To Crime Laboratories Program (Medical Examiner's Office)
Public Safety Committee; September 27, 2010 – CV: 8-0
Ways and Means Committee; September 29, 2010 – CV: 10-0
22. Antelli, Drawe & Daniele
Intro. 314
Res. 251
28-0
- 10-0282
- Accepting Grant From Centers For Disease Control And Prevention; Authorizing Intermunicipal Agreement With Rochester City School District And Contract With University Of Rochester For School Based Influenza Immunization Program
Intergovernmental Relations Committee; September 28, 2010 – CV: 5-0
Human Services Committee; September 28, 2010 – CV: 7-0
Ways and Means Committee; September 29, 2010 – CV: 10-0
23. Antelli & Cassetti
Intro. 315
Res. 252
28-0
- 10-0283
- Authorizing Intermunicipal Agreement With Town Of Ogden To Provide Sewage Conveyance And Treatment Services
Intergovernmental Relations Committee; September 28, 2010 – CV: 5-0
Environment and Public Works Committee; September 29, 2010 – CV: 6-0
24. Colby & Cassetti
Intro. 316
Res. 253
28-0
- 10-0285
- Adopting Determination And Findings, Westfall Road, Phase III, Highway Improvement Project From East Henrietta Road In City Of Rochester To Lac de Ville Boulevard, P.N. 4753.77, In Town Of Brighton
Transportation Committee; September 29, 2010 – CV: 8-0
25. Colby & Daniele
Intro. 317
Res. 254
28-0
- 10-0286
- Authorizing Acquisition Of Interests In Real Property For Dorsey Road Highway Improvement Project (Mt. Read Boulevard To Dewey Avenue) In Town Of Greece
Transportation Committee; September 29, 2010 – CV: 8-0
Ways and Means Committee; September 29, 2010 – CV: 10-0
26. Colby & Daniele
Intro. 318
Res. 255
28-0
- 10-0287
- Authorizing Acquisition Of Interests In Real Property For Edgemere Drive Bridge Replacement Project At Round Pond Outlet In Town Of Greece
Transportation Committee; September 29, 2010 – CV: 8-0
Ways and Means Committee; September 29, 2010 – CV: 10-0
27. Colby & Daniele
Intro. 319
Res. 256
28-0
- 10-0288
- Authorizing Acquisition Of Interests In Real Property For Elmwood Avenue Right Of Way In Town Of Brighton
Transportation Committee; September 29, 2010 – CV: 8-0
Ways and Means Committee; September 29, 2010 – CV: 10-0
28. Daniele & Yolevich
Intro. 320
Res. 257
28-0
- 10-0289
- Authorizing Sale Of County Owned Tax Foreclosure Property In Town Of Irondequoit
Ways and Means Committee; September 29, 2010 – CV: 10-0
29. Daniele & Yolevich
Intro. 321
Res. 258
28-0
- 10-0290
- Authorizing Contract With Arthur J. Gallagher Risk Management Services, Inc. To Act As Insurance Broker Of Record For County Of Monroe
Ways and Means Committee; September 29, 2010 – CV: 10-0

30. Daniele & Yolevich
Intro. 322
Res. 259
28-0

10-0292 Authorizing Intermunicipal Agreement With City Of Rochester Regarding City Of Rochester's Use Of Monroe County Jail For Detention Of Non-Arraigned Detainees And Arrestees
Ways and Means Committee; September 29, 2010 – CV: 10-0

Matter of Urgency

31. Quatro & Bronson
Intro. 323
Res. 260
28-0

10-0315 Reappointment Of Elections Commissioner Thomas F. Ferrarese

UNFINISHED BUSINESS

Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 6:33 p.m. until Tuesday, November 9, 2010 at 6:00 p.m.

CHERYL M. ROZZI
Clerk of the Legislature