

TWELVTH DAY

TUESDAY, NOVEMBER 9, 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, Lightfoot, Maneiro, O'Brien, Quatro, Rockow, Tucciarello, Valerio, Yolevich – 28

Absent — McCann – 1

Meeting formally opened. President Adair requested a moment of silent prayer to honor all Veterans and their service to our country and to commemorate the upcoming Veterans Day holiday. The Pledge of Allegiance to the Flag was led by Legislator Mary A. Valerio.

APPROVAL OF MINUTES

Without objection, the journal of the session of Day 11 of 2010, October 12, 2010 was approved as submitted.

PETITIONS AND COMMUNICATIONS

PROCLAMATIONS

By the President of the Legislature — Jeffrey R. Adair

Recognized Jointly with Legislators Rick Antelli, Jeffery L. McCann and Mark J. Cassetti “Chief Jared Meeker” on his dedicated service as the former Lake Shore Fire District Chief.

Read and Filed.

Recognized Jointly with Legislators E. Daniel Quatro, Anthony J. Daniele and Debbie Drawe “Paul Hawkins” for his leadership as Chairman of Crime Stoppers.

Read and Filed.

Recognized Jointly with Legislators E. Daniel Quatro and Debbie Drawe “Jack Best” on being awarded the 2010 Daniel Penfield Award.

Read and Filed.

Recognized Jointly with Legislators Mark J. Cassetti, Glenn J. Gamble and Cynthia W. Kaleh “The House of Mercy” for 25 years of incredible, selfless and compassionate service to the poor members of our community.

Read and Filed.

Recognized Jointly with Legislators Willie Joe Lightfoot and Cynthia W. Kaleh “Pathways to Peace” for their dedication to our community’s youth and efforts to halt gang violence.

Read and Filed.

Recognized Jointly with Legislators Vincent J. Esposito and Edward M. O’Brien “Tydings Automotive” for their continued dedication to the Irondequoit community and for their 60 years of success.

Read and Filed.

Note: Legislator McCann arrived and was present for the remainder of the meeting.

RECESS

President Adair recessed the meeting to allow for one Public Hearing 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” No speakers addressed the Legislature and the hearing concluded at 6:35 P.M.

RECONVENING LEGISLATURE

President Adair reconvened the recessed meeting of November 9, 2010 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. Seven speakers addressed the Legislature and the Open Forum concluded at 6:55 P.M.

LOCAL LAWS

1. Howland & Hanna Intro. 324 M. 54 29-0 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 Lifted From The Table
2. Howland & Hanna Intro. 325 M. 55 29-0 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 Adopted

Intro. 292
LL No. TBA
29-0

Main Motion

CONSIDERATION OF MOTIONS, RESOLUTIONS AND NOTICES

3. Howland & Hanna
Intro. 326
Res. 261
29-0
10-0295 Authorizing Submission To United States Foreign Trade Zones Board For Request For Approval Of Conversion To Alternate Site Framework
Planning and Economic Development Committee; October 25, 2010 – CV: 5-0
4. Hanna & Daniele
Intro. 327
Res. 262
29-0
10-0296 Amending Resolution 196 of 2010 To Accept Additional Funding From New York State Division Of Criminal Justice Services For Felony Warrant Initiative
Public Safety Committee; October 25, 2010 – CV: 8-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
5. Hanna & Daniele
Intro. 328
Res. 263
29-0
10-0297 Accepting Gift From United States Marshals Service Of Undercover Vehicle
Public Safety Committee; October 25, 2010 – CV: 8-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
6. Hanna & Daniele
Intro. 329
Res. 264
29-0
10-0298 Accepting Grant From United States Bureau Of Alcohol, Tobacco, Firearms And Explosives For ATF-Monroe County Sheriff's Office Explosives Task Force
Public Safety Committee; October 25, 2010 – CV: 8-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
7. Hanna & Daniele
Intro. 330
Res. 265
29-0
10-0299 Authorizing Contract With Roman Catholic Diocese Of Rochester For Roman Catholic Religious Services For Inmates At Monroe County Jail And Monroe Correctional Facility
Public Safety Committee; October 25, 2010 – CV: 8-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
8. Hanna & Daniele
Intro. 331
Res. 266
29-0
10-0300 Amending Resolution 278 Of 2008 To Accept Additional Funding From New York State Division Of Homeland Security and Emergency Services For Urban Area Security Initiative Program
Public Safety Committee; October 25, 2010 – CV: 8-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
9. Hanna & Daniele
Intro. 332
Res. 267
29-0
10-0301 Amending Resolution 301 Of 2009 To Accept Additional Funding From New York State Division Of Homeland Security and Emergency Services For Urban Area Security Initiative Program
Public Safety Committee; October 25, 2010 – CV: 8-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
10. Hanna & Daniele
Intro. 333
Res. 268
29-0
10-0302 Accepting Grant From New York State Governor's Traffic Safety Committee For Child Passenger Safety Program (Department Of Public Safety)
Public Safety Committee; October 25, 2010 – CV: 8-0
Ways and Means Committee; October 27, 2010 – CV: 11-0

11. Hanna & Daniele
Intro. 334
Res. 269
29-0
10-0303 Accepting Grant From New York State Governor's Traffic Safety Committee For Community Traffic Safety Program
Public Safety Committee; October 25, 2010 – CV: 8-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
12. Valerio & Daniele
Intro. 335
Res. 270
29-0
10-0304 Amending Resolution 3 Of 2010 To Accept Additional Funding From New York State Office Of Parks, Recreation And Historic Preservation For Snowmobile Trail And Maintenance Program; Authorizing Contracts With Hilton Sno-Flyers, Webster Ridge Runners, Inc. And Salmon Creek Snowmobile Club For Development And Maintenance Of Trails
Recreation and Education Committee; October 26, 2010 – CV: 5-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
13. Antelli, Valerio & Daniele
Intro. 336
Res. 271
29-0
10-0305 Authorizing Intermunicipal Agreement With And Accepting Gift From Village Of Churchville For Construction Of Improvements On West Shore Trail In Churchville Park
Intergovernmental Relations Committee; October 26, 2010 – CV: 5-0
Recreation and Education Committee; October 26, 2010 – CV: 5-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
14. Antelli, Colby & Daniele
Intro. 337
Res. 272
29-0
10-0306 Authorizing Advertisement For Bids; Authorizing Contract With Monroe County Water Authority For Water Main Installation; Authorizing Intermunicipal Agreement With Town Of Greece For Street Lighting Installation, In Conjunction With Dorsey Road Project In Town Of Greece
Intergovernmental Relations Committee; October 26, 2010 – CV: 5-0
Transportation Committee; October 27, 2010 – CV: 9-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
15. Drawe & Daniele
Intro. 338
Res. 273
29-0
10-0307 Authorizing License Agreement With AARP For Use And Occupancy Of Space At Monroe Community Hospital, 435 East Henrietta Road, Rochester New York
Human Services Committee; October 26, 2010 – CV: 7-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
16. Drawe & Daniele
Intro. 339
Res. 274
29-0
10-0308 Accepting Grant From New York State Department Of Health For Bathing Beach Water Quality Monitoring and Notification Program
Human Services Committee; October 26, 2010 – CV: 7-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
17. Drawe & Daniele
Intro. 340
Res. 275
29-0
10-0309 Accepting Grant From Centers For Disease Control For Healthy Futures For Children In Foster Care Program; Authorizing Contracts With University Of Rochester, Society For The Protection & Care Of Children, Children's Institute, Inc., Coordinated Care Services, Inc., Marty Beyer, Ph.D., And Barbara Erdle
Human Services Committee; October 26, 2010 – CV: 7-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
18. Drawe & Daniele
Intro. 341
Res. 276
29-0
10-0310 Amending Resolution 82 Of 2010 To Accept Additional Funding From New York State Office Of Temporary And Disability Assistance For 2009-2010 Home Energy Assistance Program
Human Services Committee; October 26, 2010 – CV: 7-0
Ways and Means Committee; October 27, 2010 – CV: 11-0

19. Cassetti & Daniele
Intro. 342
Res. 277
29-0
- 10-0311 Authorizing Contract With Clough Harbour & Associates, LLP For Design Services For Terminal Improvements – Pedestrian Circulation Project At Greater Rochester International Airport
Environment and Public Works Committee; October 27, 2010 – CV: 7-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
20. Cassetti & Daniele
Intro. 343
Res. 278
29-0
- 10-0311.br Resolution Authorizing The Issuance Of \$4,750,000 Bonds Of The County Of Monroe, New York, To Finance The Cost Of The Construction Of Terminal Improvements To Improve Pedestrian Circulation And To Provide Additional Leased Space For Airline Use At The Greater Rochester International Airport, In And For Said County, At An Estimated Maximum Cost of \$4,750,000 And Superseding The Bond Resolution Adopted On December 8, 2009 (Resolution No. 358 Of 2009)
21. Colby & Daniele
Intro. 344
Res. 279
29-0
- 10-0312 Authorizing Advertisement For Bids For King Road, Paul Road And Beahan Road Preventative Maintenance Project
Transportation Committee; October 27, 2010 – CV: 9-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
22. Colby & Daniele
Intro. 345
Res. 280
29-0
- 10-0313 Authorizing Advertisement For Bids For Preventative Maintenance - Highways Program Project
Transportation Committee; October 27, 2010 – CV: 9-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
23. Yolevich & Lightfoot
Intro. 346
Res. 281
29-0
- 10-0314 Confirmation Of Appointment To Monroe County Veterans Advisory Committee Agenda Charter Committee; October 25, 2010 – CV: 5-0
24. Howland & Hanna
Intro. 347
Res. 282
29-0
- 10-0316 Designating VisitRochester As Official County Tourist Promotion Agency
Planning and Economic Development Committee; October 25, 2010 – CV: 5-0
25. Cassetti & Daniele
Intro. 348
Res. 283
29-0
- 10-0317 Authorizing Supplemental Grant Agreement #4 With New York State For Aid Relating To Improvements At Greater Rochester International Airport
Environment and Public Works Committee; October 27, 2010 – CV: 7-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
26. Valerio & Daniele
Intro. 349
- 10-0318 Accepting Gift From Seneca Park Zoo Society For Design And Construction Of Lion Exhibit At Seneca Park Zoo; Amending 2010-2015 Capital Improvement Program To Add Project Entitled “Seneca Park Zoo Lion Exhibit;” Authorizing Contract With Seneca Park Zoo Society For Reimbursement Of Project Expenses; Authorizing License And Operating Agreement With Seneca Park Zoo Society
Recreation and Education Committee; October 26, 2010 – CV: 5-0
Ways and Means Committee; October 27, 2010 – CV: 11-0
- Intro. 350
M. 56
29-0
- Quatro/Tucciarello
Motion To Table Intro. 349 of 2010

27. Valerio & Daniele
Intro. 351

Intro. 352
M. 57
29-0

10-0318.br Resolution Authorizing The Issuance Of \$2,675,000 Bonds Of The County Of Monroe, New York, To Finance Part Of The \$3,400,000 Estimated Maximum Cost Of The Construction Of The Lion Exhibit At The Seneca Park Zoo, In And For Said County

Quatro/Tucciarello
Motion To Table Intro. 351 of 2010

Matters of Urgency

28. Quatro & Barker
Intro. 353
Election 4
29-0

10-0351 Election Of Deputy Clerk Of The Legislature
Matter Of Urgency

29. Yolevich & Howland
Intro. 354
Res. 284
29-0

10-0352 Appointment To Monroe Community College Board Of Trustees
Matter Of Urgency

30. Daniele & Yolevich
Intro. 355

10-0353.LL Enacting A Local Law Authorizing The County Clerk To Collect Certain Fees For Recording, Entering, Indexing And Endorsing A Certificate On Any Instrument
Matter Of Urgency
(For Introductory Purposes Only)

31. Daniele & Yolevich
Intro. 356
M. 58
29-0

10-0353.LL Providing That Resolution (Intro. No. 355 Of 2010), Entitled "Enacting A Local Law Authorizing The County Clerk To Collect Certain Fees For Recording, Entering, Indexing And Endorsing A Certificate On Any Instrument" Be Tabled
Matter Of Urgency

32. Daniele & Yolevich
Intro. 357
Res. 285
29-0

10-0353.LL Fixing Public Hearing On Resolution (Intro No. 355 Of 2010), Entitled "Enacting A Local Law Authorizing The County Clerk To Collect Certain Fees For Recording, Entering, Indexing And Endorsing A Certificate On Any Instrument"
Matter Of Urgency
(Public Hearing Scheduled for Tuesday, December 14, 2010 at 6:15 P.M.)

33. Cassetti & Daniele
Intro. 358

10-0354 Confirming And Adopting Assessment Rolls Of Pure Waters Sewer Districts For 2011 And Confirmation And Adoption Of Assessment Rolls
Matter Of Urgency
(For Introductory Purposes Only)

34. Cassetti & Daniele
Intro. 359
M. 59
29-0

10-0354 Providing That Resolution (Intro. No. 358 Of 2010), Entitled "Confirming And Adopting Assessment Rolls Of Pure Waters Sewer Districts For 2011 And Confirmation And Adoption Of Assessment Rolls," Be Tabled
Matter Of Urgency

35. Cassetti & Daniele
Intro. 360
Res. 286
29-0

10-0354 Fixing Public Hearing On Resolution (Intro. No. 358 Of 2010), Entitled "Confirming And Adopting Assessment Rolls Of Pure Waters Sewer Districts For 2011 And Confirmation And Adoption Of Assessment Rolls"
Matter Of Urgency
(Public Hearing is scheduled for Thursday, December 9, 2010 at 5:30 P.M. before the Ways and Means Committee)

36. Daniele & Yolevich Intro. 361 10-0355 Adoption Of Monroe County Annual Budget For The Year 2011 And Establishing 2011 Monroe County Classification, Compensation And Salary Schedule For Monroe County Employees
Matter Of Urgency
(For Introductory Purposes Only)
37. Daniele & Yolevich Intro. 362 M. 60 29-0 10-0355 Providing That Resolution (Intro. No. 361 Of 2010), Entitled “Adoption Of Monroe County Annual Budget For The Year 2011 And Establishing 2011 Monroe County Classification, Compensation And Salary Schedule For Monroe County Employees” Be Tabled
Matter Of Urgency
38. Daniele & Yolevich Intro. 363 Res. 287 29-0 10-0355 Fixing Public Hearing On Resolution (Intro. No. 361 Of 2010), Entitled “Adoption Of Monroe County Annual Budget For The Year 2011 And Establishing 2011 Monroe County Classification, Compensation And Salary Schedule For Monroe County Employees”
Matter Of Urgency
(Public Hearing is scheduled for Thursday, December 9, 2010 at 5:34 P.M. before the Ways and Means Committee)

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 November 9, 2010 and proceeded under the Usual Order of Business.

UNFINISHED BUSINESS

President Adair recognized and congratulated Assemblyman-Elect Harry Bronson.

Upon Motion by Legislator E. Daniel Quatro, the Legislature adjourned at 7:15 p.m. until Tuesday, December 14, 2010 at 6:00 p.m.

CHERYL M. ROZZI
Clerk of the Legislature