

THIRD DAY

TUESDAY, March 12, 2013

Legislature met pursuant to adjournment.

President Jeffrey R. Adair in the Chair.

ROLL CALL

Present — Legislators Adair, Ancello, Andrews, Antelli, Barker, Bauroth, Boyce, Carbone, Colby, Daniele, Drawe, Gamble, Gumina, Haney, Hanna, Kaleh, W. Lightfoot, McCann, Micciche, Morelle, Patterson, Quatro, Rockow, Tucciarello, Valerio, Wilcox, Yolevich— 27

Absent – Legislators Howland, J. Lightfoot –2

Note: Legislator J. Lightfoot entered the Chambers after the Invocation and was present for the remainder of the meeting.

Note: Legislator Howland entered the Chambers during the Public Hearings and was present for the remainder of the meeting.

Meeting formally opened. At the invitation of Legislator Michael G. Barker, Father Edison Tayag of Assumption Church delivered the invocation. The Pledge of Allegiance to the Flag was led by Legislator Rick Antelli

Note: Legislator J. Lightfoot entered the Chambers and was present for the remainder of the meeting.

IN MEMORIAMs

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| 52. Daniele &
Andrews
Intro. 68
Res. 46 | 13-0109 | Expressing Regret of the Monroe County Legislature on the Recent Passing of Grace Esposito, Daughter of former Legislator Vincent Esposito
Matter of Urgency |
| 53. Daniele &
Andrews
Intro. 69
Res. 47 | 13-0110 | Expressing Regret of the Monroe County Legislature on the Recent Passing of Lou Edna Buggs, Grandmother of Legislator Willie Joe Lightfoot
Matter of Urgency |
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APPROVAL OF MINUTES

Without objection, the Journal of the Session of Day 2, February 12, 2013 was approved as submitted.

PETITIONS AND COMMUNICATIONS

President Adair acknowledged the *Matter of Urgency Memorializing Resolution* entitled, **“Repealing the New York Secure Ammunition and Firearms Enforcement Act and Urging Governor Andrew M. Cuomo and the New York State Legislature to Pass the Webster Provision as Stand Alone Legislation -** By Majority Leader Anthony J. Daniele, County Executive Maggie Brooks, President Jeffrey R. Adair, Vice President Michael G. Barker, Legislators Richard Yolevich, Mike Rockow, Mary A. Valerio, Steve Tucciarello, Karla F. Boyce, Fred Ancello, Rick Antelli, Carmen F. Gumina, Debbie Drawe, John J. Howland, E. Daniel Quatro, Dr. Joe Carbone, Ciaran T. Hanna, Jeffery L. McCann, Robert J. Colby, Tony Micciche.

President Adair recognized Mark Quinn, Horticulturalist for the Parks Department, who introduced the Plant of the Month, the *Shamrock* to the Legislature.

PROCLAMATIONS

By the President of the Legislature — Jeffrey R. Adair

Recognized Jointly with Legislators Michael G. Barker and Ciaran T. Hanna “The Fairport Varsity Wrestling Team” on clinching the Section V Class AA Wrestling Championship.

Read and Filed.

Recognized Jointly with Legislators Carrie M. Andrews and Joshua Bauroth “Venture Creations” for their efforts to help businesses succeed in Monroe County.

Read and Filed.

RECESS

President Adair recessed the meeting to allow for several Public Hearings entitled...

Note: Legislator Howland entered the Chambers and was present for the remainder of the meeting.

“Prohibiting the Sale, Use or Possession of Synthetic Drugs and Other Similar Compounds.”

Three speakers addressed the Legislature and the hearing concluded at 6:29 P.M.

“Approving Increase and Improvement of Facilities in Gates-Chili-Ogden Sewer District- General Collection System Improvements.”

No speakers addressed the Legislature and the hearing concluded at 6:29 P.M.

“Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District – General Pump Station and Interceptor Improvements.”

No speakers addressed the Legislature and the hearing concluded at 6:29 P.M.

“Approving Increase and Improvement of Facilities in Northwest Quadrant Pure Waters District –General Pump Station and Interceptor Improvements.”

No speakers addressed the Legislature and the hearing concluded at 6:30 P.M.

“Entitled “Approving Increase and Improvement of Facilities in Rochester Pure Waters District – Combined Sewer Overflow Abatement Program (CSOAP) Pedestrian Bridge Improvements.”

No speakers addressed the Legislature and the hearing concluded at 6:30 P.M.

“Approving Increase and Improvement of Facilities in Rochester Pure Waters District – Combined Sewer Overflow Abatement Program (CSOAP) Tunnel System Improvements.”

No speakers addressed the Legislature and the hearing concluded at 6:30 P.M.

FORMAL COMMITTEE REPORTS

None

PUBLIC FORUM

An Open Forum was conducted to allow speakers to address the Legislature. Thirty-two speakers addressed the Legislature and the Open Forum concluded at 7:55 P.M.

RECESS

President Adair declared a five minute recess.

CONSIDERATION OF LOCAL LAWS

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| 1. Tucciarello &
Antelli
Intro. 70
M. 9
29-0 | 13-0004 LL Providing that Local Law (Intro. No. 19 of 2013), Entitled "Prohibiting the Sale, Use or Possession of Synthetic Drugs and Other Similar Compounds" Be Lifted from the Table |
| 2. Tucciarello &
Antelli
Intro.71
M. 10

Intro. 19
Local Law No. TBA
29-0 | 13-0004 LL Providing that Local Law (Intro. No. 19 of 2013), Entitled "Prohibiting the Sale, Use or Possession of Synthetic Drugs and Other Similar Compounds" Be Adopted

Main Motion |

MOTIONS, RESOLUTIONS AND NOTICES

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| 3. Howland &
Yolevich
Intro. 72
M. 11
29-0 | 13-0024 Providing that Resolution (Intro. No. 42 of 2013), Entitled "Approving Increase and Improvement of Facilities in Gates-Chili-Ogden Sewer District- General Collection System Improvements," Be Lifted from the Table |
| 4. Howland &
Yolevich
Intro. 73
M. 12
29-0

Intro. 42
Res. 48
29-0 | 13-0024 Providing that Resolution (Intro. No. 42 of 2013), Entitled "Approving Increase and Improvement of Facilities in Gates-Chili-Ogden Sewer District- General Collection System Improvements," Be Adopted

Main Motion |

5. Howland & Yolevich
Intro. 74
Res. 49
29-0
13-0024.br Resolution Authorizing the Issuance of \$2,175,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Improvement of Facilities of the Gates-Chili-Ogden Sewer District Consisting of General Collection System Improvements, at an Estimated Maximum Cost of \$2,175,000, in and for Said County, and Superseding the Bond Resolution Adopted on April 17, 2012 (Resolution No. 103 of 2012)
6. Howland & Yolevich
Intro. 75
M. 13
29-0
13-0026 Providing that Resolution (Intro. No. 45 of 2013), Entitled “Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District – General Pump Station and Interceptor Improvements,” Be Lifted from the Table
7. Howland & Yolevich
Intro. 76
M. 14
29-0
13-0026 Providing that Resolution (Intro. No. 45 of 2013), Entitled “Approving Increase and Improvement of Facilities in Irondequoit Bay South Central Pure Waters District – General Pump Station and Interceptor Improvements,” Be Adopted

Intro. 45
Res. 50
29-0
Main Motion
8. Howland & Yolevich
Intro. 77
Res. 51
29-0
13-0026.br Resolution Authorizing the Issuance of \$1,950,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Improvement of the Facilities of the Irondequoit Bay/South Central Pure Waters District, Consisting of General Pump Station and Interceptor Improvements in and for Said County, at an Estimated Maximum Cost of \$1,950,000 and Superseding the Bond Resolution Adopted on April 17, 2012 (Resolution No. 94 of 2012)
9. Howland & Yolevich
Intro. 78
M. 15
29-0
13-0028 Providing that Resolution (Intro. No. 48 of 2013), Entitled “Approving Increase and Improvement of Facilities in Northwest Quadrant Pure Waters District –General Pump Station and Interceptor Improvements,” Be Lifted from the Table
10. Howland & Yolevich
Intro. 79
M. 16
29-0
13-0028 Providing that Resolution (Intro. No. 48 of 2013), Entitled “Approving Increase and Improvement of Facilities in Northwest Quadrant Pure Waters District –General Pump Station and Interceptor Improvements,” Be Adopted

Intro. 48
Res. 52
29-0
Main Motion
11. Howland & Yolevich
Intro. 80
Res. 53
29-0
13-0028.br Resolution Authorizing the Issuance of \$1,450,000 Bonds of the County of Monroe, New York, to Finance the Cost of Improvements to the Facilities of the Northwest Quadrant Pure Waters District, Including General Improvements to Various Pump Stations and Interceptors in the District, in and for Said County, at an Estimated Maximum Cost of \$1,450,000 and Superseding the Bond Resolution Adopted on April 17, 2012 (Resolution No. 98 of 2012)
12. Howland & Yolevich
Intro. 81
M. 17
29-0
13-0030 Providing that Resolution (Intro. No. 51 of 2013), Entitled “Approving Increase and Improvement of Facilities in Rochester Pure Waters District – Combined Sewer Overflow Abatement Program (CSOAP) Pedestrian Bridge Improvements,” Be Lifted from the Table

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| 13. Howland & Yolevich
Intro. 82
M. 18
29-0

Intro. 51
Res. 54
29-0 | 13-0030 | Providing that Resolution (Intro. No. 51 of 2013), Entitled “Approving Increase and Improvement of Facilities in Rochester Pure Waters District – Combined Sewer Overflow Abatement Program (CSOAP) Pedestrian Bridge Improvements,” Be Adopted

Main Motion |
| 14. Howland & Yolevich
Intro. 83
Res. 55
29-0 | 13-0030.br | Resolution Authorizing the Issuance of \$900,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Improvement of the Facilities of the Rochester Pure Waters District, Consisting of Comprehensive Structural Rehabilitation of the Maplewood Pedestrian Bridge and Access Pathways, in and for Said County, at an Estimated Maximum Cost of \$900,000 |
| 15. Howland & Yolevich
Intro. 84
M. 19
29-0 | 13-0032 | Providing that Resolution (Intro. No. 54 of 2013), Entitled “Approving Increase and Improvement of Facilities in Rochester Pure Waters District – Combined Sewer Overflow Abatement Program (CSOAP) Tunnel System Improvements,” Be Lifted from the Table |
| 16. Howland & Yolevich
Intro. 85
M. 20
29-0

Intro. 54
Res. 56
29-0 | 13-0032 | Providing that Resolution (Intro. No. 54 of 2013), Entitled “Approving Increase and Improvement of Facilities in Rochester Pure Waters District – Combined Sewer Overflow Abatement Program (CSOAP) Tunnel System Improvements,” Be Adopted

Main Motion |
| 17. Howland & Yolevich
Intro. 86
Res. 57
29-0 | 13-0032.br | Resolution Authorizing the Issuance of \$3,700,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Increase and Improvement of the Facilities of the Rochester Pure Waters District, in and For Said County, at an Estimated Maximum Cost of \$3,700,000 and Superseding the Bond Resolution Adopted on April 17, 2012 (Resolution No. 92 of 2012) |
| 18. Quatro & Daniele
Intro. 87
Res. 58
29-0 | 13-0046 | Confirming Appointments of Legislative Representatives to the Council of Governments, Fishery Advisory Board, Monroe County EMS Advisory Board, Environmental Management Council and Monroe County Water Authority |
| 19. Rockow & Yolevich
Intro. 88
Res. 59
29-0 | 13-0050 | Accepting Grant from County of Monroe Industrial Development Agency Planning and Economic Development Committee; February 25, 2013 – CV: 5-0
Ways and Means Committee; February 27, 2013 – CV: 10-0 |
| 20. Rockow & Yolevich
Intro. 89
Res. 60
29-0 | 13-0051 | Accepting Grant from Monroe County Industrial Development Corporation Planning and Economic Development Committee; February 25, 2013 – CV: 5-0
Ways and Means Committee; February 27, 2013 – CV: 10-0 |

21. Rockow & Yolevich
Intro. 90
Res. 61
29-0
- 13-0052 Authorizing Contract with Greater Rochester Enterprise for General Operating Expenses
Planning and Economic Development Committee; February 25, 2013 – CV: 5-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
- Intro. 91
M. 21
10-19 F
- Andrews/Kaleh
Motion to Suspend the Rules
(Legislators Andrews, Bauroth, Gamble, Haney, Kaleh, J. Lightfoot, W. Lightfoot, Morelle, Patterson and Wilcox Voted in the Positive)
22. Rockow & Yolevich
Intro. 92
Res. 62
29-0
- 13-0053 Approving Public Employees Blanket Bond for Genesee/Finger Lakes Regional Planning Council
Planning and Economic Development Committee; February 25, 2013 – CV: 5-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
23. Rockow & Yolevich
Intro. 93
Res. 63
29-0
- 13-0054 Authorizing Annual Contribution to Genesee/Finger Lakes Regional Planning Council
Planning and Economic Development Committee; February 25, 2013 – CV: 5-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
24. Rockow & Yolevich
Intro. 94
Res. 64
29-0
- 13-0055 Accepting Grant from Genesee Transportation Council for Land Use Project
Planning and Economic Development Committee; February 25, 2013 – CV: 5-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
25. Hanna & Yolevich
Intro. 95
Res. 65
29-0
- 13-0056 Authorizing Contract with Legal Aid Society of Rochester for Legal Representation Services in Family Law and Domestic Violence
Public Safety Committee; February 25, 2013 – CV: 8-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
26. Hanna & Yolevich
Intro. 96
Res. 66
29-0
- 13-0057 Accepting Grant from New York State Division of Criminal Justice Services for Motor Vehicle Theft and Insurance Fraud Prosecution Program
Public Safety Committee; February 25, 2013 – CV: 8-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
27. Tucciarello & Yolevich
Intro. 97
Res. 67
29-0
- 13-0058 Authorizing Acquisition of Interest in Real Property for Construction and Maintenance of Traffic Signal Equipment at Elmgrove Road in Town of Gates
Transportation Committee; February 26, 2013 – CV: 6-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
28. Colby & Yolevich
Intro. 98
Res. 68
29-0
- 13-0059 Authorizing Acquisition of Interests in Real Property for Completion of Edgewood Avenue Bridge Replacement Project Over Allens Creek in Town of Brighton
Transportation Committee; February 26, 2013 – CV: 6-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
29. Carbone & Yolevich
Intro. 99
Res. 69
29-0
- 13-0060 Authorizing Acquisition of Interests in Real Property for Completion of Culver Road Highway Project in Town of Irondequoit
Transportation Committee; February 26, 2013 – CV: 6-0
Ways and Means Committee; February 27, 2013 – CV: 10-0

30. Boyce & Yolevich
Intro. 100
Res. 70
29-0
- 13-0061 Authorizing Acquisition of Interests in Real Property for Completion of Mendon Center Road Culvert Project at Irondequoit Creek Tributary in Town of Mendon
Transportation Committee; February 26, 2013 – CV: 6-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
31. Boyce & Yolevich
Intro. 101
Res. 71
29-0
- 13-0062 Authorizing Acquisition of Interests in Real Property for Completion of Pinnacle Road Highway Rehabilitation Project from Rush Mendon Road to Rush-Henrietta Town Line in Town of Rush
Transportation Committee; February 26, 2013 – CV: 6-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
32. Boyce, Colby & Yolevich
Intro. 102
Res. 72
29-0
- 13-0063 Authorizing Intermunicipal Agreement with City of Rochester in Conjunction with South Clinton Avenue Water Supply Conduit Modernization, Conduit 2 & 3 Phase II Project in Town of Brighton
Intergovernmental Relations Committee; February 27, 2013 – CV: 4-0
Transportation Committee; February 26, 2013 – CV: 6-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
33. Carbone & Yolevich
Intro. 103
Res. 73
29-0
- 13-0064 Authorizing Contract with Sealand Contractors Corp. for Construction Services for Portland Avenue Project in Town of Irondequoit
Transportation Committee; February 26, 2013 – CV: 6-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
34. Gumina & Yolevich
Intro. 104
Res. 74
29-0
- 13-0065 Authorizing Contract with Crane-Hogan Structural Systems, Inc. for Construction Services for Klem Road Bridge Project at Mill Creek Tributary in Town of Webster
Transportation Committee; February 26, 2013 – CV: 6-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
35. Valerio & Yolevich
Intro. 105
Res. 75
29-0
- 13-0066 Authorizing Contract with Keeler Construction Co., Inc. for Construction Services for Paul Road – Fisher Road Corridor Project in Town of Chili
Transportation Committee; February 26, 2013 – CV: 6-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
36. Colby & Yolevich
Intro. 106
18-11 F
- 13-0066.br Resolution Authorizing the Issuance of \$5,100,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Construction, Rehabilitation and Improvement of the Paul Road-Fisher Road Corridor in and for Said County, and Superseding the Bond Resolution Adopted December 9, 2008 (Resolution No. 335 of 2008)
(Legislators Andrews, Bauroth, Gamble, Haney, Kaleh, J. Lightfoot, W. Lightfoot, Morelle, Patterson, Wilcox and Adair Voted in the Negative)
37. Colby & Yolevich
Intro. 107
Res. 76
29-0
- 13-0067 Authorizing Contract with Crane-Hogan Structural Systems, Inc. for Construction Services for Twin Bridge Project Over Oatka Creek in Town of Wheatland
Transportation Committee; February 26, 2013 – CV: 6-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
38. Colby & Yolevich
Intro. 108
18-11F
- 13-0067.br Resolution Authorizing the Issuance of \$1,212,000 Bonds of the County of Monroe, New York, to Finance the Cost of the Rehabilitation of Twin Bridge Road Bridge Over Oatka Creek (BIN 3317380), in and for Said County, at an Estimated Maximum Cost of \$1,212,000 and Superseding the Bond Resolution Adopted December 11, 2012 (Resolution No. 301 of 2012)
(Legislators Andrews, Bauroth, Gamble, Haney, Kaleh, J. Lightfoot, W. Lightfoot, Morelle, Patterson, Wilcox and Adair Voted in the Negative)

39. Drawe & Yolevich
Intro. 109
Res. 77
29-0
- 13-0068 Amending Resolution 22 of 2012 to Accept Additional Funding from New York State Department of Health for Children with Special Health Care Needs Program
Human Services Committee; February 26, 2013 – CV: 7-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
40. Drawe & Yolevich
Intro. 110
Res. 78
29-0
- 13-0069 Amending Resolution 23 of 2012 to Accept Additional Funding from New York State Department of Health for Public Health Campaign-County Tuberculosis Program
Human Services Committee; February 26, 2013 – CV: 7-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
41. Drawe & Yolevich
Intro. 111
Res. 79
29-0
- 13-0070 Amending Resolution 366 of 2012 to Accept Additional Funding from New York State Department of Health for Healthy Mom-Healthy Baby Program
Human Services Committee; February 26, 2013 – CV: 7-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
42. Drawe & Yolevich
Intro. 112
Res. 80
29-0
- 13-0071 Accepting Grant from New York State Department of Health for Public Health Campaign – County Tuberculosis Program
Human Services Committee; February 26, 2013 – CV: 7-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
43. Drawe & Yolevich
Intro. 113
Res. 81
29-0
- 13-0072 Accepting Grant from National Association of County and City Health Officials for Medical Reserve Corps Capacity Building Program
Human Services Committee; February 26, 2013 – CV: 7-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
44. Drawe & Yolevich
Intro. 114
Res. 82
29-0
- 13-0073 Authorizing Contracts for Preschool Special Education Program
Human Services Committee; February 26, 2013 – CV: 7-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
45. Howland & Yolevich
Intro. 115
Res. 83
29-0
- 13-0074 Authorizing Additional Projects to Approved Passenger Facility Charge Program at Greater Rochester International Airport
Environment and Public Works Committee; February 27, 2013 – CV: 5-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
46. Hanna & Yolevich,
Boyce,
Drawe,
Valerio,
Kaleh,
J. Lightfoot
Intro. 116
Res. 84
29-0
- 13-0075 Accepting Grant from New York State Division of Criminal Justice Services for Stop Violence Against Women Program
Public Safety Committee; February 25, 2013 – CV: 8-0
Ways and Means Committee; February 27, 2013 – CV: 10-0
47. Hanna & Yolevich
Intro. 117
Res. 85
29-0
- 13-0076 Authorizing Contract with Pre-Trial Services Corporation of Monroe County Bar Association for Alternatives to Incarceration Programs for 2013
Public Safety Committee; February 25, 2013 – CV: 8-0
Ways and Means Committee; February 27, 2013 – CV: 10-0

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| 48. Hanna &
Yolevich
Intro. 118
Res. 86
29-0 | 13-0077 | Authorizing Contract with Catholic Family Center for Provision of Girls Circle Curriculum to Probation-Involved Youth
Public Safety Committee; February 25, 2013 – CV: 8-0
Ways and Means Committee; February 27, 2013 – CV: 10-0 |
| 49. Hanna &
Yolevich
Intro. 119
Res. 87
29-0 | 13-0078 | Accepting Grant from New York State Division of Criminal Justice Services for Crimes Against Revenue Prosecution Program
Public Safety Committee; February 25, 2013 – CV: 8-0
Ways and Means Committee; February 27, 2013 – CV: 10-0 |
| 50. Hanna &
Yolevich
Intro. 120
Res. 88
29-0 | 13-0079 | Amending Resolution 264 of 2010 to Accept Additional Funding from the United States Bureau of Alcohol, Tobacco, Firearms and Explosives for ATF-Monroe County Sheriff's Office Explosives Task Force
Public Safety Committee; February 25, 2013 – CV: 8-0
Ways and Means Committee; February 27, 2013 – CV: 10-0 |
| 51. Yolevich &
Howland
Intro. 121
Res. 89
29-0 | 13-0080 | Authorizing Settlement of Claim Entitled, "In The Matter of the Development and Implementation of a Remedial Action Program at the Frontier Chemical Royal Avenue Site, Niagara Falls, NY by the Frontier Chemical Site PRP Group"
Ways and Means Committee; February 27, 2013 – CV: 10-0 |

UNFINISHED BUSINESS

Upon Motion by Legislator Daniele, the Legislature adjourned at 8:36 p.m. until Tuesday, April 9, 2013 at 6:00 p.m.

CHERYL M. ROZZI
Clerk of the Legislature