

AGENDA
NIAGARA COUNTY LEGISLATURE
NOVEMBER 20, 2012 – 7:00 P.M.

Regular Meeting – November 20, 2012

- *AD-027-12** Administration, re Set Public Hearing for Assessment Tax Roll for the Niagara County Water District – County Manager
- *AD-028-12** Administration, re Set Public Hearing for Assessment Tax Roll for the Niagara County Sewer District – County Manager
- *AD-029-12** Administration, re Set Public Hearing for Assessment Tax Roll for the Niagara County Refuse District – County Manager
- *AD-030-12** Administration, re Set Public Hearing for the Tentative Budget for the Year 2013 – County Manager
- *AD-031-12** Administration, re Authorizing Acceptance of a Draft Generic Environmental Impact Statement in Relation to the Niagara County Emergency Communications Project as Adequate with Respect to its Scope and Content for the Purpose of Commencing Public Review Pursuant to the State Environmental Quality Review Act – County Manager
- *AD-032-12** Administration, re NTS Data Services, Inc. – Board of Elections
- *CS-030-12** Community Services & Administration, re 2013 Contracts – Mental Health
- *CS-031-12** Community Services & Administration, re County Clerk Office Contract Amendment – County Clerk
- *CS-032-12** Community Services & Administration, re Section 5311 Operating Assistance Continuing Agreements – DSS
- *CS-033-12** Community Services & Administration, re Section 5311 Consolidated Grant Application – DSS
- *CS-034-12** Community Services & Administration, re Budget Modification Bus Service – DSS
- *CS-035-12** Community Services & Administration, re Budget Modification Flexible Fund for Family Services - DSS

- *CS-036-12** Community Services & Administration, re Overtime for Child Protective Staff – DSS
- *CS-037-12** Community Services & Administration, re Budget Modification Acceptance of Grant Funding Community Outreach Administration – Public Health
- *CS-038-12** Community Services & Administration, re Budget Modification Education of Handicapped Children – Public Health
- *CS-039-12** Community Services & Administration, re Budget Modification Early Intervention – Public Health
- *CS-040-12** Community Services & Administration, re Budget Modification NY Connects – Point of Entry 2012 – Aging
- *CSS-042-12** Community Safety & Security, re Accept Traffic Safety Grant – Sheriff
- *CSS-043-12** Community Safety & Security, re Port Security Grant – Sheriff
- *CSS-044-12** Community Safety & Security, re Accept Grant Niagara County Forensic Laboratory – Sheriff
- *CSS-045-12** Community Safety & Security, re Budget Modification Forensic Laboratory Coverdell Grant – Sheriff
- *CSS-046-12** Community Safety & Security, re Local Enhanced Wireless 911 Grant – Sheriff
- *CSS-047-12** Community Safety & Security & Administration, re Stop DWI Grant – Sheriff
- IL-071-12** Legislators Dennis F. Virtuoso, Jason A. Zona, Owen T. Steed, et al., In Support of Anti-Bullying Legislation to Protect Employees in the Workplace
- IL-072-12** Legislators Kathryn L. Lance, Chereé J. Copelin & Richard E. Updegrove, Resolution in Support of Funding the Niagara USA Chamber Of Commerce-Administered ‘Shop Niagara!’ Program through the use of Casino Funding
- IL-073-12** Legislator John Syracuse, re Niagara County Resolution to Support Full Casino Gaming at the Nine Existing Racinos in New York State
- IL-074-12** Legislators Anthony J. Nemi & William L. Ross, re Tobacco Free Zones at Niagara County Parks for Recreation Areas and Restrooms
- IL-075-12** Legislators Jason A. Zona, Dennis F. Virtuoso & Owen T. Steed, re In Support of Niagara Falls Memorial Medical Center Capital Improvements through the use of Casino Funding
- *PW-088-12** Public Works, re Lease Agreement with Niagara County Community Center for the Trott Access Center
- *PW-089-12** Public Works, re Award of Contract Bridge Superstructure, Joints and Substructures
- *PW-090-12** Public Works & Administration, re DPW Engineering Budget Modification
- *PW-091-12** Public Works & Administration, re County Bridge Washing Change Order No. 1 – Final

- *PW-092-12** Public Works & Administration, re Beebe Rd. Reconstruction Project Retainage Reduction
- *PW-093-12** Public Works, re Niagara County Bridge Washing Project, Eighty Two (82) Bridges, Various Towns and Villages within Niagara County
- *PW-094-12** Public Works & Administration, re Highway Machinery Fund Budget Modification
- *PW-095-12** Public Works & Administration, re Tonawanda Creek Rd. Pump Station and Secondary Clarifier Valve Actuator Upgrades – Sewer



Mary Jo Tamburlin, Clerk
Niagara County Legislature

*** Indicates Preferred Agenda items**

Attachments for resolutions may be obtained in the office of the Clerk of the Legislature upon request.

The next meeting of the Legislature will be held on December 4, 2012.

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee **DATE:** 11/20/12 **RESOLUTION #** AD-027-12

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

Katherine D. Alexander

**SET PUBLIC HEARING FOR ASSESSMENT TAX ROLL FOR
THE NIAGARA COUNTY WATER DISTRICT**

WHEREAS, the Niagara County Water District has submitted an assessment tax roll through the County Manager of the County of Niagara to the Niagara County Legislature, and

WHEREAS, pursuant to Section 271 of the County Law, a public hearing must be held, now, therefore, be it

RESOLVED, that a public hearing be held in the Niagara County Courthouse, Lockport, New York at 6:00 p.m. on the 4th day of December 2012, to review the assessment tax roll for the Niagara County Water District, and, be it further

RESOLVED, that the Clerk of the Niagara County Legislature is hereby authorized to publish notice of same in the Union Sun & Journal, the Tonawanda News, and the Niagara Gazette.

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 11/20/12 RESOLUTION # AD-028712

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

Katherine D. Alexander

SET PUBLIC HEARING FOR ASSESSMENT TAX ROLL FOR THE NIAGARA COUNTY SEWER DISTRICT

WHEREAS, the Niagara County Sewer District #1 has submitted an assessment tax roll through the County Manager of the County of Niagara to the Niagara County Legislature, and

WHEREAS, pursuant to Section 271 of the County Law, a public hearing must be held, now, therefore, be it

RESOLVED, that a public hearing be held in the Niagara County Courthouse, Lockport, New York at 6:10 p.m. on the 4th day of December 2012, to review the assessment tax roll for the Niagara County Sewer District #1, and, be it further

RESOLVED, that the Clerk of the Niagara County Legislature is hereby authorized to publish notice of same in the Union Sun & Journal, the Tonawanda News, and the Niagara Gazette.

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 11/20/12 RESOLUTION # AD-029-12

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

Katherine D. Alexander

SET PUBLIC HEARING FOR ASSESSMENT TAX ROLL FOR THE NIAGARA COUNTY REFUSE DISTRICT

WHEREAS, the Niagara County Refuse District has submitted an assessment tax roll through the County Manager of the County of Niagara to the Niagara County Legislature, and

WHEREAS, pursuant to Section 271 of the County Law, a public hearing must be held, now, therefore, be it

RESOLVED, that a public hearing be held in the Niagara County Courthouse, Lockport, New York at 6:20 p.m. on the 4th day of December 2012, to review the assessment tax roll for the Niagara County Refuse District, and, be it further

RESOLVED, that the Clerk of the Niagara County Legislature is hereby authorized to publish notice of same in the Union Sun & Journal, the Tonawanda News, and the Niagara Gazette.

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee **DATE:** 11/20/12 **RESOLUTION #** AD-030-12

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

Katherine D. Alexander

**SET PUBLIC HEARING FOR THE TENTATIVE BUDGET
FOR THE YEAR 2013**

WHEREAS, the County Manager of the County of Niagara has submitted a tentative budget to the Niagara County Legislature, and

WHEREAS, pursuant to Section 359 of the County Law, a public hearing must be held, now, therefore, be it

RESOLVED, that a public hearing be held in the Niagara County Courthouse, Lockport, New York at 6:30 p.m. on the 4th day of December 2012, to review the tentative budget for the year 2013, and be it further

RESOLVED, that the maximum salaries that may be fixed and payable during said fiscal year 2013 to members of the Legislature and the Chairman thereof, respectively, remain at the 2012 salary level and are specified as follows:

MEMBERS OF THE LEGISLATURE:	\$15,075 Annually
MAJORITY LEADER, MINORITY LEADER:	\$15,575 Annually
CHAIRMAN OF THE LEGISLATURE:	\$18,075 Annually

and be it further

RESOLVED, that the Clerk of the Niagara County Legislature is hereby authorized to publish notice of same in the Union Sun & Journal, the Tonawanda News, and the Niagara Gazette.

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee

DATE: 11/20/12

RESOLUTION #AD-031-12

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

Thomas D. Alexander

RESOLUTION AUTHORIZING ACCEPTANCE OF A DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT IN RELATION TO THE NIAGARA COUNTY EMERGENCY COMMUNICATIONS PROJECT AS ADEQUATE WITH RESPECT TO ITS SCOPE AND CONTENT FOR THE PURPOSE OF COMMENCING PUBLIC REVIEW PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

WHEREAS, the Legislature of the County of Niagara ("County") previously identified the need and benefits associated with updating the County's emergency communications radio system infrastructure, and

WHEREAS, it is anticipated that should the County proceed with the Emergency Communications Project (the "Project"), the County may require the issuance of bonds to finance same, and

WHEREAS, the Project, if approved, will require construction of new radio towers within the County and/or collocation of radio towers on existing towers or structures, and

WHEREAS, the Legislature of the County of Niagara is an involved agency for the review of the Project as the legislature will have to appropriate funding for same and approve and let contracts for construction and purchase of the new system; and

WHEREAS, the proposed Project has been designated as a Type 1 Action requiring a coordinated review by all involved agencies in accordance with applicable provisions of the State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, by Resolution No. IL-031-12, adopted on June 5, 2012 the County declared its intent to be SEQRA lead agency for review of this Project and directed that other potentially involved agencies be notified in accordance with SEQRA, and

WHEREAS, pursuant to SEQRA, such agencies were notified of the County's intent to act as lead agency for the Project, and

WHEREAS, no involved agency other than the County sought to act as lead agency for the Project, and

WHEREAS, by Resolution No. AD-020-12, adopted on July 31, 2012, pursuant to 6 NYCRR § 617.6(b), the County was established as SEQRA lead agency, and

WHEREAS, the County thoroughly considered the action as that term is defined by SEQRA, and independently evaluated the long form Environmental Assessment Form prepared for the Project together with the County's knowledge of the area surrounding the Project and such further information as is available to the County, and

WHEREAS, by resolution No. AD-020-12, passed on July 31, 2012, the County determined that the Project may include the potential for at least one significant adverse environmental impact, and, accordingly the County made a positive declaration of significance, and

WHEREAS, the County filed, published, and circulated the positive declaration in accordance with SEQRA, and

WHEREAS, the County determined that the Project, including construction of a number of new towers and collocation of communication facilities at existing towers, constitutes an action described in one or more of the categories contained in 6 NYCRR 617.10(a)(1) through (a)(4), and accordingly, resolved that a generic environmental impact statement is appropriate to assess the Project's environmental impacts, and

WHEREAS, the County prepared and circulated to potentially interested and involved agencies a draft scoping document for the Project in accordance with 6 NYCRR 617.8 and made the draft scoping document publicly available, and

WHEREAS, the County published notice of a public scoping session in several area newspapers, in the Department of Environmental Conservation's Environmental Notice Bulletin, and on the County's website, and

WHEREAS, a public scoping session was held on August 29, 2012 at which time public comments on the draft scoping document were accepted. In addition, written comments on the draft scoping document were accepted through August 31, 2012, and

WHEREAS, the County prepared and thoroughly reviewed one comment received on the draft scoping document, a proposed final scope addressing each requirement contained in 6 NYCRR 617.8(f) was prepared, and, by resolution No. AD-025-12, passed on October 2, 2012, the County adopted a Final Scoping Document and directed that a draft generic environmental impact statement ("DGEIS") be prepared consistent with that Final Scoping Document, and

WHEREAS, the Final Scoping Document was filed, published and circulated in accordance with SEQRA, and

WHEREAS, a proposed DGEIS has been prepared for the Project, and

WHEREAS, the County has thoroughly reviewed the proposed DGEIS, and considered the final scope and the standards contained in 6 NYCRR 617.9 to determine whether to accept the proposed DGEIS as adequate with respect to its scope and content for purpose of commencing public review,

NOW, THEREFORE BE IT RESOLVED ON NOVEMBER 20, 2012 BY THE COUNTY LEGISLATORS OF NIAGARA COUNTY, NEW YORK AS FOLLOWS:

RESOLVED, that based on the County's review of the proposed DGEIS, and its consideration of the final scope prepared for the Project and the standards contained in 6 NYCRR 617.9 and 617.10, the proposed DGEIS is accepted as adequate with respect to its scope and content for the purpose of commencing public review, and be it further

RESOLVED, that pursuant to 6 NYCRR 617.9(a)(3), the County hereby establishes a comment period of 30 days, commencing with the first filing and circulation of the notice of completion of the DGEIS and

ending on Friday, December 28, 2012. During the public comment period, written comments will be received by the County as lead agency until 5:00 pm on December 28, 2012; written comments should be addressed to: Jeffrey Glatz, Niagara County Manager, 59 Park Avenue, Lockport, New York 14094, and, be it further

RESOLVED, that a public hearing on the DGEIS will be conducted, said hearing to be held on December 4, 2012 at 6:50 pm at the County Courthouse, 175 Hawley Street, Lockport, NY 14094, and be it further

RESOLVED, that the County directs the County Manager to take the necessary procedural steps to prepare, file, and publish the Notice of Completion of a DGEIS and a Notice of Hearing in accordance with 6 NYCRR 617.9 and 617.12, including providing notice to all entities identified therein, and directs that the DGEIS be immediately filed, circulated and made available for copying in accordance with 6 NYCRR Part 617, and be it further

RESOLVED, that the County directs that the DGEIS, in its entirety, be immediately filed and otherwise made available for public review at the Clerk of the Legislature's Office at the County Courthouse, 175 Hawley Street, Lockport, NY 14094 and at the following website: www.niagaracounty.com.

RESOLVED, that this resolution shall take effect immediately.

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 11/20/12 RESOLUTION # AD-032-12

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

Katherine D. Alephucka

NTS DATA SERVICES, INC.

WHEREAS, NTS Data Services, Inc. provides comprehensive election related services for the Niagara County Board of Elections, and

WHEREAS, the current agreement with NTS Data Services, Inc. expires December 31, 2012, and

WHEREAS, the current agreement allows the Board of Elections Commissioners the option to renew the contract with the approval of the Niagara County Legislature, and

WHEREAS, NTS Data Services, Inc. has in the past shown a high degree of skill, training, and the ability to provide these unique and complex computer services that are necessary for the work to be accomplished by the Niagara County Board of Elections and renewing this contract would be in the best interests of the County of Niagara, and

WHEREAS, the Board of Elections Commissioners would like to exercise this renewal option and have negotiated a five year renewal agreement with NTS Data Services, Inc. commencing January 1, 2013 and ending December 31, 2017 with the option for the Board of Elections, with the approval of the Niagara County Legislature, to extend the terms for an additional five (5) years, and

WHEREAS, this renewal agreement with NTS Data Services, Inc. maintains or enhances its current election services and provides several system enhancements, including all necessary components for Niagara County to comply with the requirements of the state-wide voter registration database, now, therefore, be it

RESOLVED, that the Chairman of the Niagara County Legislature and Commissioners of the Niagara County Board of Elections are hereby authorized to execute this agreement on behalf of the County of Niagara, subject to final approval of the County Attorney.

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DATE: 11/20/12 RESOLUTION # CS-030-12

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CS - 11/13/12
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

Katherine D. Alexander

2013 CONTRACTS - MENTAL HEALTH DEPARTMENT

WHEREAS, funds are available in the Year 2013 Tentative Budget under the various line items of the Mental Health Department, and

WHEREAS, the Mental Health Department upon the advice of the Niagara County Community Services Board, recommends that contracts between the Mental Health Department and the following agencies be approved for 2013, now, therefore, be it

RESOLVED, contingent upon approval of the Year 2013 Tentative Budget, the Director of Community Services be and is hereby, authorized to execute the necessary agreements between the County and the various sub-contractors as aforesaid, subject to the approval of the County Attorney's Office.

CM.21.4322.415.74500.01 CSS Programs

.74500.01 Catholic Charities	\$ 60,000	
.74500.01 Community Missions	\$ 311,107	
.74500.01 Horizon	\$ 60,164	
.74500.01 New Directions (Wyndham Lawn)	\$ 108,228	
.74500.01 Mental Health Association	\$ 169,985	
.74500.01 Dale Association	\$ 114,547	
.74500.01 United Cerebral Palsy	\$ 59,304	\$883,335

CM.21.4322.415.74500.06 Reinvestment Programming

.74500.06 Community Missions	\$ 193,104	
.74500.06 Mental Health Association	\$ 52,913	
.74500.06 New Directions (Wyndham Lawn)	\$ 94,537	
.74500.06 Niagara Falls Memorial Medical Center	\$ 142,920	
.74500.06 Dale Association	\$ 42,187	\$525,661

CM.21.4322.416.74500.01 Case Management Programs

.74500.01 Family & Children's	\$ 532,057	
.74500.01 New Directions (Wyndham Lawn)	\$ 112,371	
.74500.01 Horizon	\$ 152,071	
.74500.01 Community Missions	\$ 129,939	
.74500.01 Niagara Falls Memorial Medical Center	\$ 140,291	
.74500.01 Mental Health Association	\$ 107,116	\$1,173,845

A.21.4322.412.74500.01 Mental Health Association

.74500.01 Contractual	\$100,016
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A.21.4322.413 Fellowship House

.74500.01 Contractual	\$ 8,550	
.74550.08 Alcoholism	<u>\$ 1,031,740</u>	\$1,040,290

A.21.4322.414 Northpointe Council

.74500.01 Contractual	\$ 299,779	
.74550.08 Alcoholism	<u>\$ 1,440,925</u>	\$1,740,704

A.21.4322.421 Horizon Health

.74550.08		\$52,412
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Total Resolution		\$5,516,263
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee and DATE: 11/20/12 RESOLUTION # CS-031-12
Administration Committee

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CS - 11/13/12
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

COUNTY CLERK OFFICE CONTRACT AMENDMENT

WHEREAS, the appropriate management of local government records is essential for efficient and effective government, and

WHEREAS, the County Clerk performs the duties prescribed by law as register and must provide all books, files, and other necessary equipment for the filing, recording and depositing of documents for indexing as directed by law, and

WHEREAS, the County has entered into a five year lease agreement with Info Quick Solutions, Inc. (IQS) to provide comprehensive and integrated indexing, recording, imaging, cash fee management and online public records access system services, and

WHEREAS, the County Clerk has determined that paper bound paper manual indices for certain court records ranging in date from 1992 to 1997 are in need of conversion to electronic format and archival microfilm production thereby improving records access and reducing further wear, tear and eventual loss of the paper indices, and

WHEREAS, IQS possesses the necessary skill and expertise to assist in this endeavor, now, therefore, be it

RESOLVED, that Niagara County enter a contract addendum with Info Quick Solutions, Inc. commencing immediately to convert said paper bound indices into electronic and archival microfilm format in adherence to ANSI, AIIM, and LGRMIF standards, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute the agreement, subject to the review by the County Manager and the approval of the County Attorney.

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration

DATE: 11/20/12

RESOLUTION # CS-032-12

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

CS - 11/13/12

Approved: Ayes _____ Abs. _____ Noes _____

AD - 11/13/12

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

SECTION 5311 OPERATING ASSISTANCE CONTINUING AGREEMENTS

WHEREAS, Section 5311 of Title 49, United States Code, provides federal financial assistance for public transportation in rural and small urban areas by way of a formula grant program to be administered by the States, and

WHEREAS, the County of Niagara may make application annually to the New York State Department of Transportation for such federal aid for operating assistance for a Project to provide public mass transportation service on a continuing basis in the non-urbanized areas of Niagara County including the towns of Cambria, Hartland, Lewiston, Lockport, Newfane, Niagara, Pendleton, Porter, Royalton, Wheatfield, Wilson, and the Cities of Lockport, Niagara Falls and North Tonawanda, to be serviced by Niagara Falls Coach Lines, Inc. during the period January 1, 2013 through December 31, 2013, and

WHEREAS, the County of Niagara desires to enter into a continuing Agreement with the State of New York for the undertaking of the Project, now, therefore, be it

RESOLVED that the Chairman of the Niagara County Legislature be authorized to sign a continuing agreement between the County of Niagara and the State of New York providing for the undertaking of the Project and authorizing annual grant applications for such Section 5311 funds, and be it further

RESOLVED, that the Chairman of the Niagara County Legislature is authorized to act on behalf of the County of Niagara to progress and complete the above named Project, and be it further

RESOLVED, that the Chairman of the Niagara County Legislature is authorized to sign any contracts or agreements between the County of Niagara and any third party subcontractors necessary to complete the public transportation Project, subject to the approval of the County Attorney.

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DATE: 11/20/12 RESOLUTION # CS-033-12

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CS - 11/13/12
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

Katherine J. Alexander

SECTION 5311 CONSOLIDATED GRANT APPLICATION

WHEREAS, the County of Niagara is submitting a request for a consolidated grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a project to provide public mass transportation service for the non-urbanized areas of Niagara County including the towns of Cambria, Hartland, Lewiston, Lockport, Newfane, Niagara, Pendleton, Porter, Royalton, Wheatfield, Wilson, and the Cities of Lockport, Niagara Falls and North Tonawanda, to be serviced by Niagara Falls Coach Lines, Inc. during the period January 1, 2013 through December 31, 2013, and

WHEREAS, the County of Niagara and the State of New York have entered into a continuing Agreement which authorizes the undertaking of the Project and payment of the Federal Share, and

WHEREAS, the County of Niagara, is contracting with a third party subcontractor, Niagara Falls Coach Lines, Inc., for the project described above, and

WHEREAS, prior to the execution of any contracts or agreements, the County Attorney will review them for approval as to legal form, language and compliance, now, therefore, be it

RESOLVED, that the Chairman of the Niagara County Legislature is authorized to act on behalf of the County of Niagara to sign the application and progress and complete the above named project, and be it further

RESOLVED, the Chairman of the Niagara County Legislature is authorized to sign any contracts or agreements between the County of Niagara and any third party subcontractor necessary to complete the public transportation project, subject to the approval of the County Attorney.

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DATE: 11/20/12 RESOLUTION # CS-034-12

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CS - 11/13/12
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

Katherine D. Alexander

BUDGET MODIFICATION – BUS SERVICE NIAGARA COUNTY DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Rural Niagara Transportation bus service contract with Niagara Falls Coach Lines, Inc. allows for an fuel adjustment in the event of fuel increases or decreases in any calendar year exceeding 10% of the average cost of fuel for the Western New York area based upon the number of gallons of fuel used annually, and

WHEREAS, the average cost of fuel exceeded 10% from \$3.70 to \$4.11, and

WHEREAS, the Niagara County Department of Social Services will experience a shortfall of funds in line item A.22.6010.000 74550.13 in the approximate amount of \$6,800, due to said increase in contract cost, and

WHEREAS, the Niagara County Department of Social Services has received additional Federal Section 5311 operating assistance funds and state transportation operating assistance funds which would cover said increased cost resulting in no additional cost to the County, now, therefore, be it

RESOLVED, that the following budget modification be effectuated to the Social Services 2012 budget:

INCREASE REVENUE:

A 22.6010.000 44589.01	Other Transportation Rural Transportation Grant	\$3,800
A.22.6010.000 43589.04	Other Transportation Rural Transportation Grant	\$3,000

INCREASE APPROPRIATION:

A.22.6010.000 74550.13	Programs Niagara Falls Coach Lines	\$6,800
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DATE: 11/20/12 RESOLUTION # CS-035-12

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CS - 11/13/12
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

Matthew D. Alexander

BUDGET MODIFICATION FLEXIBLE FUND FOR FAMILY SERVICES

WHEREAS, the Executive Budget did make Federal funds available to local districts to provide a comprehensive array of services to meet the needs of eligible Temporary Assistance for Needy Families (TANF) and individuals, and

WHEREAS, these funds enable Niagara County to direct resources toward a number of areas of program needs, including, but not limited to Employment related activities, Child Welfare Services, PINS Detention Diversion Services, Substance Abuse Assessments, Domestic Violence Screenings, Title XX Services, JD/PINS Foster care Costs, Child Care & Development, now, therefore, be it

RESOLVED, that Niagara County Dept of Social Services will continue to contract with various agencies that will provide the necessary services in accordance with the Niagara County Flexible Fund for Family Services Plan submitted to NYS Office of Temporary and Disability Assistance (OTDA) and NYS Office of Children and Family Services (OCFS) at no additional cost to the County, and be it further

RESOLVED, that the following budget modification be effectuated to the Social Services 2012 budget:

INCREASE REVENUE:

A.22.6010.000 44610.00 DSS Admin Revenue \$130,000

INCREASE APPROPRIATION:

A.22.6010.000 74500.01 Contractual Exp-Contractual \$130,000

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DATE: 11/20/12 RESOLUTION # CS-036-12

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CS - 11/13/12
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

Katherine D. Alexander

OVERTIME FOR CHILD PROTECTIVE STAFF – SOCIAL SERVICES

WHEREAS, Niagara County Department of Social Services (NCDSS) has experienced a continual increase in child abuse reports, and

WHEREAS, the New York State Office of Children & Family Services (OCFS) made funds available for counties to assist in lowering Child Protective Services (CPS) caseworker to client ratios and overdue determinations, and

WHEREAS, OCFS is recommending that CPS caseworkers have a caseload of 15 or less active investigations per month per worker, and

WHEREAS, currently NCDSS CPS caseworkers have an average caseload of more than 15 active investigations per month per worker, and

WHEREAS, OCFS has notified Niagara County DSS that it has received 100% funding for overtime costs related to five (5) CPS units within the department, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated to the Social Services 2012 Budget:

INCREASE REVENUE:

A.22.6010.000 43610.01	DSS Admin General	\$ 30,000
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INCREASE APPROPRIATIONS:

A.22.6010.000 71050.00	Overtime Expense	\$ 30,000
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DATE: 11/20/12 RESOLUTION # CS-037-12

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CSS - 11/13/12
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

Katherine D. Alexander

BUDGET MODIFICATION-ACCEPTANCE OF GRANT FUNDING COMMUNITY OUTREACH ADMINISTRATION DEPARTMENT OF HEALTH

WHEREAS, Administration of the Niagara County Department of Health provides essential services, to citizens of Niagara County through 100% grant funding, and

WHEREAS, the Kaleida Health System contracted with the Niagara County Department of Health for Administrative services related to the Step Up to Fall Prevention Grant for \$3,200, now, therefore, be it

RESOLVED, that the department is given authorization to accept this funding with effectuation of the following budget modification:

INCREASE REVENUE:

A.20.4010.000 43450.01 Other Community Outreach \$ 3,200

INCREASE APPROPRIATIONS:

A.20.4010.000 71050.00	Overtime	\$1,823
A.20.4010.000 78200.00	FICA	140
A.20.4010.000 74675.03	Central Print Shop Supplies	282
A.20.4010.000 74675.02	Central Printing	77
A.20.4010.000 74800.10	supplies under \$500	878

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DATE: 11/20/12 RESOLUTION # CS-038-12

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CS - 11/13/12

AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

BUDGET MODIFICATION – EDUCATION OF HANDICAPPED CHILDREN DEPARTMENT OF HEALTH

WHEREAS, the Education of Handicapped Children Program of the Niagara County Department of Health provides essential mandated services to preschool age children with disabilities, and

WHEREAS, funds enable the Niagara County Department of Health to satisfy New York State Education Department requirements, as they relate to Education of Handicapped Preschool Children, as well as the corresponding reporting requirements, and

WHEREAS, more children need multiple services resulting in increased costs, and

WHEREAS, the Niagara County Education of Handicapped Children Program requests additional funding, and

WHEREAS, the Department of Health has sufficient resources to cover the increased expense, requests the transfer of funds from vacant nurse positions, and acceptance of additional revenues appropriated to the Handicapped Children Program, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.20.4189.401 71010.00 3755	POSITION	\$39,503
A.20.4189.401 71010.00 10296	POSITION	33,632
A.20.4189.401 71010.00 741	POSITION	60,382

INCREASE REVENUE:

A.20.2960.000 44289.01	Handicapped Children Grant	\$170,000
A.20.2960.000 43277.01	Ed Handicapped Children General	1,011,500
A.20.2960.000 41601.03	Medicaid Fees	384,983

INCREASE APPROPRIATIONS:

A.20.2960.000 74550.09	Program Ed Handicapped Children	\$1,530,000
A.20.2960.000 74400.10	Other Expenses	170,000

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DATE: 11/20/12 RESOLUTION # CS-039-12

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CS - 11/13/12
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

Katherine D. Alexander

BUDGET MODIFICATION-EARLY INTERVENTION DEPARTMENT OF HEALTH

WHEREAS, The Niagara County Department of Health Early Intervention Program provides essential mandated services to 0-3 years of age children with disabilities, and

WHEREAS, funds enable the Niagara County Department of Health to satisfy New York State Department of Health requirements, as they relate to Early Intervention of disabled children 0-3 years of age, as well as the corresponding reporting requirements, and

WHEREAS, the number of children requesting transportation for services & number of services increased in 2012 resulting in increased costs for children enrolled, and

WHEREAS, the Niagara County Early Intervention program requests additional funding to complete the 2012 fiscal year and has sufficient revenues to appropriate these funds, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A20.4059.000 44402.00	Medical Asst Program Admin	\$45,700
A20.4059.000 43449.01	EIP State Aid General	34,300

INCREASE APPROPRIATIONS:

A.20.4059.000 74650.08	Consultant/Expert services	5,000
A.20.4059.000 74650.09	Professional Transportation Expense	70,000
A.20.4059.000 74650.26	Professional Healthcare Services	5,000

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee and DATE: 11/20/12 RESOLUTION # CS-040-12
Administration Committee

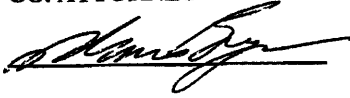
APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CS - 11/13/12
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____



BUDGET MODIFICATION - NY CONNECTS - POINT OF ENTRY 2012 - OFA

WHEREAS, the Office for the Aging has been designated by Niagara County as the lead agency in the NY Connects Program (Point of Entry), and

WHEREAS, there is funding to be received for the coming year (no local match required) to operate the NY Connects program, and

WHEREAS, these funds are available for the fourth quarter of the program, now, therefore, be it

RESOLVED, that the following budget modification be effectuated in the 2012 OFA budget:

INCREASE REVENUES:

CM6772.603	43772.08	NY Connects	\$13,971.94
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INCREASE APPROPRIATIONS:

CM6772.603	71010.00	Positions	\$ 4,687.73
CM6772.603	71030.00	Part Time	\$ 6,001.18
CM6772.603	74300.03	Reimb.Travel Mileage	\$ 200.00
CM6772.603	74675.02	Comm.Telephone Usage	\$ 663.25
CM6772.603	74375.08	Comm.Internet Service	\$ 314.78
CM6772.603	74675.06	Services, Central Maintenance in Lieu of Rent	\$ 930.00
CM6772.603	78400.01	Health Insurance	\$ 1,175.00

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee DATE: 11/20/12 RESOLUTION # CSS-042-12

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CSS - 11/2/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

Katherine J. Alexander

ACCEPT TRAFFIC SAFETY GRANT

WHEREAS, the Niagara County Traffic Safety Office has been awarded a grant from the Governor's Traffic Safety Committee for the period of October 1, 2012 through September 30, 2013, in the amount of \$64,017, and

WHEREAS, this grant is a continuation of an existing program, and is fully funded by the New York State Governor's Traffic Safety Committee, and

WHEREAS, the funds are used to ensure that child safety seats are installed and used correctly, educate pre-k and school aged students on bicycle and car safety, as well as to educate to reduce the number of crashes, injuries and deaths on the roads in Niagara County, and

WHEREAS, the funds are included in the 2012 and 2013 budgets, however, the contract needs to be executed, now, therefore, be it

RESOLVED that the Traffic Safety Educator position continue to be co-terminus with the grant, and be it further

RESOLVED that prior to the execution of the grant, the County Attorney will review the grant for approval to legal form, language and compliance, and be it further

RESOLVED that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute this grant.

COMMUNITY SAFETY & SECURITY
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee DATE: 11/20/12 RESOLUTION # CSS-043-12

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CSS - 11/2/12</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
<u>Katherine D. Alexander</u>			

NIAGARA COUNTY SHERIFF'S OFFICE – PORT SECURITY GRANT

WHEREAS, the Sheriff's Office has just received notification that we have been awarded a grant from the U.S. Department of Homeland Security Port Security Grant Program in the amount of \$95,000 for the period September 1, 2011 through August 31, 2014, and

WHEREAS, these funds will be included in the 2013 budget to be used for the purchase of a Microwave downlink, now, therefore, be it

RESOLVED that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute this grant.

COMMUNITY SAFETY & SECURITY
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee DATE: 11/20/12 RESOLUTION # CSS-044-12

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION		
<u>Katherine D. Alexander</u>		<u>CSS - 11/7/12</u>	Approved: Ayes _____	Abs. _____	Noes _____
			Rejected: Ayes _____	Abs. _____	Noes _____
			Referred: _____		

ACCEPT GRANT NIAGARA COUNTY SHERIFF'S OFFICE FORENSIC LABORATORY

WHEREAS, the New York State Division of Criminal Justice Services awarded the Niagara County Sheriff's Office Forensic Laboratory a grant in the amount of \$191,500 for the period of July 1, 2012 through June 30, 2013, and

WHEREAS, this grant provides funding to ensure that the Niagara County Forensic Laboratory continues to meet New York State Accreditation Standards, and

WHEREAS, funding allows the County to purchase supplies and to continue to fund a position that performs DNA analysis that works collaboratively with the Erie County Forensic Laboratory, and

WHEREAS, the Sheriff's Office wishes to continue funding a Senior Criminalist to perform DNA analysis and other functions that will allow the Forensic Laboratory to maintain their accreditation, said position is in the 2012 and 2013 budgets, and

WHEREAS, prior to the execution of the agreement, the County Attorney will review the agreement for approval to legal form, language and compliance, now, therefore, be it

RESOLVED, that the Senior Criminalist position continue to be co-terminus with the grant, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the agreement.

COMMUNITY SAFETY & SECURITY
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee DATE: 11/20/12 RESOLUTION # CSS-045-12

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CSS - 11/7/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

BUDGET MODIFICATION – NIAGARA COUNTY SHERIFF'S OFFICE FORENSIC LABORATORY COVERDELL GRANT

WHEREAS, the Niagara County Sheriff's Office received a renewal grant from the New York State Department of Criminal Justice Services for the Forensic Laboratory for the period of October 1, 2012 through September 30, 2013, and

WHEREAS, this grant funds a part-time clerical position and training expenses, and

WHEREAS, it is desirable to continue such a position to answer the phones, input data and other clerical duties that would relieve the Chemists from the interruptions of such duty, and

WHEREAS, the New York State Department of Criminal Justice Services has approved the position and will continue to fund said position, and

WHEREAS, the position is budgeted in the 2012 and 2013 budget so no modifications need to be made for the position, now, therefore, be it

RESOLVED, that the part time clerical position continue to be co-terminus with the grant, and be it further

RESOLVED, that prior to the execution of the grant, the County Attorney will review the grant for approval to legal form, language and compliance, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute this grant.

COMMUNITY SAFETY & SECURITY
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee DATE: 11/20/12 RESOLUTION # CSS-046-12

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION		
<u><i>Matthew D. DeFurda</i></u>		<u>CSS - 11/7/12</u>	Approved: Ayes _____	Abs. _____	Noes _____
			Rejected: Ayes _____	Abs. _____	Noes _____
			Referred: _____		

LOCAL ENHANCED WIRELESS 911 GRANT

WHEREAS, the Niagara County Sheriff's Office has received notification from the State of New York Department of State that we have received a grant totaling \$113,287 through March 31, 2015, and

WHEREAS, these funds are used to offset our E-911 expenses that allow us to accept wireless 911 calls and to track these calls, and

WHEREAS, prior to the execution of the grant agreement, the County Attorney will review the agreement for approval as to legal form, language and compliance, now, therefore, be it

RESOLVED, that following the County Attorney's review and approval, the Chairman of the Legislature be, and hereby is, authorized to execute the agreement.

COMMUNITY SAFETY & SECURITY
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security and DATE: 11/20/12 RESOLUTION # CSS-047-12

Administration Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

CSS - 11/7/12

AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

(Signature)

NIAGARA COUNTY SHERIFF'S OFFICE-STOP DWI GRANT

WHEREAS, the Niagara County Sheriff's Office applied for a grant through the New York State Governor's Traffic Safety Committee, STOP DWI Foundation, and

WHEREAS, the Sheriff's Office received notification that we have been awarded \$41,100 for the period of October 1, 2012 through September 30, 2013, and

WHEREAS, the funds are to be used for additional DWI crackdowns during specified dates with multi-agency participation, and

WHEREAS, the Sheriff's Office will be participating with local law enforcement agencies to enforce and enhance our current efforts to arrest DWI offenders, now, therefore, be it

RESOLVED, that the following budget modification be made to the 2012 STOP DWI budget:

INCREASE REVENUE:

A.17.3315.000.44389.09	Traffic Safety	\$30,000
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INCREASE APPROPRIATION:

A.17.3315.000.74400.09	Payments to Other Agencies	\$30,000
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INCREASE REVENUE:

A.17.3110.000.41289.08	Reimburse Other Department	\$10,000
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INCREASE APPROPRIATION:


A.17.3110.000.71050.	Overtime	\$10,000
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COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Dennis F. Virtuoso, Jason A. ZONA, Owen T. Steed and et al. DATE: 11/20/12 RESOLUTION # IL-071-12

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
			Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

RESOLUTION IN SUPPORT OF ANTI-BULLYING LEGISLATION TO PROTECT EMPLOYEES IN THE WORKPLACE

WHEREAS, the Niagara County Legislature has an interest in promoting the social and economic well-being of its employees and citizens, and

WHEREAS, that well-being depends upon the existence of healthy and productive employees working in safe and abuse-free environments, and

WHEREAS, surveys and studies have documented the stress-related health consequences for individuals caused by exposure to abusive work environments, and

WHEREAS, abusive work environments can create costly consequences for employers, including reduced productivity, absenteeism, turnover, employee health-related expenses and if left unchecked, costly litigation, and

WHEREAS, protection from abusive work environments should apply to every worker and not limited to legally protected class status based only on race, color, gender, national origin, age or disability, now, therefore, be it

RESOLVED, that the Niagara County Legislature supports the Healthy Workplace Bill A4258 and S4289 currently in the New York State Assembly and Senate, and be it further

RESOLVED, that the County of Niagara shall forward copies of this Resolution to Governor Cuomo; Senate Vice President Pro Tem George D. Maziarz; Senator Mark J. Grisanti; Member of the Assembly John D. Ceretto; Member of the Assembly Jane L. Corwin; Member of the Assembly Ray Walter; Member of the Assembly Stephen Hawley; Member of the Assembly Robin Schimminger and all others deemed necessary and proper.

LEGISLATOR DENNIS F. VIRTUOSO

LEGISLATOR JASON A. ZONA

LEGISLATOR OWEN T. STEED

LEGISLATOR PAUL B. WOJTASZEK

LEGISLATOR WILLIAM L. ROSS

LEGISLATOR PETER E. SMOLINSKI

LEGISLATOR MICHAEL A. HILL

LEGISLATOR JOHN SYRACUSE

LEGISLATOR CHEREÉ J. COPELIN

LEGISLATOR RICHARD E. UPDEGROVE

LEGISLATOR WM. KEITH MCNALL

LEGISLATOR ANTHONY J. NEMI

LEGISLATOR DAVID E. GODFREY

LEGISLATOR CLYDE L. BURMASTER

LEGISLATOR KATHRYN L. LANCE

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Kathryn L. Lance, Cheree J. Copelin and Richard E. Updegrove DATE: 11/20/12 RESOLUTION # IL-072-12

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

Kathryn L. Lance

RESOLUTION IN SUPPORT OF FUNDING THE NIAGARA USA CHAMBER OF COMMERCE-ADMINISTERED 'SHOP NIAGARA!' PROGRAM THROUGH THE USE OF CASINO FUNDING

WHEREAS, the Niagara USA Chamber of Commerce has proposed creation and administration of a "Shop Niagara!" initiative, in partnership with the more than 20 business associations located in the cities, towns, and villages of Niagara County, and

WHEREAS, "Shop Niagara!" will promote small businesses throughout Niagara County through promotional events, ad campaigns, incentives, and online promotion, and such subgrants to business associations as shall be deemed necessary to achieve the goals of the "Shop Niagara!" program, and

WHEREAS, "Shop Niagara!" will highlight the importance of small businesses to the local economy and help small businesses thrive during the period of slower post-holiday sales, and

WHEREAS, the Niagara USA Chamber is Niagara County's leading business advocacy organization, now, therefore, be it

RESOLVED, that Niagara County disburses the following funds to the Niagara USA Chamber of Commerce for the establishment of the "Shop Niagara!" program and for such subgrants to business associations as shall be necessary to promote post-holiday commerce throughout Niagara County:

Niagara USA Chamber	Shop Niagara! Program	\$17,532.87
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and be it further

RESOLVED, that Niagara County designates the Niagara USA Chamber of Commerce as sole administrator for subgrants to business associations, and as such shall have sole discretion for making such subgrants as it deems necessary to promote post-holiday commerce countywide, to include establishing criteria for subgrant applications and a mechanism for awarding such funds, and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2012 budget:

INCREASE REVENUE:

A.28.8020.812 40599.02	Appropriated Fund Balance	\$17,532.87
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INCREASE APPROPRIATION:

A.28.8020.812.74400.08	Seneca Niagara Monies	\$17,532.87
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LEGISLATOR KATHRYN L. LANCE

LEGISLATOR CHEREÉ J. COPELIN

LEGISLATOR RICHARD E. UPDEGROVE

NIAGARA COUNTY LEGISLATURE

FROM: Legislator John Syracuse DATE: 11/20/2012 RESOLUTION # IL-073-12

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

NIAGARA COUNTY LEGISLATURE RESOLUTION TO SUPPORT FULL CASINO GAMING AT THE NINE EXISTING RACINOS IN NEW YORK STATE

WHEREAS, in September 1973, eleven western New York counties and 2 cities established the Western Regional Off-Track Betting Corporation, they being Cattaraugus, Chautauqua, Erie (and the City of Buffalo), Genesee, Livingston, Monroe (and the City of Rochester), Niagara, Orleans, Seneca, Steuben, and Wayne, as enabled by state law, and

WHEREAS, these municipal "stockholders" chose to exercise that local option to form such a corporation that dictated local control by those municipalities over such gaming activities in their respective communities, and

WHEREAS, the start-up costs of this enterprise were funded solely by these initiating counties from their own treasuries of taxpayer money and represented no state money nor allowed for any state sharing of this purely local venture, and

WHEREAS, since those eleven counties voted to form Western Regional Off-Track Betting Corporation, an additional four western New York counties have joined them in the local control of such gaming activities that has since 1973 generated over \$209 million in operating and surcharge revenues to the taxpayers of those participating municipalities, and

WHEREAS, now, the Governor and State Legislature are considering a Constitutional Amendment to allow casino gaming in the State of New York, and

WHEREAS, the participating municipalities of WROTB as its shareholders have a *pro-rata* financial interest in the \$39 million of net equity re-invested in its 30-plus corporately-owned branch facilities and the track and casino at Batavia Downs, and

WHEREAS, Batavia Downs Casino (WROTB) has proven to be a successful Public Benefit Corporation to Niagara County returning over \$18 million dollars to Niagara since its inception, with enhanced casino gaming allowed at Batavia Downs Casino it will provide over \$86 million dollars in capital construction spending resulting in 552 direct construction jobs, increases in impact of the first full year of operation will result in over 449 jobs at an output of over \$20.5 million dollars, and

WHEREAS, the nine New York State Racino's have proven to be a successful business partner with New York State and have provided gaming in a socially responsible and economically sensible manner, now, therefore, be it

RESOLVED, that the Niagara County Legislature, support Batavia Downs Casino and the eight racino facilities presently licensed for video gaming to be authorized for full Casino gaming, and be it further

RESOLVED, that support for the resolution be contingent upon all partnering casino agencies receiving all levels of funding they should have received under the compact and until the expiration of the compact, and be it further

RESOLVED, that each member of the New York State Legislature and Governor be urged to join this Legislature in support for full casino gaming at Batavia Downs and further support the other New York State Video Gaming Licensees,

RESOLVED, that the County of Niagara shall forward copies of this Resolution to Governor Cuomo, Senate Vice President Pro Tem George D. Mazarz; Senator Mark J. Grisanti; Senate Temporary President Dean G. Skelos; Senate Deputy Majority Leader Thomas W. Libous; Member of the Assembly Jane L. Corwin; Member of the Assembly John D. Ceretto Member of the Assembly Ray Walter; Member of the Assembly Stephen Hawley; Member of the Assembly Robin Schimminger; Speaker of the Assembly Sheldon Silver; Assembly Majority Leader Ronald J. Canestrari; Assembly Minority Leader Brian M. Kolb, and all others deemed necessary and proper.

LEGISLATOR JOHN SYRACUSE

Resolution was amended on 11/20/12.

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Anthony J. Nemi and William L. Ross DATE: 11/20/12 RESOLUTION # IL-074-12

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
<u>Katherine D. Alephude</u>			Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

TOBACCO FREE ZONES AT NIAGARA COUNTY PARKS FOR RECREATION AREAS AND RESTROOMS

WHEREAS, the County of Niagara has five county parks located in various geographical areas of the county, and

WHEREAS, several of the Niagara County parks have recreational areas such as playgrounds, splash parks and athletic fields for children and youths, and

WHEREAS, secondhand smoke is responsible for 50,000 deaths among non-smokers each year, and

WHEREAS, Niagara County wishes to provide children, youth and their families with a safe smoke-free environment in the recreational and restroom areas, now, therefore, be it

RESOLVED, that the County of Niagara is adopting a 100% tobacco free policy for its playgrounds, splash parks, athletic fields and warming house, and be it further

RESOLVED, that such areas will be signed indicating that designated areas are smoke-free, the enforcement of which will be through voluntary compliance, and be it further

RESOLVED, the Commissioner of Public Works will communicate with park employees, community organizers, leaders and coaches about the policy, and be it further

RESOLVED, that this resolution will take effect on January 1, 2013.

LEGISLATOR ANTHONY J. NEMI

LEGISLATOR WILLIAM L. ROSS

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Jason A. Zona, Dennis F. Virtuoso and Owen T. Steed DATE: 11-20-2012 RESOLUTION # 11-075-12

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

RESOLUTION IN SUPPORT OF NIAGARA FALLS MEMORIAL MEDICAL CENTER CAPITAL IMPROVEMENTS THROUGH THE USE OF CASINO FUNDING

WHEREAS, Niagara Falls Memorial Medical Center is a community hospital in Niagara Falls, NY serving one of the poorest areas in New York State without dedicated government funding, and

WHEREAS, approximately \$8,000,000 a year in medical services Niagara Falls Memorial Medical Center provides go to patients who do not have insurance, and ultimately wind up as charity patients, and

WHEREAS, Niagara Falls Memorial Medical Center is involved in a capital improvement project, involving installing a more efficient, accessible, and safer entranceway, an elevator to assist ill patients, as well as lighting to increase safety in this entranceway, and

WHEREAS, Niagara Falls Memorial Medical Center has had grant funding reductions from the City of Niagara Falls as a result of the ongoing dispute involving Seneca Casino monies between New York State and the Seneca Nation, and

WHEREAS, this reduction in funding has put the capital improvement project in jeopardy, and

WHEREAS, this Legislature understands Niagara Falls Memorial Medical Center is one of the biggest employers in Niagara County, and this project will add numerous building trades jobs, now, therefore, be it

RESOLVED, that Niagara County would like to support the efforts of Niagara Falls Memorial Medical Center in its capital improvement project, in its efforts to be more efficient, and safer, and in keeping residents working at the hospital, and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development Budget:

INCREASED REVENUE:

A.40599.00	Appropriated Fund Balance	\$7,500
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INCREASED APPROPRIATION:

A.28.8020.812 74400.08	Seneca Niagara Monies	\$7,500
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LEGISLATOR JASON A. ZONA

LEGISLATOR DENNIS F. VIRTUOSO

LEGISLATOR OWEN T. STEED

NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee

DATE: 11/20/12

RESOLUTION # PW-088-12

**APPROVED BY
CO. ATTORNEY**

**REVIEWED BY
CO. MANAGER**

COMMITTEE ACTION
PW - 10/22/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

Katharine J. Alexander

**LEASE AGREEMENT WITH NIAGARA COUNTY COMMUNITY COLLEGE
FOR THE TROTT ACCESS CENTER**

WHEREAS, Niagara County Community College, desires to continue the lease for office/classroom space at the Trott ACCESS Center, Niagara Falls, New York, and

WHEREAS, the County has available space for this activity, and

WHEREAS, prior to the execution of the required documents, the County Attorney will review them for approval as to legal form, language and compliance, now, therefore, be it

RESOLVED, that your Public Works Committee recommends the attached lease agreement to be entered into with Niagara County Community College for office/classroom space at the Trott ACCESS Center, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the required documents.

PUBLIC WORKS COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee

DATE: 11/20/12

RESOLUTION # PW-089-12

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 10/22/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

Katherine J. Alexander

AWARD OF CONTRACT – BRIDGE SUPERSTRUCTURE, JOINTS AND SUBSTRUCTURES

WHEREAS, the Department of Public Works, Engineering Division has prepared specifications and the Niagara County Purchasing Department has advertised for bids for County Bridge Superstructure, Joints and Substructure Repairs, and

WHEREAS, funds are available in the 2012 budget of the Highways, Bridges & Structures Division of the Department of Public Works, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on October 2, 2012 and tabulated below:

- | | |
|--|--------------|
| 1. Yarussi Construction Inc.
5650 Simmons Avenue
Niagara Falls, NY 14304 | \$254,098.50 |
| 2. BVR Construction Co Inc
244 Lake Avenue
Rochester, NY 14608-1208 | \$348,844.00 |
| 3. Oakgrove Construction Inc
6900 Seneca Street
Elma, NY 14059 | \$394,165.00 |
| 4. Nichols Long & Moore Construction Co
149 Gunnville Road
Lancaster, NY 14086 | \$469,135.00 |

and

WHEREAS, the Public Works Committee has examined the bid, and

WHEREAS, prior to the execution of the required documents, the County Attorney will review them for approval as to legal form, language and compliance, now, therefore, be it

RESOLVED, that the contract for Bridge Superstructure, Joints and Substructure repairs be awarded to the lowest responsible bidder, Yarussi Construction Inc, 5650 Simmons Ave, Niagara Falls, NY 14304, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is authorized to execute the required documents.

PUBLIC WORKS COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Public Works and Administration DATE: 11/20/12 RESOLUTION # PW-090-12

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 10/22/12
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

Katherine D. Alexander

DPW-ENGINEERING BUDGET MODIFICATION

WHEREAS, Resolution No. CW-001-12, dated July 11, 2012, authorized Niagara County to sell the Mount View Facility, and

WHEREAS, it is necessary for the County to conduct an analysis to determine the cost for asbestos abatement at the Mount View Facility, within thirty (30) days after the effective date of the purchase contract, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

DECREASE APPROPRIATION:

A.08.1990.000.74500.01 Contingency \$6,222

INCREASE APPROPRIATION:

A.15.1440.000.74650.07 Professional Engineering Services \$6,222

And be it further

RESOLVED, that the Department of Public Works is hereby authorized to conduct an asbestos analysis to determine the cost of asbestos abatement for the Mount View Facility.

PUBLIC WORKS COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Public Works and Administration DATE: 11/20/12 RESOLUTION # PW-091-12

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 10/22/12
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

Katherine J. Alexander

COUNTY BRIDGE WASHING – CHANGE ORDER NO. 1-FINAL

WHEREAS, by Resolution No. PW-064-12, dated June 5, 2012, the Legislature awarded the contract for the Bridge Washing Project to Acme Powerwashing, 15590 Powerline Road, Holley NY 14470, in the amount of \$34,000.00, and

WHEREAS, it is necessary to approve Change Order No. 1-Final, due to adjustments in contract quantities, in the amount of \$1,386.90, for a revised contract amount of \$35,386.90, now, therefore, be it

RESOLVED, that Change Order No. 1 be approved in the amount of \$1,386.90, for a revised contract amount of \$35,386.90, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute the required documents, subject to the review of the County Manager and approval of the County Attorney.

PUBLIC WORKS COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Public Works and Administration DATE: 11/20/12 RESOLUTION # PW-092-12

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 10/22/12
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

Katherine D. Alexander

BEEBE ROAD RECONSTRUCTION PROJECT – RETAINAGE REDUCTION

WHEREAS, Resolution No. PW-131-11, dated December 6, 2011, awarded the contract for the Reconstruction of Beebe Road, from just north of Shadigee Road to Wilson – Burt Road, to Accadia Site Contracting, 5636 Transit Road, Depew, NY 14043, in the amount of \$4,326,810.04, and

WHEREAS, Resolution No. PW-075-12, dated July 31, 2012, approved Change Order No. 1, in the amount of \$360,093.17, due to additional quantities of several bid items to reflect the actual quantities required to do the construction work, and

WHEREAS, the Public Works Committee recommends that the retainage held be reduced to \$40,000, as the work is substantially completed, and

WHEREAS, prior to the execution of the required documents, the County Attorney will review them for approval as to legal form, language and compliance, now, therefore, be it

RESOLVED, that the retainage held for the Beebe Road Construction contract to Accadia Site Contracting, 5636 Transit Road, Depew, NY 14043, be reduced to \$40,000, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature is hereby authorized to execute the required documents.

PUBLIC WORKS COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee

DATE: 11/20/12

RESOLUTION # PW-093-12

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 10/22/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

NIAGARA COUNTY BRIDGE WASHING PROJECT, EIGHTY TWO (82) BRIDGES, VARIOUS TOWNS AND VILLAGES WITHIN NIAGARA COUNTY

WHEREAS, the Niagara County Bridge Washing Project, Eighty Two (82) Bridges, Various Towns and Villages within Niagara County, PIN 5760.32, ("the Project") is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal Funds and 20% Non-Federal Funds, and

WHEREAS, the County of Niagara desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Construction and Construction Inspection phase of the project, PIN 5760.32, now, therefore, be it

RESOLVED, that the Legislature of the County of Niagara hereby approves the above-subject project, and be it further

RESOLVED, that the Legislature of the County of Niagara hereby authorizes the County of Niagara to pay in the first instance 100% of the federal and non-federal shares of the cost of the Construction and Construction Inspection phase of the Project or portions thereof, and be it further

RESOLVED, that the sum of \$100,000 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project, and be it further

RESOLVED, that in the event the amount required to pay the full federal and non-federal shares of the cost of the project's Construction and Construction Inspection phase exceeds the amount appropriated above, the County of Niagara shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the Chairman of the Legislature of the County of Niagara be, and hereby is, authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Niagara with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and be it further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it further

RESOLVED, that this resolution shall take effect immediately.

PUBLIC WORKS COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Public Works and Administration DATE: 11/20/12 RESOLUTION # PW-094-12

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 10/22/12
AD - 11/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

Katherine D. Alexander

HIGHWAY MACHINERY FUND BUDGET MODIFICATION

WHEREAS, unleaded fuel is procured using a local sealed bid, with the local lowest responsible bidder being Thrifty Oil/NOCO, and

WHEREAS, the Niagara County Highway Department purchases, on behalf of all Niagara County Departments, the unleaded fuel from Thrifty Oil/NOCO, and then internally bills the other departments for their usage, and

WHEREAS, the Niagara County Highway Department also has a diesel fuel island which allows heavy machinery and dump trucks to fuel at our Highway location, and

WHEREAS, the diesel fuel is procured using the New York State Office of General Services Procurement Bid, and

WHEREAS, funds are required to meet the County's need for diesel and unleaded fuel for the remainder of 2012, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

INCREASE REVENUE:

DM.15.5130.000.40999.43	Other Department Reimbursement	\$85,000
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INCREASE APPROPRIATIONS

DM.15.5130.500.74750.22	General External Gas & Oil Purchases	\$85,000
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PUBLIC WORKS COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee and DATE: 11/20/12 RESOLUTION # PW-095-12
Administration Committee

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 10/22/12
AD - 11/13/12

LEGISLATIVE ACTION
Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

TONAWANDA CREEK ROAD PUMP STATION AND SECONDARY CLARIFIER VALVE ACTUATOR UPGRADES

WHEREAS, the Administrative Board of the Niagara County Sewer District #1 (District) has reviewed the needs of the District, and

WHEREAS, the Administrative Board met on the 25th day of April, 2012, and determined and identified the following projects; Tonawanda Creek Road Pump Station Rehabilitation and Secondary Clarifier Valve Actuators and miscellaneous plant piping and value upgrades, and

WHEREAS, the Tonawanda Creek Road Pump Station was constructed in the mid-1970s, rehabilitated and modified in 1990, and is again due for upgrades and minor rehabilitation. Concerns have been raised regarding safety and operation and maintenance at this Station. District personnel had also questioned the structural integrity of the existing floor and substructure at the Station. Due to these concerns, field testing of all station structural components was performed and it was determined that metals used for the station housing are uniform in nature and consist of sound material, but the Station substructure requires cleaning, surface preparation, and painting. This project consists of the removal and replacement of the existing station pumps that are beginning to show signs of capacity and performance wear and tear, the replacement of Station piping and valves as necessary to provide a safe and operable pumping station, and cleaning and painting of the entire substructure, and

WHEREAS, the NCSD currently has manually operated 24-inch knife gate valves on the mixed liquor discharge lines of the Aeration Basins within Tunnel A at the WPCC. These knife gate valves are frequently operated for isolation purposes of the Aeration Basins and the downstream Secondary Clarifiers. Plant personnel have noted that the manual opening and closing of each valve can take approximately 25 minutes and that it also proves to be a dangerous operation. Occasionally, the valves are operated during emergency situations at the plant; therefore, the time that it takes to operate each valve can become extremely crucial. The mixed liquor lines within the tunnel are 10 to 12 feet above grade, with the valve stem and hand wheel actuator several feet above that. This project involves the installation of new motorized actuators on five of the mixed liquor valves eliminating the time consuming and dangerous conditions that the existing valves routinely impose on District personnel, and

WHEREAS, the cost to complete the projects to be \$369,800.00, and

WHEREAS, the NCSD #1 requests that the funds for said project to be transfer from the district fund balance, now, therefore, be it

RESOLVED, that the transfer of funds be approved and the NCSD #1 can complete the rehabilitation and upgrades of its facility:

INCREASE APPROPRIATED FUND BALANCE:

G.40599.00	Appropriated Fund Balance	\$369,800.00
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INCREASE APPROPRIATIONS:

G.32.9950.00079010.00	Transfer to Capital Projects	\$369,800.00
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INCREASE ESTIMATED REVENUES:

H.594.32.8197.000 45031.10	Transfer from Fund Balance	\$369,800.00
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INCREASE APPROPRIATIONS:

H.594.32.8197.000 72100.30	Sewer System Improvement	\$369,800.00
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PUBLIC WORKS COMMITTEE

ADMINISTRATIVE COMMITTEE