

## OFFICIAL RECORD

Lockport, New York  
December 12, 2017

The meeting was called to order by Chairman McNall at 7:03 p.m.

Clerk Tamburlin called the roll. All Legislators were present with the exception of Legislators Bradt and Steed.

### CORRESPONDENCE:

Chairman McNall received a thank you card and book for the Legislature from the organizers of "Lockport Blue" Mary Brennan-Taylor and Ellen Martin, which will on display in his office.

0 citizens spoke at this time.

Recess

Moved by Syracuse, seconded by Virtuoso accept the preferred agenda.  
Carried.

### **Resolution No. AD-034-17**

From: Administration Committee.

Dated: December 12, 2017

### **REVISION OF NIAGARA COUNTY PURCHASING GUIDELINES**

WHEREAS, Section 104-b of the New York State General Municipal Law requires that the governing board of every political subdivision shall adopt, by resolution, internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of Section 103 of New York State General Municipal Law or of any other general, special or local law, and

WHEREAS, said guidelines will be an addition to existing purchasing rules and regulations as established by Resolution 161-78 and Resolution 399-91, and will supersede Resolution AD-009-11 (the "Purchasing Guidelines"), and

WHEREAS, On December 26, 2013 the United States Office of Management and Budget published final guidance for changes to 2 CFR Chapter I and Chapter II Parts 200, 215, 220, 225 and 230 entitled "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards", and

WHEREAS, 2 CFR Part 200, subparts A through F requires organizations receiving federal awards to establish and maintain effective internal controls over federal grants, such compliance with federal procurement standards is a critical part of federal grants management, and

WHEREAS, Full compliance with the federal procurement standards must be in effect by December 26, 2017, and

WHEREAS, the Office of Management and Budget, Division of Purchasing, proposes that the County's Purchasing Guidelines be amended and include Uniform Guidance for Federal Awards – Procurement, Suspension and Disbarment as shown on the annexed Schedule, now, therefore, be it

RESOLVED, that the Legislature of Niagara County hereby approves the amendments to the Niagara County Purchasing Guidelines and authorizes the Department of Management and Budget, Division of Purchasing to make such amendments to the Purchasing Guidelines and include Uniform Guidance for Federal Awards – Procurement, Suspension and Disbarment as shown on the annexed Schedule, effective immediately.

## NIAGARA COUNTY PURCHASING PROCEDURES AND GUIDELINES

New York State law (General Municipal Law, Section 104-b) requires that specific guidelines be established regulating the procurement of goods and services with a value of \$20,000 or less for purchase of commodities, equipment or goods and \$35,000 or less for public works contracts. The following Niagara County guidelines are meant to facilitate the acquisition of goods and services of appropriate quality from the appropriate source at the best possible price.

### PROCEDURES AND GUIDELINES FOR THE PURCHASE OF COMMODITIES, EQUIPMENT OR GOODS

<u>Dollar Limits</u>	<u>Guideline</u>
\$0 - \$3,499	At the discretion of the Office of Management and Budget, Purchasing Division, solicit documented telephone and/or written quotations from one or more vendors (if available).
\$3,500 - \$19,999	Solicit written quotations from at least two (2) vendors (if available) \$20,000 and up Advertise for sealed bids in conformance with General Municipal Law, Sect. 103.

If low bidder is not selected, proper justification and documentation is required from the user department in accordance with section 104-b(2)(e) of the General Municipal Law. Otherwise, purchases will be awarded to the lowest responsible and responsive bidder.

### GUIDELINES FOR PUBLIC WORKS PROJECTS/CONTRACTS

(Projects/contracts that require the joint procurement of labor, services, and materials for capital projects.)

<u>Dollar Limits</u>	<u>Guideline</u>
\$0 – \$3,499	At the discretion of the Public Works Department, and/or Office of Management and Budget, Purchasing Division.
\$3,500 - \$34,999	Solicit written quotations from at least two (2) vendors (if available).
\$35,000 and up	Advertise for sealed bids in conformance with General Municipal Law, Sect. 103.

If low bidder is not selected, proper justification and documentation is required from the Department of Public Works in accordance with section 104-b(2)(e) of the General Municipal Law. Otherwise, projects/contracts will be awarded to the lowest responsible and responsive bidder.

### GUIDELINES FOR LEASING/RENTALS

(All property and equipment with the exception of real property)

The lease or rental agreement must be a true lease or rental and not an arrangement to lease or rent where the effect is a purchase. The Purchasing Department will solicit written quotations from at least two (2) vendors (if available) for all lease or rental agreements.

If the low bidder is not selected, proper justification and documentation is required from the user



department in accordance with section 104-b(2)(e) of the General Municipal Law. Otherwise, lease or rental will be awarded to the lowest responsible and responsive bidder.

#### GUIDELINES FOR PROFESSIONAL SERVICES CONTRACTS

(These guidelines are also used for Contracted Services)

\$0 - \$3,499                      Departmental discretion with either Purchase Order or Contract.

\$3,500 - \$19,999              Solicit written quotations from at least two (2) vendors (if available).

\$20,000 and up                Advertise for Request for Proposals

The Home Committee with subsequent Legislative approval can waive the aforementioned "Purchasing Guideline" regardless of dollar amount for any professional service contract.

The Purchasing Guidelines are not part of a Local Law and because there is no New York State Law on Professional Services no Local Law is necessary. It is within the purview of the Niagara County Legislature to waive the guidelines on any purchase of professional services as deemed necessary by a majority of the Legislature.

#### AUDIT SERVICES CONTRACTS

For the purpose of entering into a contractual agreement with an outside firm for auditing services, the user departments are required to follow the guidelines set forth in Resolution 165-92 dated May 5, 1992.

If low bidder is not selected, proper justification and documentation is required from the user department in accordance with section 104-b(2)(e) of the General Municipal Law. Such justification and documentation should be kept on file in user department with copy going to Purchasing Department.

Moved by Syracuse, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

#### **Resolution No. AD-035-17**

From: Administration Committee

Dated: December 12, 2017

#### **BUDGET AMENDMENT FOR DOCUMENT MANAGEMENT/CONTRACT ADMINISTRATION**

WHEREAS, the County would like to purchase document management and control software for Niagara County to include Contract Administration, and

WHEREAS, the software is a key component to improve the County's document management process and will be used in departments throughout the County, and

WHEREAS, there is money available in the General Government Support line that can be allocated for the purchase of document management software, now, therefore, be it

RESOLVED, that the following Budget Modification be effectuated:

#### INCREASE APPROPRIATION:

A.07.9901.000 79010.10	Transfer to Capital Reserves	\$120,000
------------------------	------------------------------	-----------

#### DECREASE APPROPRIATION:

A.08.1991.000 74500.01      General Government Support      \$120,000

INCREASE REVENUE:

AH.07.9901.000 45031.00      Interfund Transfer From Operating      \$120,000

INCREASE APPROPRIATION:

AH.07.9950.000 79010.00      Transfer to Capital Project      \$120,000

INCREASE REVENUE:

H656.16.1680.000 45031.10      Interfund Transfer From Capital Reserve      \$120,000

INCREASE APPROPRIATION:

H656.16.1680.000 72100.26      Technology Systems      \$120,000

Moved by Syracuse, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. IF-153-17**

From: Infrastructure & Facilities Committee

Dated: December 12, 2017

**AWARD NIAGARA COUNTY GOLF COURSE  
RESTAURANT CONCESSION LEASE**

WHEREAS, the Department of Public Works, Parks Division has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Niagara County Golf Course Restaurant Concession Lease, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on November 30, 2017 as tabulated below:

- |    |                               |                 |
|----|-------------------------------|-----------------|
| 1. | Anissa Lee Webb               | \$15,000 - 2018 |
|    | 2545 NE Coachman Road Apt. 51 | \$16,000 - 2019 |
|    | Clearwater, FL 33765          |                 |
| 2. | Sandtrap of Lockport          | \$12,000 - 2018 |
|    | 314 Davison Road              | \$12,000 - 2019 |
|    | Lockport, NY 14094            |                 |

and

WHEREAS, the Infrastructure & Facilities 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 the Niagara County Golf Course Restaurant Concession Lease be awarded to the highest responsible bidder, Anissa Lee Webb, 2545 NE Coachman Road Apt. 51, Clearwater, FL 33765, in the amount of \$15,000 for 2018 and \$16,000 for 2019, 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.

Moved by Nemi, seconded by Syracuse.



Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. IF-154-17**

From: Infrastructure & Facilities and Administration Committees

Dated: December 12, 2017

**NIAGARA COUNTY BRIDGE RAILS AND HIGHWAY GUIDE RAILS**

WHEREAS, the Niagara County Highway Department wishes to replace various bridge rails and highway guide rails throughout the county, and

WHEREAS, there are funds available in the Road Maintenance Supplies lines in the Drainage and Bridge Maintenance cost centers, and

WHEREAS, these funds could be used for the bridge and highway guide rail replacements, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated to allow the replacement of bridge rails and highway guide rails project in Niagara County to continue;

**DECREASE APPROPRIATIONS:**

D.15.5120.000.74800.14	Road Maintenance Supplies	\$15,000
D.15.5140.000.74800.14	Road Maintenance Supplies	\$45,000

**INCREASE APPROPRIATIONS:**

D.15.9950.000.79010.00	Transfer to Capital	\$60,000
------------------------	---------------------	----------

**INCREASE REVENUE:**

H601.15.5112.000.45031.00	Interfund Transfers From Operating (D Fund)	\$60,000
---------------------------	---	----------

**INCREASE APPROPRIATIONS:**

H601.15.5112.000.72600.02	Guide Rail Safety Improvements	\$60,000
---------------------------	--------------------------------	----------

Moved by Syracuse, seconded by Andres.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. IL-106-17**

From: Infrastructure & Facilities and Administration Committees

Dated: December 12, 2017

**RESOLUTION TO CONTINUE THE FEASIBILITY STUDY ON THE FORMATION OF AN ARTICLE 47 HEALTHCARE CONSORTIUM AND FURTHER DIRECTING THE COUNTY MANAGER TO RELEASE THE NECESSARY DATA REQUEST TO THE CONSULTANT AND FURTHER DIRECTING THE COUNTY MANAGER TO PLACE THIS PROJECT AS THE HIGHEST PRIORITY TO THE COUNTY'S STATE-WIDE REQUEST FOR SHARED SERVICES INITIATIVE**

WHEREAS, Niagara County and the municipal corporations of our region have a fundamental, fiduciary responsibility to provide essential services to the constituents they serve at the lowest possible cost to the taxpayer, and

WHEREAS, this Legislative body continues to strive for and incorporate sound fiscal policy for the benefit of the taxpayers of Niagara County, and

WHEREAS, healthcare costs continue to rise dramatically and steadily over the past several years; and even more so to the smaller municipal governments, and

WHEREAS, these rising healthcare costs translate into lower wages, reduced benefits and more restricted benefits with the result being increased pressure on municipal budgets and the taxpayers who are forced to cover these expenses, and

WHEREAS, this Niagara County Legislature has gone on record with unanimous support for IL-032-14 "Shared Cooperative Insurance Initiative," which has fostered the continued development of the Niagara County Municipal Health Insurance Consortium (Consortium) consisting of Niagara County, the cities of Niagara Falls and Lockport, along with the municipalities of the towns of Somerset, Pendleton, Newfane, Royalton, Porter, Hartland, Cambria, Wheatfield, Lockport, Niagara, Lewiston, the villages of Barker, Youngstown, Middleport, Lewiston, and the Niagara Falls Water Board, and

WHEREAS, this Niagara County Legislature has overwhelmingly supported IL-039-16 which directed the continuation of the feasibility study and process of determining the benefits of the consortium which includes Niagara County and the others listed previously, and

WHEREAS, the Niagara County Legislature has authorized the use of taxpayer funds to pay for its share of the 10% match from a Local Government Efficiency grant which was administered through the the Town of Somerset as lead agent, and

WHEREAS, the grant project which was resolved to being completed in IL-039-16 in order for Niagara County and the participating entities to fully evaluate the cost and associated benefits has not been completed, and

WHEREAS, Niagara County has an existing Business Associate Agreement along with an executed Confidentiality Agreement between Niagara County and Arthur J. Gallagher, Inc., who is the consultant for the Consortium, and

WHEREAS, Niagara County has provided requested data to the consultant in the past but said data needs to be refreshed in order that feasibility can be more fully determined, and

WHEREAS, the feasibility study as it relates to the continued investigation into forming an established Article 47 Healthcare Consortium has been greatly and significantly enhanced by the State of New York placing this endeavor in the Municipal Restructuring Fund with the potential to reward Niagara County and the members of the Consortium upwards of \$15.8 million dollars, along with the further potential for reimbursement from the State if this Consortium meets the overall state-wide shared services initiative based upon dollar-to-dollar savings, and

WHEREAS, a meeting was held on 10/19/17 in the Somerset town hall wherein Department of State official and the principals of the Consortium, including the Niagara County Manager were present, and

WHEREAS, Niagara County is again going on record to reiterate its strong desire and commitment to fully pursue and participate in this initiative in order to study and weigh the feasibility of and overall cost benefit analysis to Niagara County as it relates to the formation of an Article 47 Healthcare Consortium, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby directs the County Manager to provide the data and



materials listed herein and in the manner in which the data and materials have been listed herein to the Niagara County Consortium Consultant, Arthur J. Gallagher, Inc., so that the consultant can finish the Pricing process to determine cost estimates and feasibility for the participating Consortium members:

- 1) A Proprietary Information Confidentiality Agreement. The analysis process will entail the consultant sharing proprietary carrier discount information that may not be disclosed outside the context of this study.
- 2) Employee census for all benefit-eligible employees and retirees (see attached Excel Template: Census Request)
- 3) Contact Information: Carrier and/or Third Party Administrator
- 4) Summary of Benefit Coverage's (SBC) for each plan offered January 2018
- 5) January, 2018 premiums (premium equivalents for self-funded arrangements) by plan and tier (single, family, etc.)
- 6) Collective Bargaining Agreements (only provide these if medical insurance provisions changed from the previously provided CBA)
- 7) Monthly Summary Medical and Drug Claims, Enrollment, Premium/Premium Equivalent Data for 2015, 2016 and 2017 separated by plan in Excel Format (see Excel template: Claims Summary Request-Summary Tab)
- 8) High Cost Claimant Reports (over \$50,000 individually) for 2015, 2016, 2017 (see Excel template: Claims Summary Request-HCC Tab)
- 9) The most recent 3 years' renewal rate development "renewal packets" (including TPA rates)
- 10) Stop Loss Contracts & Premiums for 2015, 2016, 2017 and 2018
- 11) Claims detail paid during 2017 separately for Physician, Outpatient Facility, Outpatient Non-Facility, Inpatient and Prescriptions in Excel Format (see Excel template: Claims Detail Request 6 Tabs)
- 12) Additional Pharmacy information:
  - a. Current in-force contract with pharmacy terms
  - b. 2016 and 2017 Formulary Rebate Report
  - c. Annual Pricing Guarantee Reconciliation Reports
  - d. Pharmacy plan designs
  - e. List of vendors by plan

and, be it further

RESOLVED, this Legislative body instructs and directs the Niagara County Manager to place this Niagara County Consortium initiative as the highest priority project to the county-wide shared services initiative for implementation in January 2019.

Moved by Syracuse; seconded by Hill to amend resolution.

Amendment:

Addition in the last RESOLVED, "...January 2019 and this Legislative body requests the County Manager supply this data within 30 days of the passage of this resolution."

Moved by Bradt, seconded by Collins, to implement the portion of Rule 15 that pertains to voting on a resolution as opposed to referring it to committee.

Carried.

Moved by Syracuse, seconded by Hill.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. IF-153-17 was read at this time. (Appears in numerical order)**

**Resolution No. IF-154-17 was read at this time. (Appears in numerical order)**

**BUDGET RESOLUTIONS:**

**Resolution No. B-01-17**

From: Legislators Dennis F. Virtuoso, Jason A. Zona, Owen T. Steed and Mark J. Grozio

Dated: December 12, 2017

**BUDGET MODIFICATION  
OTB DISTRIBUTED EARNINGS**

RESOLVED, that the OTB Distributed Earnings amount be increased in the 2018 budget, and be if further

RESOLVED, that the following budget modification be effectuated:

**INCREASE REVENUE:**

A.07.1325.000 42720.00	OTB Distributed Earnings	\$40,000
------------------------	--------------------------	----------

**DECREASE REVENUE:**

A.07.1325.000 41001.00	Real Property Tax	\$40,000
------------------------	-------------------	----------

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. B-02-17**

From: Community Safety & Security and Administration Committees

Dated: December 12, 2017

**NIAGARA COUNTY SHERIFF'S OFFICE  
POSITION UPGRADES**

WHEREAS, the Niagara County Sheriff reviews all non-union positions in the Sheriff's Office budget to ensure that duties and salaries are at an appropriate level, and

WHEREAS, the Chief Jail Administrator (CJA) has supervision duties over one (1) Deputy Chief Jail Administrator, two (2) Captains, seven (7) Lieutenants, six (6) Sergeants, one hundred thirty (130) full time corrections officers and twenty (20) part time corrections officers. The CJA is also responsible for ensuring compliance with our independent medical provider, kitchen staff, maintenance personnel, numerous educational and religious program providers and oversight of over four hundred (400) inmates on a daily basis. The position plays a critical role in compliance with New York State Commission of Corrections (NYSCOC) regulations and any necessary reporting. The CJA is also responsible for budgeting, interviewing of prospective new hires and assists in addressing union concerns, and

WHEREAS, the Chief Jail Administrator position requires 24/7 availability to resolve emergencies, the duties of the CJA are commensurate with that of a Chief Deputy, and

WHEREAS, the Deputy Chief Jail Administrator (DCJA) is a position with increased demands as the demands on the Chief Jail Administrator have increased. The DCJA reports directly to the Chief Jail Administrator and fills in the role of CJA in his absence. This position is also tasked with medical contract compliance, litigation preparation, capital planning, policy update recommendations and implementation, training coordination and assisting with disciplinary action. The DCJA is also a 24/7 availability position, and



WHEREAS, the correctional facility has seen a steady increase in regulations, requirements on staff, mental health issues and substance abuse issues which create an increasingly challenging environment to manage, and

WHEREAS, it is imperative to have the two individuals managing the jail operations compensated at the appropriate salary level for the weight placed on their shoulders, now, therefore, be it

RESOLVED, that the Chief Jail Administrator position be compensated at the 2018 salary rate of a Chief Deputy and the Deputy Chief Jail Administrator be compensated at the 2018 salary rate of the Chief Jail Administrator effective January 1, 2018, and be it further

RESOLVED, that the following modifications to the 2018 budget be effectuated:

**INCREASE APPROPRIATION:**

A.17.3150.000 71010.00	Position Expense	\$11,596.00
	Position #11028 \$6036.00	
	Position #13058 \$5560.00	
A.17.3150.000 78100.00	Retirement Expense	\$ 2,111.00
A.17.3150.000 78200.00	FICA Expense	\$ 887.00
A.17.3150.000 78300.00	Workers Compensation Expense	\$ 198.00

**DECREASE APPROPRIATION:**

A.17.3150.000 71030.00	Part Time	\$ 6,792.00
	Position #3358 \$3,000.00	
	Position #9853 \$2,000.00	
	Position #0515 \$1,792.00	
A.17.3150.000 72100.21	Law Enforcement Equipment	\$2,500.00
A.17.3150.000 74250.01	Office Supplies	\$2,000.00
A.17.3150.000 74300.06	Uniforms/Clothing	\$2,500.00
A.17.3150.000 74750.02	General Supplies/Materials	\$1,000.00

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. B-03-17**

From: Community Safety & Security and Administration Committees

Dated: December 12, 2017

**2018 BUDGET MODIFICATION – SHERIFF'S OFFICE**

WHEREAS, the Shift Differential line in the Sheriff's Office was miscalculated, now, therefore be it

RESOLVED, that the following budget modification be effectuated:

**DECREASE REVENUE:**

A.07.1325.000 41001.00	Real Property Tax	\$42,516
------------------------	-------------------	----------

**DECREASE APPROPRIATION:**

A.17.3150.000 71070.00	Shift Differential	\$35,371
A.17.3150.000 78100.00	Retirement	3,838

A.17.3150.000 78200.00	FICA	2,706
A.17.3150.000 78300.00	Worker's Compensation	601

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. B-04-17**

From: Community Safety & Security and Administration Committees

Dated: December 12, 2017

**ACCEPTANCE OF SECOND UPSTATE QUALITY IMPROVEMENT AND CASELOAD  
REDUCTION GRANT AND UPGRADE OF ASSISTANT PUBLIC DEFENDER POSITION**

WHEREAS, Niagara County Public Defender's Office has received an award from the New York State Office of Indigent Legal Services (OILS) in the amount of \$253,510 for the period of July 1, 2017 through December 31, 2020, and

WHEREAS, the grant is being awarded to continue funding the part-time Assistant Public Defender, created under the First Caseload Reduction Grant, who represents adults in Lockport and Niagara Falls Family Courts, and

WHEREAS, funding is also being awarded to cover the difference of upgrading an already-established part-time criminal Assistant Public Defender that serves in the City of North Tonawanda to a ¾-time Assistant Public Defender, now, therefore, be it

RESOLVED, that the County of Niagara does hereby accept this grant award, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Niagara County Legislature be, and hereby is, authorized to sign the grant award documents, and be it further

RESOLVED, that effective January 1, 2018, the Niagara County Public Defender's Office is authorized to upgrade the part-time Assistant Public Defender position that serves North Tonawanda to a ¾-time Assistant Public Defender, and be it further

RESOLVED, that the following budget modifications be made to the 2018 budget:

**INCREASE REVENUE:**

A.03.1170.000.43025.02	Indigent Legal Service	\$13,675
	Caseload Reduction	

**INCREASE APPROPRIATIONS:**

A.03.1170.000.71010-00	Assistant Public Defender (Position #72)	\$10,940
A.03.1170.000.78100.00	Retirement	\$ 1,750
A.03.1170.000.78200.00	FICA	\$ 836
A.03.1170.000.78300.00	Workers Compensation	\$ 149

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. B-05-17**



From: Legislator John Syracuse

Dated: December 12, 2017

## **RESOLUTION ESTABLISHING STANDARDS AND PARITY PAY WITHIN THE OFFICE OF THE CORONER, NIAGARA COUNTY**

WHEREAS, the Niagara County Legislature recognizes the Office of Coroner as providing one of the most challenging and delicate duties within Niagara County, and

WHEREAS, Niagara County has four elected Coroner positions and each Coroner is elected to their respective districts with the full understanding that they have complete jurisdiction to perform the duties of Coroner throughout the entire county, and

WHEREAS, the Chairman of the Niagara County Legislature directed the formation of an Ad Hoc Committee to study the Office of Niagara County Coroner (Coroner) on February 23, 2016 which consisted of the Niagara County District Attorney, the Office of the Niagara County Sheriff along with 3 Niagara County Legislators, the County Attorney's Office, Treasures Office, County Manager and various Niagara County department heads, inclusive of a representative from the Office of Coroner, and

WHEREAS, the consensus of this committee was to further establish a subcommittee to evaluate policy, procedures and parity pay for the Office of Coroner, and

WHEREAS, The Office of Coroner will continue to operate under and through the Clerk of the Legislature with the hope and expectations that recommendations herein would be utilized by the Office of Coroner so as to improve efficiencies and standards within the Office of Coroner, and

WHEREAS, there now has been recently established standard 2-page document (attached) along with recommendations that any autopsy report from the Erie County Medical Examiner's Office, a death certificate and any necessary photographs be attached to the newly established 2-page document, and

WHEREAS, the Coroner is additionally urged to follow protocols established in "Every Scene, Every Time" (see attached) and it should be noted that these protocols listed herein should never be conducted at the expense of a local police investigation(s), and

WHEREAS, it is recommended that photographs should only be taken in cases without police involvement and that no photographs should be taken at a crime scene, and

WHEREAS, any statutory training will be reimbursed to the Coroner as per established guidelines as other Niagara County Departments, inclusive of mileage, etc. If possible, the use of a county vehicle (s) should be utilized, and

WHEREAS, should there occur a vacancy or some other form of incapacity of a coroner within the Office of Coroner that would otherwise prevent a coroner from performing his/her duties, a "covering" coroner shall receive reimbursement for mileage at the specified rate per policy previously established by Niagara County

along with a \$50 stipend for each said call, and that any “coverage issues” will be worked out between the coroners, and

WHEREAS, it is also recommended that newly elected coroners receive “field training” for his/her first 10 calls by a more senior Coroner and said senior coroner will be reimbursed for mileage and stipend as previously indicated, and

WHEREAS, consensus has been arrived at by this Ad Hoc Committee that the necessary equipment such as office supplies, camera, cell phone and/or tablet be purchased by Niagara County, and

WHEREAS, this Ad Hoc Committee also recommends that salary adjustment increases for each coroner be raised from \$17,500 to \$25,500, now, therefore be it

RESLOVED, that this legislative body direct the County Manager to take the necessary steps to effectuate the changes herein described, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.07.1325.000 41001.00	Property Tax	\$37,791
------------------------	--------------	----------

INCREASE APPROPRIATION:

A.01.1185.000 71010.00	Positions	\$32,000
A.01.1185.000 78100.00	Retirement	2,795
A.01.1185.000 78200.00	FICA	2,448
A.01.1185.000 78300.00	Worker’s Compensation	548

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. B-06-17**

From: Legislator David E. Godfrey

Dated: December 12, 2017

**BUDGET MODIFICATION  
NIAGARA MILITARY AFFAIRS COUNCIL  
ECONOMIC DEVELOPMENT BUDGET**

WHEREAS, the County did determine in an Aug. 1, 2012 report titled “Economic Impact of Niagara Falls Air Reserve Station and Niagara Frontier Transportation Authority at Niagara Falls International Airport” that “The [Niagara Falls Air Reserve Station] employs over 2,600 individuals accounting for nearly 3,300 jobs and has a total economic impact of more than \$200 million annually. Making cuts at NFARS will jeopardize military readiness and homeland security as well as cause catastrophic economic impacts to Western New York,” and

WHEREAS, the County endorses ongoing locally-organized efforts to preserve vital Defense infrastructure and spending in Western New York, and the 2018 Niagara County Budget did not appropriate funds for the Niagara Military Affairs Council, now, therefore be it



RESOLVED, that \$30,000 be increased in the 2018 County Budget as follows:

**INCREASE REVENUE:**

A.07.1325.000 41110.01	Sales Tax	\$30,000
------------------------	-----------	----------

**INCREASE APPROPRIATION:**

A.28.8020.000 74500.01	Contractual Expenses	\$30,000
------------------------	----------------------	----------

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. B-07-17**

From: Legislators Dennis F. Virtuoso, Clyde L. Burmaster, Rebecca J. Wydysh, et al.

Dated: December 12, 2017

**BUDGET MODIFICATION  
DISCOVER NIAGARA SHUTTLE**

RESOLVED, that Niagara County allocate \$70,000 to fund the Discover Niagara Shuttle, and be it further

RESOLVED, that the following budget modification be effectuated:

**INCREASE REVENUE:**

A.28.8020.811 40599.01	Appropriated Fund Balance	\$70,000
	Committed Funds	

**INCREASE APPROPRIATION:**

A.28.8020.811 74550.29	Beautification Program	\$70,000
------------------------	------------------------	----------

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. B-08-17**

From: Legislators Dennis F. Virtuoso, Mark J. Grozio and Jason A. Zona

Dated: December 12, 2017

**2018 BUDGET MODIFICATION  
REDUCTION IN SALARIES**

RESOLVED, that the positions of Clerk of the Legislature, Public Information Officer, and Assigned Counsel & Conflict Administrator be reduced to a 2.5% increase over the 2017 salaries, and be it further

RESOLVED, that the position of County Attorney be increased by \$10,000 plus a 2.5% increase above the 2017 salary, and be it further

RESOLVED, that the following budget modification be effectuated:

**DECREASE REVENUE:**

A.07.1325.000 741001.00	Property Tax	\$16,937
-------------------------	--------------	----------

DECREASE APPROPRIATION:

A.01.1040.000 71010.00 20	Positions	\$ 1,195
A.01.1040.000 78100.00	Retirement	189
A.01.1040.000 78200.00	FICA	91
A.01.1040.000 78300.00	Worker's Compensation	22
A.01.1480.000 71010.00 10611	Positions	968
A.01.1480.000 78100.00	Retirement	153
A.01.1480.000 78200.00	FICA	74
A.01.1480.000 78300.00	Worker's Compensation	16
A.04.1170.102 71010.00 10128	Positions	5,000
A.04.1170.102 78100.00	Retirement	465
A.04.1170.102 78200.00	FICA	383
A.04.1170.102 78300.00	Worker's Compensation	85
A.11.1420.000 71010.00 189	Positions	6,626
A.11.1420.000 78100.00	Retirement	1,050
A.11.1420.000 78200.00	FICA	507
A.11.1420.000 78300.00	Worker's Compensation	<u>113</u>
		\$16,937

Rejected: 3 Ayes, 10 Noes, 2 Absent – Bradt and Steed

**Resolution No. B-09-17**

From: Administration Committee

Dated: December 12, 2017

**ADOPTION FOR 2018 ASSESSMENT ROLL & BUDGET - WATER DISTRICT**

WHEREAS, a public hearing was held on December 5, 2017, at 6:00 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2018 assessment roll and budget for the Niagara County Water District, and

WHEREAS, 0 addition(s) and/or deletion(s) were offered on said budget, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby affirms and adopts said 2018 assessment roll and budget for the Niagara County Water District, at \$ 11,741,473, and directs that the necessary taxes be levied to fund said budget pursuant to the provisions of the County law.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. B-10-17**

From: Administration Committee

Dated: December 12, 2017

**ADOPTION FOR 2018 ASSESSMENT ROLL & BUDGET - SEWER DISTRICT**

WHEREAS, a public hearing was held on December 5, 2017, at 6:10 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2018 assessment roll and budget for the Niagara County Sewer District #1, and



WHEREAS, 0 addition(s) and/or deletion(s) were offered on said budget, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby affirms and adopts said 2018 assessment roll and budget for the Niagara County Sewer District #1, at \$ 6,836,956, and directs that the necessary taxes be levied to fund said budget pursuant to the provisions of the County law.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. B-11-17**

From: Administration Committee

Dated: December 12, 2017

**ADOPTION FOR 2018 ASSESSMENT ROLL & BUDGET  
REFUSE DISPOSAL DISTRICT**

WHEREAS, a public hearing was held on December 5, 2017, at 6:20 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2018 assessment roll and budget for the Niagara County Refuse Disposal District, and

WHEREAS, 0 addition(s) and/or deletion(s) were offered on said budget, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby affirms and adopts said 2018 assessment roll and budget for the Niagara County Refuse Disposal District, at \$ 686,819, and directs that the necessary taxes be levied to fund said budget pursuant to the provisions of the County law.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. B-12-17**

From: Administration Committee

Dated: December 12, 2017

**AUTHORIZATION FOR COUNTY MANAGER AND BUDGET DIRECTOR TO MAKE CHANGES  
TO BUDGET**

RESOLVED, that the County Manager and Budget Director be and are hereby authorized, empowered, and directed to make any corrections, modifications, changes, additions and/or correct typographical errors not affecting the substance of the approved budget in order to balance accounts. This shall include any budget transfer within the same account classification and within the same fund which will maintain the integrity of the budget required for the close of the fiscal year.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt and Steed

**Resolution No. B-13-17**

From: Administration Committee

Dated: December 12, 2017

**ADOPTION OF 2018 BUDGET**

WHEREAS, the Office of the County Manager and the Budget Office have submitted a tentative budget for the conduct of the County government of the County of Niagara, New York, the conduct of the Niagara County Water District, the conduct of the Sewer District #1, and the conduct of the Refuse Disposal District for the year 2018, and

WHEREAS, pursuant to Section 359 of the County Law, public hearings were held on December 5, 2017, on the Niagara County Water District's budget at 6:00 p.m., Sewer District #1's budget at 6:10 p.m., Refuse Disposal District at 6:20 p.m., and the County's budget at 6:30 p.m., in the Legislative Chambers, Courthouse, Lockport, New York, and

WHEREAS, certain additions and/or deletions to said budget were thereafter approved by this Legislature, now, therefore, be it

RESOLVED, that the tentative budget for the year 2018, together with certain additions and/or deletions heretofore approved this date by this Legislature, be and the same is hereby approved and adopted, and that the several amounts specified and set forth in said budgets as appropriation and revenues in the column "ADOPTED" be and are hereby appropriated for the objects and purposes specified.

Adopted. 12 Ayes, 1 Noes, 2 Absent – Bradt and Steed

**Resolution No. B-14-17**

From: Administration Committee

Dated: December 12, 2017

**LEVYING OF TAXES**

WHEREAS, the Niagara County Legislature has, by resolution, made amendments to the tentative budget submitted for the year 2018 by the County Manager and the Budget Director, thereby making appropriations for the conduct of the County for calendar year 2018, now, therefore, be it

RESOLVED, that to meet the amount of the said appropriations, less the anticipated revenue from sources other than the real property tax levy, this Legislature hereby levies the following taxes pursuant to the provisions of Section 361 of the County Law and Section 900 of the Real Property Tax Law upon the taxable property in the County, upon the valuation are equalized by it, to wit:

Upon all taxable property in the County, the sum of \$ 79,517,122.

Upon all the taxable property in the area comprising the Sewer District #1, the sum of \$ 3,220,228.

Upon all the taxable property in the area comprising the County Water District, the sum of \$ 4,964,543.

Upon all the taxable property in the area comprising the County Refuse Disposal District, the sum of \$ 686,819.

Adopted. 12 Ayes, 1 Noes, 2 Absent – Bradt and Steed



the sum of \$ 686,819.

Adopted. 12 Ayes, 1 Noes, 2 Absent – Bradt and Steed

**Resolution No. B-15-17**

From: Administration Committee

Dated: December 12, 2017

**APPROVAL OF TAX ROLLS**

WHEREAS, upon the tax rolls of the several towns and cities, the several taxes have been by the Legislators thereof duly extended as provided by law and by the several resolutions of this Legislature, and the said completed tax rolls have been laid before this Legislature for its approval, now, therefore, be it

RESOLVED, that the said tax rolls be approved as so completed; that the taxes so extended upon the tax rolls in the several amounts extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein, and be it further

RESOLVED, that there be annexed to each of said rolls a tax warrant in the form prepared by the Clerk and heretofore laid before this Legislature for its approval, as provided for by Section 904 of the Real Property Tax Law; that such warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; that the several warrants be signed by the Chairman and the Clerk of the Legislature under the seal of the Legislature; and that the said rolls with the said warrants annexed thereto be forthwith delivered to the respective collectors of the several tax districts within the County.

Adopted. 12 Ayes, 1 Noes, 2 Absent – Bradt and Steed

Moved by Hill, seconded by Collins, that the Chairman and the Clerk be authorized to approve the minutes of 2017 as printed in the Journal of Proceedings.


Carried.

County Manager Richard E. Updegrove thanked the Legislature for the guidance and direction they have provided the 2018 Budget.

Moved by Andres, seconded by Virtuoso that the Board adjourn.

The Chairman declared the Board adjourned at 9:07 p.m., subject to the call of the Clerk.

No citizen spoke at this time on the General Welfare of the County.

  
Mary Jo Tamburlin, Clerk