



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

Regular Meeting – March 20, 2012

- *AD-006-12** Administration, re Real Property Tax Corrections/Cancellations No. COE-2012A – Real Property
- *AD-007-12** Administration, re Resolution to Accept the Bid on Certain In Rem Tax Sale Property Located in the Town of Wilson – County Attorney
- *AD-008-12** Administration, re Resolution to Correct Disability Policy for Certain Flat/Salaried/Non-Union Hourly Employees to Effectuate Legislative Intent – County Manager
- *CS-008-12** Community Services & Administration, re Transportation Services – Waiver of RFP Requirement Children with Special Needs Program – Public Health
- *CS-009-12** Community Services & Administration, re Niagara County Clerk/Niagara County Veterans Service Agency Abolish Clerical I, Create & Fill Veterans Service Officer – County Clerk
- *CS-010-12** Community Services & Administration, re Niagara County Clerk's Office Abolish Clerical I, Abolish Clerical II, Create & Fill Two (2) Document Clerks – County Clerk
- *CS-011-12** Community Services & Administration, re Budget Modification Healthy Families New York Program – DSS
- *CS-012-12** Community Services & Administration, re Budget Modification Flexible Fund for Family Services – DSS
- *CS-013-12** Community Services & Administration, re Budget Modification Child Care & Development Fund – DSS
- *CSS-011-12** Community Safety & Security & Administration, re District Attorney Crimes Against Revenue Program Grant Acceptance & Budget Modification – DA
- *CSS-012-12** Community Safety & Security & Administration, re District Attorney Motor Vehicle & Insurance Fraud Prevention Program Grant Acceptance & Budget Modification – DA

- *CSS-013-12** Community Safety & Security & Administration, re District Attorney Budget Modification Project Impact – DA
- *CSS-014-12** Community Safety & Security & Administration, re Budget Modification Use of Assets Forfeiture Funds – DA
- ED-010-12** Economic Development & Administration, re Resolution of the Niagara County Legislature, as the Elected Legislative Body of Niagara County, NY, in Accordance with §147(f) of the Internal Revenue Code of 1986, as Amended (the “Code”), Approving the Issuance by the Niagara Area Development Corporation of up to \$48,000,000 Tax-Exempt Industrial Development Revenue Bonds (Niagara University Project), Series 2012
- IL-013-12** Legislator Peter E. Smolinski, re Home Rule Message Requesting an Act to Amend the Arts & Cultural Affairs Law in the Relation to the Appointment of Local Historians in the County of Niagara, Pursuant to Senate Bill No. S-234 & Assembly No. A-5139
- IL-014-12** Legislators John Syracuse, Michael A. Hill, Richard E. Updegrave, Clyde L. Burmaster, David E. Godfrey, Anthony J. Nemi & Kathryn L. Lance, re Calling on New York State Legislature to Remove Assembly-Backed “Microstamping” Provision from Final State Budget and Western New York Delegation to Vote in the Negative on Any Budget Bill Containing “Microstamping” Language
- IL-015-12** Legislator Kathryn L. Lance, re Calling upon Niagara County’s Congressional Delegation, Governor Cuomo, the Department Of Defense, the Department of the Air Force, and the National Guard Bureau to Enact Proposed Transition to Reconnaissance Role for 107th Air Wing, with Air Wing Remaining at Niagara Falls Air Reserve Station



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 April 17, 2012.

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 03/20/12 RESOLUTION # AD-006-12

APPROVED
CO. ATTORNEY

REVIEWED
CO. MANAGER

COMMITTEE ACTION
AD - 3/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

REAL PROPERTY TAX CORRECTIONS/CANCELLATIONS NO. COE-2012A

WHEREAS, the Director of Real Property Tax Services has received applications for refunds and/or corrections applicable to various outstanding Niagara County tax liens, or has been made aware that unenforceable tax liens exist upon certain real property owned by the State of New York and/or the United States, and

WHEREAS, the Director has investigated the claimed erroneous assessments and/or unenforceable liens in accordance with sections 554, 556 and 558 of the New York State Real Property Tax Law, now, therefore, be it

RESOLVED, that the applications and/or lien cancellations be approved and/or denied as set forth in the attached Exhibit No. COE-2012 A, which is made a part hereof; and subsequently be charged back to the applicable town, city, special district and school district within the County of Niagara.

ADMINISTRATION COMMITTEE

Town of Niagara

RPTS # 46-2012

Owner: Niagara Thermal Products, LLC

<u>SBL #</u>	<u>Tax Year</u>	<u>Tax Warrant Reduction</u>
132.17-3-8.2	2012	\$33,172.70

The Town of Niagara erroneously included this property on the list of unpaid 2011 taxes that was returned to the Niagara County Treasurer for collection/enforcement. It was later discovered by Town officials that the tax bill for this property had been paid. In light of this, the 2012 Niagara County/Town of Niagara tax billing shall be reduced in the amount of \$33,172.70 (unpaid water and sewer relevy) and the Niagara County Treasurer's Department shall accept the revised tax amount due without interest or penalty if paid within 8 days of the mailing of the notice of this approval to the property owner.

Original billing: \$38,907.16

Revised billing: \$5,734.46

Town of Wheatfield

RPTS # 52-2012

Owner: CO8 Holdings, LLC

<u>SBL #</u>	<u>Tax Year</u>	<u>Tax Warrant Reduction</u>
177.03-1-81.4	2012	\$17,366.80


This parcel was granted a PILOT on 12/13/2010, making it wholly exempt on the 2011 tax roll. The assessor failed to place the parcel in roll section 8. As a result, the parcel was billed at 100% for both school and County purposes. In light of this, the 2012 Niagara County/Town of Wheatfield tax billing shall be reduced in the amount of \$17,366.80 and the Niagara County Treasurer's Department shall accept the revised tax amount due without interest or penalty if paid within 8 days of the mailing of the notice of this approval to the property owner.

Original billing: \$19,692.24

Revised billing: \$2,325.44

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee **DATE:** 03/20/12 **RESOLUTION #** AD-007-12

APPROVED CO. ATTORNEY 	REVIEWED CO. MANAGER _____	COMMITTEE ACTION <u>AD - 3/13/12</u> _____ _____	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**RESOLUTION TO ACCEPT THE BID ON CERTAIN IN REM TAX SALE
PROPERTY LOCATED IN THE TOWN OF WILSON**

WHEREAS, the Niagara County Treasurer, conducted the public sale of a certain tax sale property, being in rem parcel known as parcel #2009-341, SBL# 23.00-1-2, 2390 Maple Road, Town of Wilson, County of Niagara, State of New York, all in accordance with §1166 of the Real Property Tax Law, and

WHEREAS, at public auction, duly noticed by the Treasurer, a bid was received in the amount of Fifty and 00/100 dollars (\$50.00) plus filing fees from Pinehurst Farm, LLC by James L. Pease, now, therefore, be it,

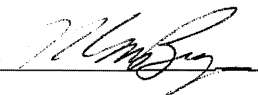
RESOLVED, that the bid of Fifty and 00/100 dollars (\$50.00) plus filing fees from, be accepted, and be it further

RESOLVED, that pursuant to §1166 of the Real Property Tax Law, the Chairman of the Legislature be, and hereby is, authorized to execute the required documents necessary to effectuate the sale of in rem parcel # 2009-341, SBL#23.00-1-2, 2390 Maple Road, Town of Wilson, County of Niagara, State of New York, subject to the review and the approval of the County Attorney.

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 03/20/12 RESOLUTION # AD-008-12

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	AD - 3/13/12	Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

RESOLUTION TO CORRECT DISABILITY POLICY FOR CERTAIN FLAT/SALARIED/NON-UNION HOURLY EMPLOYEES TO EFFECTUATE LEGISLATIVE INTENT

WHEREAS, the County Legislature, by Resolution HR-037-97, adopted the New York State minimum statutory disability insurance plan ("NYS Disability") for certain benefited positions in the Board of Elections, Clerk of the Legislature and Human Resources departments, and

WHEREAS, NYS Disability was bargained for by the CSEA Union in the 1995-1998 bargaining agreement to displace the existing Sick Leave with One-Half Pay Disability Policy, and

WHEREAS, HR 037-97 evidences a clear intent, by its plain language, to change only the aforementioned departments and non-department head positions to be consistent with the CSEA NYS Disability Plan, and

WHEREAS, specific non-department head titles within the designated departments were communicated by Human Resources Memorandum of October 15, 1997, now, therefore, be it

RESOLVED, that all remaining non-department head titles for Flat/Salaried/Non-Union Hourly employees, in benefited positions, remain subject to the Sick Leave with One-Half Pay Disability Policy existing prior to the NYS Disability Policy adoption, and be it further

RESOLVED, that all eligibility requirements, length of benefit time rules, and discretion granted all other non-department head employee classifications will operate for policy implementation, and be it further

RESOLVED, that this policy clarification requested by the County Manager serves to effectuate original legislative intent, as determined by the County Attorney, and will become effective prospectively following the approval of the Legislature.

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DATE: 03/20/12 RESOLUTION # CS-008-12

Committees

APPROVED

CO. ATTORNEY

REVIEWED

CO. MANAGER

COMMITTEE ACTION

CS - 3/12/12

AD - 3/13/12

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

TRANSPORTATION SERVICES- WAIVER OF RFP REQUIREMENT CHILDREN WITH SPECIAL NEEDS PROGRAM DEPARTMENT OF HEALTH

WHEREAS, the Children With Special needs division of the Niagara Count Department of Health provides for mandated transportation services to children receiving services for developmental delays, and

WHEREAS, these transportation services totaled \$1,829,506 in 2010, provided through two providers in the past with attempts to broaden the number of interested providers of this service with no success, and the current transportation provider agrees on extending the current contracts, and

WHEREAS, the Niagara County Department of Health has determined that going out for an RFP for these services would not be in the best interest of the taxpayers of Niagara County due to the strong probability that the RFP responses would result in substantial increases for these services and the current contract includes a CPI-based increase to eliminate the possibility of large annual increases, now, therefore, be it

RESOLVED, that legislative approval is authorizing the NCDOH to receive a waiver from the RFP requirement.


COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration **DATE:** 03/20/12 **RESOLUTION #** CS-009-12

Committees

APPROVED CO. ATTORNEY 	REVIEWED CO. MANAGER	COMMITTEE ACTION <u>CS - 3/12/12</u> <u>AD - 3/13/12</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**NIAGARA COUNTY CLERK/NIAGARA COUNTY VETERANS SERVICE AGENCY
ABOLISH CLERICAL I, CREATE & FILL VETERANS SERVICE OFFICER**

WHEREAS, the Niagara County Legislature has the constant responsibility to work to increase efficiency and effectiveness of County government, and

WHEREAS, Resolution AD-020-02 placed the obligation of the Niagara County Veterans Service Agency under the office of the Niagara County Clerk, and

WHEREAS, the intention of the Resolution was to implement enhanced operational opportunities to better serve Niagara County Veterans and their families, and

WHEREAS, young men and women of the All-Volunteer Armed Forces are now beginning to return from Iraq and Afghanistan in greater numbers, and

WHEREAS, after placing their lives in jeopardy so that we may continue to enjoy the freedoms of our great nation, and

WHEREAS, it has been determined that counseling these Veterans and assisting them in securing benefits for themselves and their families is one way to begin to repay them for their sacrifices, and

WHEREAS, the increase in the number of returning Veterans is directly related to the need for timely service compensation and service pensions, and

WHEREAS, these changes reflect no additional cost to the County, now, therefore be it

RESOLVED, that the County Clerk's office be authorized to abolish Clerical I position #0117 effective 04-16-12, and be it further

RESOLVED, that the County Clerk's office be authorized to create and fill one (1) Veterans Service Officer position, Grade 61, Step 1, flat salary plan, salary \$34,694.73 per annum effective 4-16-12.

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DA TE: 03/20/12 RESOLUTION # CS-010-12

Committees

APPROVED
CO. ATTORNEY

REVIEWED
CO. MANAGER

COMMITTEE ACTION
CS - 3/12/12
AD - 3/13/12

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

NIAGARA COUNTY CLERK'S OFFICE ABOLISH CLERICAL I, ABOLISH CLERICAL II, CREATE AND FILL TWO (2) DOCUMENT CLERKS

WHEREAS, the County Clerk serves as the Clerk of Supreme and County Court as well as register of all land transactions and receiver of filings and recordings of numerous and varied documents, and

WHEREAS, the County Clerk also oversees the administration of the Niagara County Veterans Service Agency, the Pistol Permit Office and the Historian's Office as well as the Niagara County Inactive Records Management Program, and

WHEREAS, the administration of these areas may require reviewing, accepting, verifying, indexing, scanning, editing, filing/recording documents and cashiering/acceptance of fees as prescribed by statute, and

WHEREAS, upon evaluation of these functions it has been determined that the positions of Clerical I and Clerical II do not provide the opportunities for cross-training and do not provide for meeting the challenges present in managing such diverse areas of operation, and

WHEREAS, the County Clerk's Office has experienced the loss of over 150 years of experience through recent retirements and transfers, and

WHEREAS, the job specifications of Document Clerk title are better in line with the actual duties required by County Clerk operations and will provide greater flexibility in assisting with all areas of the County Clerk operation, and

WHEREAS, these changes reflect no additional cost to the County, now, therefore, be it

RESOLVED, that the County Clerk's Office be authorized to abolish a full time Clerical II, position #0135 effective 04-06-12, and be it further

RESOLVED, that the County Clerk's Office be authorized to abolish a full time Clerical I, position #3982 effective 04-16-12, and be it further

RESOLVED, that the County Clerk's office be authorized to create and fill two (2) Document Clerk positions, Grade 58, Step 1, CSA Salary Plan, Salary \$16.42 per hour effective 04-16-12.

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DATE: 03/20/12 RESOLUTION # CS-011-12

Committees

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	CS - 3/12/12	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 3/13/12	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

BUDGET MODIFICATION HEALTHY FAMILIES NEW YORK PROGRAM

WHEREAS, the New York State Office Of Children & Family Services, in conjunction with the New York State Department of Health, did make state-wide funds available for the provision and expansion of Healthy Families New York Home Visiting Programs, and

WHEREAS, these resources are directed toward expectant and new parents in an effort to promote positive growth and development to improve health and social outcomes for families at high risk of abuse and neglect, and

WHEREAS, effective July 1, 2011, Niagara County did receive a revised 100% State funded allocation of \$481,710, not all of which has been fully expended, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services will continue to contract with Family & Children's Services of Niagara, Inc. to provide the necessary services as outlined in the Healthy Families New York Program requirements, and be it further

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

INCREASE REVENUE:

A.22.6010.000 43610.01	DSS Admin General	\$180,641
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INCREASE APPROPRIATION:

A.22.6010.000 74500.01	Contractual Exp-Contractual	180,641
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DA TE: 03/20/12 RESOLUTION # CS-012-12

Committees

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	CS - 3/12/12	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 3/13/12	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

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, and,

WHEREAS, Niagara County did receive a 100% federally funded allocation, effective July 2011 – June 2012, not all of which has been expended, now, therefore, be it

RESOLVED, that Niagara County Department 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	\$59,680
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INCREASE APPROPRIATION:

A.22.6010.000 74500.01	Contractual Exp-Contractual	59,680
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DATE: 03/20/12 RESOLUTION # CS-013-12

APPROVED
CO. ATTORNEY

REVIEWED
CO. MANAGER

COMMITTEE ACTION
CS - 3/12/12
AD - 3/13/12

LEGISLATIVE ACTION

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

BUDGET MODIFICATION CHILD CARE AND DEVELOPMENT FUND

WHEREAS, Executive Budget did make Federal funds available to local districts for the provision of early childhood development and before-and-after school child care services and of quality improvement activities under the Federal Child Care and Development Block Grant Program, and

WHEREAS, these funds enable Niagara County to direct resources to satisfy Federal requirements, as they relate to the registration and inspection of Child Care Centers, as well as the corresponding reporting requirements, and

WHEREAS, Niagara County did receive an allocation of \$183,228, which is 100% federally funded, effective January 1, 2012, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services will continue to contract with Niagara Community Action Program, Inc. to carry out the required roles and responsibilities under the Child Care and Development Program, 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	\$174,444
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INCREASE APPROPRIATION:

A.22.6010.000 74500.01	Contractual Exp – Contractual	174,444
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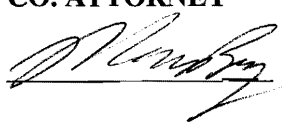
COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security and **DATE:** 03/20/12 **RESOLUTION #** CSS-011-12

Administration Committees

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		CSS - 3/6/12	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 3/13/12	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

DISTRICT ATTORNEY CRIMES AGAINST REVENUE PROGRAM GRANT ACCEPTANCE & BUDGET MODIFICATION

WHEREAS, the Niagara County District Attorney's Office applied for and was awarded funding from the New York State Division of Criminal Justice Services for the Crimes Against Revenue Program to enhance prosecution of crimes against the revenue of New York State which include Income and Sales Tax evasion and fraud and Unemployment Insurance fraud, and

WHEREAS, funding has been awarded in the amount of \$100,000.00 for the period January 1, 2012 through December 31, 2012, with no matching funds requirement, and

WHEREAS, basic revenue and appropriation figures for said program were calculated and are contained within the District Attorney's operating budget for the 2012 budget year, and

WHEREAS, additional funds received must be appropriated in the District Attorney's A.02.1165.000 cost center for the 2012 budget year, and

WHEREAS, the program will continue to funds one full time Assistant District Attorney, Position #10969, ATT I, Step 1, \$43,884 annually, with fringe benefits which shall remain coterminous with grant funding, now, therefore, be it

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

RESOLVED, 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 the following budget modifications be made:

INCREASE APPROPRIATIONS:

A.02.1165.000.74650-08	Consultants	21,500
A.02.1165.000.72100-05	Computer Equipment	2,488
A.02.1165.000.74250-01	Office Supplies	1,004
A.02.1165.000.74600-03	Training & Education	1,000


INCREASE REVENUE:

A.02.1165.000.43089-02	State Aid Other- Crimes Against Revenue Program (CARP)	25,992
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NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security and DATE: 03/20/12 RESOLUTION # CSS-012-12

Administration Committees

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	CSS - 3/6/12	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 3/13/12	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

DISTRICT ATTORNEY MOTOR VEHICLE THEFT AND INSURANCE FRAUD PREVENTION PROGRAM GRANT ACCEPTANCE AND BUDGET MODIFICATION

WHEREAS, funding was received from the Division of Criminal Justice Services and the Motor Vehicle Theft and Insurance Fraud Prevention Program for the establishment of a Motor Vehicle Theft and Insurance Fraud Prosecution project in Niagara County in 2002, and

WHEREAS, funding has been awarded in the amount of \$154,500.00 for the period January 1, 2012 through December 31, 2012, and

WHEREAS, basic revenue and appropriation figures for said program were calculated and are contained within the CM.02.1989.114 Motor Vehicle Theft and Insurance Fraud Prevention cost center for the 2012 budget year, and

WHEREAS, additional funds received must be appropriated in the District Attorney's CM.02.1989.114 Motor Vehicle Theft and Insurance Fraud Prevention cost center for the 2012 budget year, and

WHEREAS, this program will continue to fund one full time Assistant District Attorney, Position #9700, ATT III, Step 5, \$75,555 annually and one full time Criminal Investigator, Position #9701, NUH 6, Step 4, \$44,378.00 annually, with fringe benefits which shall remain co-terminus with grant funding, now, therefore, be it

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

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

RESOLVED, that the following budget modifications be made:

INCREASE REVENUE:

CM.02.1989.114.43389.13	Crime Prevention	\$4747.00
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INCREASE APPROPRIATIONS:

CM.02.1989.114.71010.00.9700	Asst. District Attorney	2447.00
CM.02.1989.114.72100.05	Computer Equipment	1500.00
CM.02.1989.114.78100.00	Retirement Expense	123.00
CM.02.1989.114.78200.00	FICA Expense	187.00
CM.02.1989.114.78300.00	Worker's Compensation Exp.	490.00

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security and DATE: 03/20/12 RESOLUTION # CSS-013-12

Administration Committees

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		CSS - 3/6/12	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 3/13/12	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

DISTRICT ATTORNEY- BUDGET MODIFICATION- PROJECT IMPACT

WHEREAS, during the 2012 budget process, expenses were estimated and funds were appropriated into cost center CM.02.1989.115 for the District Attorney's Operation IMPACT budget, and

WHEREAS, it is necessary to modify revenue and appropriations in cost center CM.02.1989.115 to re-appropriate training funds not expended in the 2011 budget, now, therefore, be it

RESOLVED, that the following budget modifications be made:

INCREASE REVENUE:

CM.02.1989.115.43389.13	Crime Prevention	\$10,000.00
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INCREASE APPROPRIATIONS

CM.02.1989.115.74400.09	Payments to Other Agencies	10,000.00
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COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security and DA TE: 03/20/12 RESOLUTION # CSS-014-12

Administration Committees

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	CSS - 3/6/12	Approved: Ayes Abs. Noes
		AD - 3/13/12	Rejected: Ayes Abs. Noes
			Referred:

BUDGET MODIFICATION-USE OF ASSETS FORFEITURE FUNDS-DISTRICT ATTORNEY

WHEREAS, the Niagara County District Attorney's Office currently has a balance of approximately \$14,893 in the Local Asset Forfeiture Trust Account, and

WHEREAS, the use of locally forfeited funds is restricted by the New York State Department of Criminal Justice Services to the enhancement of the prosecution of related crimes and can be used to supplement but not supplant current resources, and

WHEREAS, the Niagara County District Attorney's Office will allocate \$500 to the Niagara Falls Block Club Council to fund their annual Crime Night Out, and

WHEREAS, this is an allowable use under the Guidelines, now, therefore, be it

RESOLVED, that the Niagara County Treasurer's Office is hereby authorized to disburse \$500 from the District Attorney's Local Assets Forfeiture Trust Account 40036 into the District Attorney's operating budget, and be it further

RESOLVED, that the following budget modifications are effectuated:

INCREASE REVENUE:

A.02.1165.000.42625.00	DA Assets Forfeiture - Local	\$500
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INCREASE APPROPRIATIONS:

A.02.1165.000.74400.09	Payments to Other Agencies	500
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COMMUNITY SAFETY AND SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee DA TE: 03/20/12 RESOLUTION # ED-010-12

and Administration Committee

APPROVED
CO. ATTORNEY

REVIEWED
CO. MANAGER

COMMITTEE ACTION
ED - 3/6/12
AD - 3/13/12

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

**RESOLUTION OF THE NIAGARA COUNTY LEGISLATURE, AS THE ELECTED
LEGISLATIVE BODY OF NIAGARA COUNTY, NEW YORK, IN ACCORDANCE
WITH SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS
AMENDED (THE "CODE"), APPROVING THE ISSUANCE BY THE NIAGARA AREA
DEVELOPMENT CORPORATION OF UP TO \$48,000,000 TAX-EXEMPT
INDUSTRIAL DEVELOPMENT REVENUE BONDS
(NIAGARA UNIVERSITY PROJECT), SERIES 2012**

WHEREAS, the Niagara County Legislature (the "Legislature"), as the elected legislative body of Niagara County, New York (the "County") has been advised by the Niagara Area Development Corporation (the "Issuer") that, in order to assist in the financing of a certain Project (as defined below) for the benefit of Niagara University, a not-for-profit corporation organized and existing under and by virtue of the laws of the State of New York (the "University"), the Issuer proposes to issue, contingent upon the adoption of this Resolution by the Legislature, its Tax-Exempt Revenue Bonds (Niagara University Project), Series 2012, in an aggregate principal amount not to exceed \$48,000,000 (the "Bonds"), and

WHEREAS, proceeds of the Bonds will finance a certain project (the "Project") consisting of: (A) the refunding of the outstanding principal amount of the Niagara County Industrial Development Agency (the "NCIDA") \$27,900,000 (original principal amount) Civic Facility Revenue Bonds, Series 2001A (Niagara University Project – Asset Guaranty Insured) (the "Series 2001A Bonds"), the proceeds of which were used to finance a portion of the cost of a certain project (the "2001 Project"), consisting of: (a)(i) the acquisition by the NCIDA of an interest (the "Non-Residential Land") in the University's campus located on Lewiston Road in the Town of Lewiston, Niagara County, New York (the "Campus"), including 29 buildings containing in the aggregate approximately 941,000 square feet of space located thereon and other infrastructure related thereto (collectively, the "Non-Residential Facility"), (ii) the complete renovation of one of the buildings comprising a portion of the Non-Residential Facility, said building being known as St. Vincent's Hall, (iii) the renovation and various upgrades to the remaining portion of the Non-Residential Facility, (iv) the acquisition and installation therein and thereon of certain machinery and equipment (the "Non-Residential Equipment"), (v) the refinancing of certain existing indebtedness incurred by the University in connection with the acquisition, renovation and equipping of the Non-Residential Facility, all of the foregoing to constitute the upgrading, financing and/or refinancing of an educational facility for use by the University (the Non-Residential Land, the Non-Residential Facility and the Non-Residential Equipment being collectively referred to as the "Non-Residential Project Facility"), and (vi) the advance refunding of the Tax-Exempt Civic Facility Revenue Bonds (Niagara University Project), Series 1998A, issued by the NCIDA for the benefit of the University on or about October 28, 1998 in the original aggregate principal amount of \$8,180,000, in connection with the refinancing of existing indebtedness incurred on behalf of or by the University related to various projects on the Campus; (b)(i) the acquisition by the NCIDA of an interest in an approximately 5-acre parcel of land (the "Dormitory Land") located on the Campus on Lewiston Road in the Town of Lewiston, Niagara County, New York, (ii) the construction on the Dormitory Land of six residential buildings containing in the aggregate approximately 64,200 square feet of space (collectively, the "Dormitory Facility"), (iii) the acquisition and installation therein and thereon of certain machinery and equipment (the "Dormitory Equipment"), and (iv) the refinancing of

certain existing indebtedness incurred by the University in connection with the acquisition, construction and equipping of the Dormitory Facility, all of the foregoing to constitute the financing and/or refinancing of student housing and related facilities for use by the University (the Dormitory Land, the Dormitory Facility and the Dormitory Equipment being collectively referred to as the "Dormitory Project Facility"); and (c) the financing of all or a portion of the costs of the foregoing by the issuance of the Series 2001A Bonds and the lease of the Non-Residential Project Facility and the Dormitory Project Facility by the NCIDA to the University; (B)(i) the acquisition, construction and equipping on the Campus of an approximately 50,000 square foot science building to house the University's science laboratories, classrooms and office space for the University's biology, chemistry, physics, bioinformatics and computational chemistry departments (the "Science Building"), (ii) the renovation, upgrading and conversion of the existing approximately 27,000 square foot residential facility known as "Meade Hall" to office and related space for the University's institutional advancement and admissions departments, (iii) the construction on the Campus of surface parking areas containing approximately 520 additional parking spaces (the "Parking Improvements"), (iv) the infrastructure improvements, consisting of: (a) the renovation, equipping and modernization of gas, water and electric distribution infrastructure throughout the Campus, (b) the renovation, equipping and modernization of storm sewer and waste sewer infrastructure throughout the Campus, and (c) the renovation, equipping and modernization of the refrigeration and cooling systems at the University's ice arena (collectively, the "Infrastructure Improvements" and, together with Meade Hall, the Science Building and the Parking Improvements, the "Improvements"), and (v) the acquisition and installation in and around the Improvements of certain items of equipment, machinery and tangible personal property (the "Equipment" and, together with the Improvements, the "Facility"); (C) the payment of certain of the costs of issuing the Bonds; and (D) the funding of a deposit to the debt service reserve fund, if any, to secure the Bonds (the costs associated with items (A) through (D) above being hereinafter collectively referred to as, the "Project Costs"), and

WHEREAS, pursuant to Section 147(f) of the Code, interest on the Bonds will not be excluded from gross income for federal income tax purposes unless the issuance of the Bonds is approved by the Legislature after a public hearing to consider the issuance of the Bonds has been conducted following reasonable public notice, and

WHEREAS, on March 9, 2012, the Issuer held such a public hearing upon proper notice in compliance with the Code, and

WHEREAS, to aid the Legislature in its deliberations, the Issuer has made available to the members of the Legislature prior to this meeting (a) the Institution's application to the Issuer for financial assistance; (b) the notice of public hearing published by the Issuer on February 23, 2012 in the Niagara Gazette, along with the affidavit of publication of such newspaper; and (c) minutes of the Public Hearing, attended on behalf of the Issuer by Susan Langdon, Director of Project Development for the Issuer, and

WHEREAS, the Legislature, after due consideration of the foregoing, as the "applicable elected representative" of the County, within the meaning of Section 147(f)(2)(E) of the Code, desires to approve the issuance of the Bonds, provided the principal, premium, if any, and interest on the Bonds shall be special obligations of the Issuer and shall never be a debt of the State of New York (the "State") or any political subdivision thereof, including without limitation, the County and neither the State nor any political subdivision thereof, including without limitation, the County shall be liable thereon, and

NOW, THEREFORE, BE IT RESOLVED BY THE NIAGARA COUNTY LEGISLATURE:

Section 1. For the purpose of satisfying the approval requirement of Section 147(f) of the Code, on the recommendation of the Economic Development Committee and the Administration Committee, the Legislature (as the elected legislative body of Niagara County, New York) hereby gives its approval of the issuance by the Issuer of its Bonds and related acts to be taken by the Issuer as part of the Project; *provided*, that the Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State or any political subdivision thereof, including without limitation, the County, and neither the State nor any political subdivision thereof, including without limitation, the County, shall be liable thereon. This approval is given pursuant to Section 147(f) of the Code for the sole purpose of qualifying the interest payable on the Bonds for exclusion from gross income for Federal income tax purposes pursuant to the provisions of Sections 103 and 141-150 of the Code.

Section 2. This Resolution shall be deemed to be made for the benefit of the holders of the Bonds.

Section 3. This Resolution shall take effect immediately.

The foregoing Resolution was offered by _____ and seconded by _____.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>YEA</u>	<u>NEA</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Clyde L. Burmaster	[]	[]	[]	[]
William L. Ross	[]	[]	[]	[]
Cheree J. Copelin	[]	[]	[]	[]
Owen T. Steed	[]	[]	[]	[]
Jason A. Zona	[]	[]	[]	[]
Dennis F. Virtuoso	[]	[]	[]	[]
Kathryn Lance	[]	[]	[]	[]
Peter E. Smolinski	[]	[]	[]	[]
Paul B. Wojtaszek	[]	[]	[]	[]
David E. Godfrey	[]	[]	[]	[]
Richard E. Updegrove	[]	[]	[]	[]
Anthony J. Nemi	[]	[]	[]	[]
Wm. Keith McNall	[]	[]	[]	[]
John Syracuse	[]	[]	[]	[]
Michael A. Hill	[]	[]	[]	[]

The Resolution was thereupon duly adopted.

STATE OF NEW YORK)
)
COUNTY OF NIAGARA) ss.:

This is to certify that I, the undersigned, Clerk of the Niagara County Legislature, Niagara County, New York, have compared the foregoing copy of the Resolution with the original Resolution now on file in my office and which was passed by the Niagara County Legislature on the 20th day of March, 2012, a majority of all the members elected to the Board voting in favor thereof, and that the same is a correct and true transcript of such original resolution and of the whole thereof.

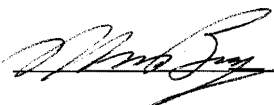
IN WITNESS WHEREOF, I have hereunto set my hand and official seal of the Niagara County Legislature, this ____ day of March, 2012.

Mary Jo Tamburlin, Clerk of the
Niagara County Legislature

[SEAL]

NIAGARA COUNTY LEGISLATURE

FROM: Legislator Peter E. Smolinski **DATE:** 03/20/12 **RESOLUTION #** IL-013-12

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

**REQUESTING AN ACT TO AMEND THE ARTS AND CULTURAL AFFAIRS LAW
IN THE RELATION TO THE APPOINTMENT OF LOCAL HISTORIANS IN THE COUNTY OF
NIAGARA, PURSUANT TO SENATE BILL NO. S-234 AND ASSEMBLY NO. A-5139**

WHEREAS, local historians in the County of Niagara provide valuable services to the residents of the County of Niagara, and

WHEREAS, the services provided by the local historians in the County of Niagara include, among other things, the collection and preservation of local government documents with enduring historical value, the collection and preservation of non-governmental historical records, and the performance and promotion of research in such historical information, and

WHEREAS, the services provided by local historians in the County of Niagara enrich the awareness, appreciation, knowledge and understanding of the community's rich history, and

WHEREAS, candidates appointed in the County of Niagara to the position of a local historian should be selected solely on their knowledge, experience, credentials and love of history, and

WHEREAS, it is in the best interests of the County of Niagara to appoint local historians with expert knowledge in the County's history to serve as local historians, and

WHEREAS, the chief executive officer of each county, city, town, or village is the individual best suited to appoint the local historian and any deputy local historian in such county, city, town, or village, now, therefore, be it

RESOLVED, the Niagara County Legislature hereby requests the New York State Legislature to amend section 57.07 of the Arts and Cultural Affairs Law to provide that the County Historian for the County of Niagara and the local historian for any city, town or village located within the County of Niagara shall be appointed by the chief executive officer of such county, city, town or village and that the appointment of such historians, as well as any deputy historians working with such historians, shall not be subject to civil services requirements, and be it further

RESOLVED, that the Clerk of the Niagara County Legislature is hereby authorized and directed to execute the proper Home Rule documents and immediately forward them to the New York State Legislature.

LEGISLATOR PETER E. SMOLINSKI

NIAGARA COUNTY LEGISLATURE

FROM: Legislators John Syracuse, Michael Hill, Richard E. Updegrave, Clyde L. Burmaster, David E. Godrey, Anthony J. Nemi and Kathryn L. Lance **DATE:** 03/20/12 **RESOLUTION #** IL-014-12

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

Kathryn L. Nemi

RESOLUTION CALLING ON NEW YORK STATE LEGISLATURE TO REMOVE ASSEMBLY-BACKED "MICROSTAMPING" PROVISION FROM FINAL STATE BUDGET AND WESTERN NEW YORK DELEGATION TO VOTE IN THE NEGATIVE ON ANY BUDGET BILL CONTAINING "MICROSTAMPING" LANGUAGE

WHEREAS, the Second Amendment to the Constitution of the United States clearly states that "the right of the people to keep and bear Arms, shall not be infringed", and

WHEREAS, Article XII of the Constitution of the State of New York clearly states, "The defense and protection of the state and of the United States is an obligation of all persons within the state", and

WHEREAS, the New York State Assembly did incorporate the language of a bill, A.1157B, that requires currently non-existent "microstamping" technology to be incorporated into all firearms sold in New York State, into the Assembly's budget bill, A.9055C, and

WHEREAS, the inclusion of a provision, which was authored by Member of the Assembly Michelle Schimel, whose district is in Great Neck, a New York City suburb based on Long Island, in the budget bill is a cynical manipulation of the legislative process designed to gain passage of a provision that would otherwise fail to gain passage legislatively, and

WHEREAS, microstamping has proven to be an exceedingly costly mandate placed upon law-abiding gun owners that uses technology that has been repeatedly proven to be marginally effective at best, and

WHEREAS, the rationale that microstamping would make it possible to tie a criminally-fired handgun to its owner is doubtful, given that, according to the Bureau of Alcohol, Tobacco, Firearms and Explosives, 88% of guns utilized in the commission of crimes are acquired through "unregulated channels," and that the median time between the acquisition of a gun and its use in a crime is 6.6 years, and

WHEREAS, microstamping of expended ammunition cartridges would only be of value in cases where expended cartridges are ejected, thus ensuring that revolvers would remain untraceable using the dubious technology in question, and

WHEREAS, a 2006 study by the University of California-Davis concluded that microstamping technology repeatedly failed to produce readable micro-stamped characters, negating the purpose of such a mandate, and

WHEREAS, the language of A.1157B, as incorporated in A.9055C, fails to provide for a funding mechanism for the construction of computer databases that would be necessary to cross-check any ammunition casings found at a crime that actually contained readable micro-stamped information, and

WHEREAS, the Legislature of the County of Niagara did unanimously enact IL-036-11, "A Resolution Calling on the New York State Legislature to Reject S.675A, a Bill that Would Place a Costly and Ineffective

Microstamping Regime on Handguns in New York, and Admonishing the Assembly for the Passage of the Unconstitutional Gun Control Bill A.1157A,” on June 7, 2011, and

WHEREAS, the language of A.1157B, as incorporated in A.9055C, is virtually identical to the language of A.1157A, which this Legislature has already opposed, and

WHEREAS, the County of Niagara is home to a thriving sporting industry, as evidenced by the presence of the Fin-Feather-Fur Conservation Society, the Hartland Conservation Club, the Iroquois Arms Collectors Association, the Lake Ontario Trout & Salmon Association, the LaSalle Sportsman’s Club, the Lockport Conservation Club, the Middleport Rod & Gun Club, the N.Y.S. Crossbow Hunter’s Association, the Niagara County Chapter of SCOPE, the Niagara County Gobblers Chapter NWTF, the Niagara County Sportsmen’s Association, the Niagara County Trappers Association, the Niagara Musky Association, the Niagara Frontier Friends of the NRA, the Niagara River Anglers Association, the North American Bear Foundation, the North Forest Rod & Gun Club, the Pheasants Forever of WNY #29 - Pioneer Conservation Sportsmen’s of Niagara County, the Rapids Rod & Gun Club, the Somerset Conservation Club, the Tonawanda Sportsmen’s Club, the Wheatfield Firearms Safety & Education Committee, the Wilson Conservation Club Auxiliary, the Wilson Conservation Club and the Wolcottsville Rod & Gun Club, among others, and

WHEREAS, it is the right of the citizens of Niagara County to take any reasonable measures necessary to be secure in their homes against criminals and other dangerous trespassers, and this Legislature opposes such government interference in the practice of that right as shall increase costs to make a Constitutional right too costly to practice, now, therefore, be it

RESOLVED, that the Legislature of the County of Niagara does hereby oppose the enactment of the provisions of A.9055C that require “microstamping”, and be it further

RESOLVED, that the Legislature of the County of Niagara admonishes Speaker of the Assembly Sheldon Silver and Member of the Assembly Schimel for their manipulation of the legislative process and disregard for popular will, as well as their disregard for the Second Amendment and those rights it guarantees to all Americans, and further for that deliberative body’s failure to provide funding mechanism for a massive new costly mandate in the form of a microstamping database, and be it further

RESOLVED, that the Legislature of the County of Niagara praises its full delegation to the New York State Assembly for voting in the negative on A.9055C, and urges them to continue to oppose the budget bill so long as “microstamping” provisions are included, and be it further

RESOLVED, that the Legislature of the County of Niagara does hereby commend the honorable members of the New York State Senate for showing greater reverence for the Constitution of the United States than their misguided counterparts in the Assembly, and not including provisions that violate the Second Amendment in their version of the state budget bill, and be it further

RESOLVED, that the Legislature of the County of Niagara calls upon the entire Western New York delegation to the New York State Legislature to vote in the negative on any budget bill that contains “microstamping” provisions, and be it further

RESOLVED, that the County of Niagara shall forward copies of this Resolution to Governor Andrew M. Cuomo, Senate Vice President Pro Tem George D. Maziarz; 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

LEGISLATOR MICHAEL HILL

LEGISLATOR RICHARD E. UPDEGROVE

LEGISLATOR CLYDE L. BURMASTER

LEGISLATOR DAVID E. GODFREY

LEGISLATOR ANTHONY J. NEMI

LEGISLATOR KATHRYN L. LANCE

NIAGARA COUNTY LEGISLATURE

FROM: Legislator Kathryn L. Lance DATE: 03/20/12 RESOLUTION # IL-015-12

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

**RESOLUTION CALLING UPON NIAGARA COUNTY'S CONGRESSIONAL
DELEGATION, GOVERNOR CUOMO, THE DEPARTMENT OF DEFENSE,
THE DEPARTMENT OF THE AIR FORCE, AND THE NATIONAL GUARD BUREAU
TO ENACT PROPOSED TRANSITION TO RECONNAISSANCE ROLE FOR 107th AIR WING,
WITH AIR WING REMAINING AT NIAGARA FALLS AIR RESERVE STATION**

WHEREAS, the Legislature of the County of Niagara does consider the Niagara Falls Air Reserve Station an integral part of this county, and

WHEREAS, the Niagara Falls Air Reserve Station does employ approximately 3,500 individuals from Niagara and Erie counties, as well as the rest of Western New York, and

WHEREAS, the Niagara Falls Air Reserve Station does have a direct impact on local economies of \$168 million per annum, and

WHEREAS, the loss of jobs and revenue from the closure of one of Niagara County's single largest employers would have devastating consequences for the region's economy, and would likewise have devastating consequences for hundreds of Niagara County families, and

WHEREAS, the Federal Government has announced plans to enact massive wartime cuts to the defense portion of the federal budget, totaling \$487 billion over ten years, and

WHEREAS, the Defense Cuts also include the elimination of the 107th Airlift Wing of the New York Air National Guard, one of two missions currently assigned to the Niagara Falls Air Reserve Station, and

WHEREAS, the Council of Governors has proposed changing the mission of the 107th to a reconnaissance role, assigning either MC-12 reconnaissance aircraft or Unmanned Aerial Vehicles to said Air Wing, and

WHEREAS, the Niagara County Legislature does endorse any viable plan to preserve the 580 Air National Guard jobs, as well as full-time civilian support positions, at the Niagara Falls Air Reserve Station, now, therefore, be it

RESOLVED, the Legislature of the County of Niagara endorses the proposals of the Council of Governors in re-modifying the mission of the 107th Air Wing at the Niagara Falls Air Reserve Station, and be it further

RESOLVED, the Legislature of the County of Niagara strongly encourages U.S. Representative Kathleen C. Hochul, U.S. Representative Louise M. Slaughter, U.S. Senator Charles E. Schumer, and U.S. Senator Kirsten E. Gillibrand to introduce legislation to the same effect, and be it further

RESOLVED, the Legislature of the County of Niagara hereby calls upon the Honorable Andrew M. Cuomo, Governor of the State of New York, to endorse the same in consultation with The Adjutant General of the State of New York, Major General Patrick A. Murphy, and be it further

RESOLVED, the Legislature of the County of Niagara hereby urges the Department of Defense, Department of the Air Force, National Guard Bureau, and such subordinate agencies as shall have various responsibilities to produce such transition plans as are necessary to implement the vision of the Council of Governors to initiate that process, and be it further

RESOLVED, that the Clerk of the Niagara County Legislature is hereby directed to send copies of this resolution to President Barack H. Obama; Secretary of Defense Leon Panetta; Secretary of the Air Force Michael B. Donley; U.S. Senator Charles E. Schumer; U.S. Senator Kirsten E. Gillibrand; U.S. Senate Armed Services Committee Chairman Carl Levin; U.S. Senate Armed Services Committee Ranking Member John McCain; U.S. Representative Kathleen C. Hochul; U.S. Representative Louise M. Slaughter; U.S. House of Representatives Armed Services Committee Chairman Buck McKeon; Governor Andrew M. Cuomo; General Norton A. Schwartz, Chief of Staff of the United State Air Force; General Craig R. McKinley, Chief, National Guard Bureau; Lieutenant General Harry M. Wyatt III, Director, Air National Guard; Major General Patrick A. Murphy; Niagara Military Affairs Council Chairman Merrell Lane; Mr. Steve Hyjek, and all others deemed appropriate.

LEGISLATOR KATHRYN L. LANCE