

OFFICIAL RECORD

Lockport, New York
March 21, 2017

A public hearing was held pursuant to IL-016-17, adopted by the Legislature on February 21, 2017, for the purpose of considering a proposed Local Law Amending Local Law 5 of 2015 the County of Niagara New York, Establishing the Niagara County Animal Abuser Registry. Legislator Syracuse opened the hearing at 6:30 p.m. and closed it at approximately 6:35 p.m.

A public hearing was held pursuant to IF-022-17, adopted by the Legislature on February 21, 2017, for the purpose of considering a proposed Local Law Amending Local Law No. 1 of 1994 Establishing a Sewer Use Law for Niagara County Sewer District No. 1. Legislator Syracuse opened the hearing at 6:45 p.m. and closed it at approximately 6:35 p.m.

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 Hill and Nemi.

PRESENTATIONS:

1. Legislator Virtuoso invited Niagara Falls Memorial Medical Centers Coordinator of Cancer Services and Former Legislator Renae Kimble and Community Health Worker Alyse Green to the lectern to discuss the many different services and free screenings Niagara Falls Memorial Medical Center offers as March Colon Cancer Awareness Month.

2. Legislator Godfrey invited Jonathan Schultz, Director of Emergency Services and Mark K. thanked them and their staff for the outstanding work they did during the Windstorm on March 8th and how Niagara County's Radio Dispatch System performed flawlessly.

2 citizens spoke at this time.

CORRESPONDENCE:

Chairman McNall recognized all the Department Heads on the great Grant writing they have been doing and he also had 2016 Annual Audit Report if anyone wished to review.

Chairman McNall announced that resolution CSS-019-17 was being removed from the preferred and placed on the regular agenda.

Moved by Godfrey, seconded by Collins

Moved by Bradt, seconded by Virtuoso to accept the preferred agenda.
Carried.

Resolution No. AD-003-17

From: Administration Committees

Dated: March 21, 2017

**REAL PROPERTY TAX CORRECTIONS/CANCELLATIONS
NO. COE- 2017 - A**

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-2017 – 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.

Filename: COE-2017 A

Date: February 10, 2017

Exhibit # COE-2017 A – Page 1 of 1

Town of Wheatfield

Owner: Elm Holdings, Inc.

<u>SBL#:</u>	<u>Tax Year</u>	<u>Refund Amount</u>
132.00-1-16.12	2017	\$12,070.38

Due to a clerical error in the calculation of water usage, this parcel was assigned an incorrect number of sewer units. Instead of 138 units, the parcel was charged for 196.

In light of this, the 2017 Niagara County Tax Billing shall be reduced by the amount of \$12,070.38 and the Niagara County Treasurer's Department shall accept the revised tax amount due without interest or penalty if paid within eight (8) days of the mailing of the notice of this approval to the property owner.

A refund/credit in the amount of \$12,070.38 shall be issued to Elm Holdings, Inc.

Original Billing: \$42,948.67 Revised Billing: \$30,878.30

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. CS-012-17

From: Community Services Committees

Dated: March 21, 2017

MH - 2017 BUDGET MODIFICATION – ABOLISH, CREATE AND FILL

WHEREAS, the Niagara County Department of Mental Health provides services to adults with mental illness and substance use disorders who are living in Niagara County, and

WHEREAS, Niagara County Department of Mental Health has been awarded grant funding from the Substance Abuse and Mental Health Services Administration, Center for Mental Health Services, to participate in the Primary and Behavioral Health Care Integration (PBHCI) program, and

WHEREAS, this funding will allow Niagara County Department of Mental Health to fully integrate and coordinate behavioral health, physical health, and wellness services for seriously mentally ill adults, including those with co-occurring substance use disorders, in Niagara County, NY through the expansion of our primary care services, the development of health and wellness classes, and the expansion of our partnership with community agencies, such as Northpointe Council and the Mental Health Association of Niagara County, and

WHEREAS, the SAMHSA Primary and Behavioral Health Care Integration (PBHCI) grant funding requirements give specific staffing criteria to provide direct care services, supervision, and assistance to Niagara County Department of Mental Health administration to ensure the success of the integrated care services, and to be consistent with the rules and regulations of the New York State Office of Mental Health and New York State Office of Alcoholism and Substance Abuse Services, and

WHEREAS, following four months of active recruitment, we have been unable to fill the Supervising Community Mental Health Nurse position, and

WHEREAS, the supervision responsibilities of the Niagara County Department of Mental Health Adult Mental Health Clinics Supervisor have changed, allowing time for the Clinics Supervisor to take on the additional supervision responsibilities of the SAMHSA Primary and Behavioral Health Care Integration (PBHCI) grant, which would have been assigned to the Supervising Community Mental Health Nurse position and a Registered Professional Nurse would meet the grant requirements for providing direct care nursing services, now, therefore, be it

RESOLVED, that one (1) Supervising Community Mental Health Nurse position, Grade 13, Step 1, at an hourly rate of \$30.11 be abolished effective March 26, 2017 and that one (1) Registered Professional Nurse - Mental Health position, Grade 10, Step 1, at an hourly rate of \$23.59 be created within the Niagara County Department of Mental Health, and filled effective March 26, 2017, to carry out the required roles and responsibilities to integrate and coordinate behavioral health, physical health, and wellness services for seriously mentally ill adults, including those with co-occurring substance use disorders under the guidelines and requirements of the SAMHSA Primary and Behavioral Health Care Integration (PBHCI) grant, and be it further

RESOLVED, that the following 2017 Budget modification be effectuated:

INCREASE REVENUES:

A.21.4310.000.44490	Mental Health Revenue	\$48,880
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INCREASE APPROPRIATIONS:

A.21.4310.000.71010.XXXXX	Positions	
\$33,026		
A.21.4310.000.78100	Retirement	3,071
A.21.4310.000.78200	FICA	2,526
A.21.4310.000.78300	Worker's Comp	446
A.21.4310.000.78400.01	Insurance, Health Active Hospital/Medical	8,541
A.21.4310.000.78400.05	Insurance HRS Employer Contribution	850
A.21.4310.000.78700	Disability	64
A.21.4310.000.78800.00	Flex 125 Employer Contribution Expense	356

DECREASE REVENUES:

A.21.4310.000.44490	Mental Health Revenue	\$59,534
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DECREASE APPROPRIATIONS:

A.21.4310.000.71010.13284	Positions	\$42,154
A.21.4310.000.78100	Retirement	3,920
A.21.4310.000.78200	FICA	3,225
A.21.4310.000.78300	Worker's Comp	569
A.21.4310.000.78400.05	Insurance HRS Employer Contribution	9,609
A.21.4310.000.78700	Disability	57

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. CS-013-17

From: Community Safety Committee

Dated: March 21, 2017

DMV FEE RETENTION INCREASE

WHEREAS, 51 of 62 New York Counties are mandated by the State to operate a local Department of Motor Vehicles Office, and

WHEREAS, local DMV offices process many no fee transactions on behalf of the state and provide numerous customer services, and

WHEREAS, under current law, the Niagara County Clerk pays 87.3% of all fees collected from the work performed by the County DMV to the New York State Motor Vehicles Department, and

WHEREAS, the remaining 12.7% county share has not been increased since 1999, yet the amount of work required by the County DMV office has increased in that same time period, and

WHEREAS, increasing the County DMV revenue sharing rate with the State will not result in any increased costs or fees to local residents or taxpayers and will provide counties with the needed revenue to continue to provide necessary local government services, and

WHEREAS, there is a clear inequity present when a county DMV provides all the services, including overhead and staffing to fulfill these DMV needs for state residents, yet the State is paid 87.3% of the revenue generated from said services, and

WHEREAS, Senate Bill S1908, sponsored by Senator Patty Ritchie and co-sponsored by Senator Robert G. Ort, and Assembly Bill A3397 provide a more equitable distribution of fees that would require 75% of all fees for in-office transactions to be forwarded to the State with the county retaining 25% of these fees, with the exception that the amount of county retention of the fee for Enhanced Driver's Licenses would increase from 30% to 60% and the counties would retain 8% of the total fee for internet transactions processed for their perspective county residents, and

WHEREAS, counties recognize the important function of the State DMV in providing both support to counties and resident services; accordingly any loss the State DMV operational budget that occurs from increasing county revenue should be made whole through the State General Fund, now therefore be it

RESOLVED, that the Niagara County Legislature call upon Governor Andrew M Cuomo and members of the State Legislature to pass and approve Senate Bill 1908 and Assembly Bill 3397, and be it further

RESOLVED that copies of this resolution be sent to Governor Andrew M. Cuomo, the New York State Executive Deputy Commissioner of Motor Vehicles, and all others deemed necessary and proper.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. CSS-014-17

From: Community and Security Committee

Dated: March 21, 2017

**NIAGARA COUNTY SHERIFF'S OFFICE – ACCEPT GRANT
STOP FORMULA GRANT-NYSDCJS**

WHEREAS, the Niagara County Sheriff's Office received notification that we are being awarded \$66,750 from the New York State Department of Criminal Justice Services through the Violence Against Women's Act, for the period of January 1, 2017 and ending on December 31, 2017, as the second 1 year renewal option, and

WHEREAS, these grant funds provide funding for our Domestic Violence Intervention Program to enhance and improve the services for all affected residents residing in the County of Niagara by providing comprehensive and consistent early intervention to victims of domestic violence, and

WHEREAS, the funds were included in the 2017 budget, now therefore, be it

RESOLVED, that Niagara County accept the grant and be it further

RESOLVED, that the Chairman of the Legislature be authorized to execute said contract upon review and approval of the County Attorney.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. CSS-015-17

From: Community and Security and Administration Committee

Dated: March 21, 2017

**NIAGARA COUNTY SHERIFF'S OFFICE-BUDGET MODIFICATION
DOMESTIC CANNABIS ERADICATION**

WHEREAS, the Niagara County Sheriff's Office wishes to continue an agreement with the U.S. Department of Justice, Drug Enforcement Administration for the 2017 year, and

WHEREAS, this agreement allows the Sheriff's Office to work in conjunction with the local DEA Office to curtail illegal trafficking and in eradication of illicit cannabis plants throughout Niagara County, and

WHEREAS, the DEA will reimburse the Sheriff's Office for the costs incurred with this project, now therefore, be it

RESOLVED, that the County continue an agreement with the U.S. Department of Justice, and be it further

RESOLVED, that the following budget modification be made:

INCREASE REVENUE:

A.17.3110.000.44389.04	Federal Aid	\$30,000
	Other Public Safety	
	Operation Green Monster	

INCREASE APPROPRIATIONS:

A.17.3110.000.71050.00	Overtime	\$18,000
A.17.3110.000.74750.05	Law Enforcement Supplies	1,000
A.17.3110.000.74600.03	Training/Education	1,000
A.17.3110.000.74800.11	Vehicle Maintenance	5,000
A.17.3110.000.74400.09	Payments to Other Agencies	5,000

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. CSS-016-17

From: Community Services and Administration Committees

Dated: March 21, 2017

**ABOLISH D.S. CHIEF FORENSIC CHEMIST/CREATE 0DIRECTOR OF FORENSIC
LABORATORY AND TEMPORARY CHIEF FORENSIC CHEMIST
NIAGARA COUNTY SHERIFF'S OFFICE FORENSIC LABORATORY**

WHEREAS, Niagara County has a forensic laboratory which is accredited by New York State and must maintain high standards to ensure accuracy and credibility within the law enforcement community as well as the court system, and

WHEREAS, the Niagara County Sheriff's Office forensic laboratory will be experiencing another vacancy due to retirement within the next month, and

WHEREAS, to continue to maintain the integrity of the laboratory we need to plan for a smooth transition, and

WHEREAS, the position of Deputy Sheriff Chief Forensic Chemist has been reclassified by Civil Service as a civilian position upon the incumbent vacating, and

WHEREAS, we have been notified that the Deputy Sheriff Chief Forensic Chemist will be retiring in April 2017, and

WHEREAS, with this retirement there is a need for a civilian position (Director of Forensic Laboratory), and

WHEREAS, this position is highly technical and vital to the Sheriff's Office Forensic Laboratory and the position responsibilities are critical for the proper functioning of the forensic laboratory with accreditation and legal ramifications, and

WHEREAS, the Sheriff's Office wishes to abolish the Deputy Sheriff Chief Forensic Chemist, and

WHEREAS, due to the highly technical nature of the forensic laboratory positions the ability to attract qualified candidates within Niagara County may be limited, now, therefore, be it

RESOLVED, that the Deputy Sheriff Chief Forensic Chemist position (#382) at an hourly rate of \$40.73 per hour be abolished effective April 29, 2017, and be it further

RESOLVED, that one Director of Forensic Laboratory (40 hours per week) position be created and filled Flat Salary appointed position Grade 16A Step 5 effective April 30, 2017, and be it further

RESOLVED, that a temporary, part time no benefits position, Chief Forensic Chemist be created and filled effective April 30, 2017 for a period not to exceed 60 days from the permanent appointment of the new Director of Forensic Laboratory, and be it further

RESOLVED, that the cost for the temporary position will come from personnel lines within the Sheriff's Office budget, and therefore will not incur any additional county cost, and be it further

RESOLVED, that the Niagara County Sheriff's Office be granted a one-time residency waiver to fill the Director of Forensic Laboratory position if the most qualified candidate resides outside of Niagara County, and be it further

RESOLVED, that the following line item transfers be effectuated:

FROM:

A.17.3110.000.71010.00	Positions (D.S. Chief Forensic Chemist #382)	\$57,022
A.17.3150.000.71010.00	(General Repairperson II #4659)	\$2,755
A.17.3110.000.71032.00	Training Allowance	\$855
A.17.3110.000.71034.00	Briefing Time	\$1,375
A.17.3110.000.71035.00	Uniform allowance	\$538
A.17.3110.000.78100.00	Retirement Expense	\$15,605
A.17.3110.000.78200.00	FICA Expense	\$4,574
A.17.3110.000.78300.00	Worker's Compensation Expense	\$807
A.17.3110.000.78400.01	Insurance, Health Active Hosp/Med	\$9,490

TO:

A.17.3110.000.71010.00	Positions (Director of Forensic Laboratory-#XXXX) (Temp. Chief Forensic Chemist-#XXXX)	\$63,196 7,820
A.17.3110.000.78100.00	Retirement Expense	\$5,877
A.17.3110.000.78200.00	FICA Expense	\$5,433
A.17.3110.000.78300.00	Worker's Compensation Expense	\$959
A.17.3110.000.78400.01	Insurance, Health Active Hosp/Med	\$8,530
A.17.3110.000.78400.05	Insurance, Health HRA Employer Contribution	\$850
A.17.3110.000.78800.00	Flex 125 Employer Contribution Expense	\$356

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. CSS-017-17

From: Community Safety & Security and Administration Committees

Dated: March 21, 2017

NIAGARA COUNTY SHERIFF'S OFFICE-FIREARMS CONSULTING AGREEMENT

WHEREAS, the Niagara County Sheriff's Office has been notified of retirement of a Deputy Sheriff Forensic Chemist in April 2017, and

WHEREAS, this Deputy Sheriff Forensic Chemist is the only qualified firearms examiner that the Niagara County Sheriff's Office Forensic Laboratory has had for the past 27 years, and

WHEREAS, the Sheriff's Office has reclassified the Deputy Sheriff Forensic Chemist position as a Forensic Criminalist which is eligible to be filled as of May 7, 2017, and

WHEREAS, there is a critical shortage of qualified firearms examiners in New York State creating firearms case backlogs to increase throughout the state, and

WHEREAS, the training period for an individual to become a qualified firearms examiner is an extensive 2 year process requiring limited training resources outside the county, and

WHEREAS, the Niagara County Sheriff's Office will have a continued need for qualified firearms examinations to be performed for cases, and

WHEREAS, the current firearms instructor has proposed to work with the Niagara County Sheriff's Office as an independent contractor strictly for the purpose of forensic firearms examinations until such time as a qualified replacement can be found, and

WHEREAS, the firearms examinations consultations will be paid for out of the Sheriff's Office existing budget line, and

WHEREAS, the Consulting Agreement has been reviewed and approved as to form by the County Attorney, now, therefore, be it

RESOLVED, that the Niagara County Sheriff's Office enter into a Consulting Agreement with Mark Shaw for forensic firearm examinations.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. CSS-018-17

From: Community Safety & Security and Administration Committees

Dated: March 21, 2017

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION-ACCEPT MEDICAL REIMBURSEMENT**

WHEREAS, Niagara County had a contract with CBH Medical PC Correctional Medical Care to provide medical care to the inmates at the Niagara County Correctional Facility which ended on August 14, 2016, and

WHEREAS, according to the contract, CBH Medical PC had to reconcile all of their expenses and if their total was below the aggregate cap, then a refund would be due to the Niagara County Sheriff's Office, and

WHEREAS, CBH Medical PC has issued a refund to the Niagara County Sheriff's Office in the amount of six thousand five hundred ninety-three and 33/100 dollars (\$6,593.33) and

WHEREAS, the Sheriff's Office has an outstanding need for ballistic protective vests for the road patrol and jail transport divisions, now, therefore, be it

RESOLVED, that the following line item transfers be effectuated:

INCREASE REVENUE:

A.17.3110.000.42210.01

Gov't. General Services-Other Gov't. General

\$6,593.33

INCREASE APPROPRIATION:

A.17.3110.000.72100.21

Law Enforcement Equipment

\$6,593.33

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. CSS-019-17

From: Community Services and Administration Committees

Dated: March 21, 2017

NIAGARA COUNTY SHERIFF'S OFFICE-LEASE AGREEMENT WITH TERRY'S CORNERS

WHEREAS, the Niagara County Sheriff's Office is required to maintain, for public safety purposes, a back-up dispatch center in the event of an emergency, and

WHEREAS, the Sheriff's Office has been looking for a suitable location to meet their needs, and

WHEREAS, the Terry's Corners Volunteer Fire Company has identified space within their facility that would be suitable to meet the needs of a back-up dispatch center, and

WHEREAS, the Terry's Corners Volunteer Fire Company has agreed to allow the lease of this space to be utilized as the back-up dispatch center, and

WHEREAS, the lease agreement has been reviewed and approved as to form by the County Attorney, now, therefore, be it

RESOLVED, that Niagara County enter into a lease agreement with Terry's Corners Volunteer Fire Company for the space.

Amendment:

Amendment of last RESOLVED, replaced with ..."RESOLVED, this will be submitted for a RFP to Niagara County Purchasing Department"...

Moved by Bradt, seconded by Syracuse to accept amendment

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. CSS-020-17

From: Community Safety & Security Committee

Dated: March 21, 2017

NIAGARA COUNTY PUBLIC DEFENDER'S OFFICE

EXTEND OFFICE OF INDIGENT LEGAL SERVICES (OILS) CASELOAD REDUCTION GRANT

WHEREAS, the 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 \$185,723 for the period of January 1, 2014 through December 31, 2016, and

WHEREAS, these funds are to be used to provide an attorney who will represent adults in Family Court in the Lockport courthouse and Niagara Falls courthouse, and

WHEREAS, Niagara County did not receive the approved contract until several months into the grant, and

WHEREAS, funds remain in the grant to be claimed, and

WHEREAS, a one-year extension is being requested to claim available funds, now, therefore, be it

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

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. CSS-021-17

From: Community Safety & Security and Administration Committees

Dated: March 21, 2017

**ABOLISH ASSISTANT DIRECTOR OF EMERGENCY SERVICES
POSITION/CREATE & FILL DEPUTY FIRE COORDINATOR POSITION**

WHEREAS, the duties of the vacant position of Assistant Director of Emergency Services do not meet the present needs of the Fire Coordinator, Director of Emergency Services and Niagara County, and

WHEREAS, a newly created position to address the current needs for the important administrative duties is necessary for the daily operations of the Fire Coordinator's Office, and

WHEREAS, the flexibility and scope of duties of a newly created position will better serve the Fire Coordinator with administrative, planning and supervising of County programs of fire training, mutual aid, preparedness, response, recovery and mitigation of emergency situations requiring the services of first responders countywide, now, therefore, be it

RESOLVED, that the position of Assistant Director of Emergency Services CSEA Job Group 9 at \$59,950.80, be abolished, and be it further

RESOLVED, that the position of Deputy Fire Coordinator, FLSA Status, Exempt/Admin., Grade 12 at \$59,886.00 per year, be created and filled.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. CSS-022-17

From: Community Safety & Security and Administration Committees

Dated: March 21, 2017

**RESCIND RESOLUTION OF FEBRUARY 13, 2017
AND RESUBMIT WITH 2017 BUDGET MODIFICATIONS TO HOMELAND SECURITY**

WHEREAS, on February 13, 2017, the Niagara County Legislature passed resolution # CSS-008-17 which approved budget modifications to allocate remaining 2016 expenses to 2017 Homeland Security budget account, now, therefore, be it

RESOLVED, that the Niagara County Legislature rescinds its resolution #CSS-008-17 of February 13, 2017, and be it further

RESOLVED, that the remaining funds from the previously approved 2016 Homeland Security budget be re-appropriated into the 2017 budget, and be it further

RESOLVED, that the previously approved county contribution to the 2015 Emergency Management Preparedness Grant (EMPG) and 2015 Hazardous Materials Emergency Preparedness Grant (HMEP) be re-appropriated from Fund Balance, and be it further

RESOLVED, that the following 2017 budget modification be effectuated:

INCREASE REVENUE: **SHSP15**

A.19.3645.000 44305.02	Civil Defense Homeland Security	\$457,431.62
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INCREASE APPROPRIATION: **SHSP15**

A.19.3645.000 72100.05	M&E Computer Equipment	\$40,000.00
A.19.3645.000 72100.14	M&E Equipment Misc Equipment	43,459.00
A.19.3645.000 72100.15	M&E Communications Equipment	197,911.28
A.19.3645.000 74300.01	Reimbursements Travel, Conference	4,360.86
A.19.3645.000 74375.04	Communications Leased Lines	31,975.00
A.19.3645.000 74500.01	Contractual Expenses	10,000.00
A.19.3645.000 74500.02	Contractual Exp. Maint. Svc Contracts	59,521.71
A.19.3645.000 74800.01	Maint. Communication Supplies/Svc	37,243.21
A.19.3645.000 74800.10	Maint. Misc Equip Under \$500	28,540.73
A.19.3645.000 74400.09	Misc. Expense Payments	4,419.83

INCREASE APPROPRIATION FUND BALANCE:

A.40599.00	Appropriated Fund Balance	\$2,935.00
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INCREASE REVENUE: **HMEP15**

A.3645.000 44305.02	Civil Defense Homeland Security	\$11,740.00
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INCREASE APPROPRIATION: **HMEP15**

A.3645.000 74800.10	Misc. Equipment Under \$500	\$14,675.00
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INCREASE APPROPRIATION FUND BALANCE:

A.40599.00	Appropriated Fund Balance	\$86,191.33
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INCREASE REVENUE: **EMPG15**

A.19.3645.000 44305.02	Civil Defense Homeland Security	\$86,191.32
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INCREASE APPROPRIATION: **EMPG15**

A.19.3645.000 74300.01	Reimbursements-Travel/Conf	\$2,484.65
A.19.3645.000 72100.11	M&E-Other Vehicles	45,854.40
A.19.3645.000 72100.15	M&E-Communications Equip	35,000.00
A.19.3645.000 74800.01	Communication-Supplies/Service	65,000.00
A.19.3645.000 74800.10	Misc. Equipment <\$500	24,043.60

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent -Hill and Nemi

Resolution No. CSS-023-17

From: Community Safety & Security and Administration Committees

Dated: March 21, 2017

**NIAGARA COUNTY SHERIFF'S OFFICE-BUDGET MODIFICATION
POLICE PROTECTION EQUIPMENT GRANT**

WHEREAS, the Niagara County Sheriff's Office has been awarded a grant in the amount of \$15,920 from the New York State Division of Criminal Justice Services to enhance the safety of police personnel, and

WHEREAS, the grant will allow the Niagara County Sheriff's Office to purchase police protective equipment to improve the safety of officers responding to active shooter incidents, terrorist attacks and other criminal events, and

WHEREAS, the 2017 budget will need to be modified to allow for the spending of this grant, now, therefore, be it

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

RESOLVED, that the 2017 budget be modified:

INCREASE REVENUE:

A.17.3110.000.44389.09	Other Public Safety	\$15,920
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INCREASE APPROPRIATIONS:

A.17.3110.000.74750.05	Law Enforcement Supplies	\$15,920
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Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent—Hill and Nemi

Resolution No. ED-005-17

From: Economic Development and Administration Committees

Dated: March 21, 2017

**AGREEMENT FOR FUNDING OF
FEASIBILITY STUDY FOR A MULTI-USE FACILITY**

WHEREAS, the Niagara County Legislature has tasked the Niagara County Department of Economic Development with writing a Request For Proposal, which will be issued by the Niagara County Purchasing Department, for a feasibility study of a multi-use facility in the City of Niagara Falls, and

WHEREAS, per IL-086-16, adopted December 13, 2016, the Niagara County Legislature allocated \$50,000 from revenues received by the county under 99-h Subdivision 3-a, towards a feasibility study for a multi-use facility to be sited in the County of Niagara, and

WHEREAS, the Honorable Robert G. Ort, New York State Senator, representing the 62nd District has secured \$50,000 in funding which will be used towards the feasibility study, and

WHEREAS, the Niagara Falls City Council, on February 6, 2017, voted in favor of an allocation of \$50,000 towards the feasibility study for a multi-use facility, and

WHEREAS, the City of Niagara Falls and the County of Niagara feel a Memorandum of Understanding would be in the best interests between them to set out any conditions and procedures, now, therefore, be it

RESOLVED, the Memorandum of Understanding prepared by the City of Niagara Falls and the County of Niagara for the conditions and procedures to develop the Request for Proposal and utilization of provided funding be approved following the County Attorney review and that the Chairman of the Niagara County Legislature is hereby authorized to execute the Memorandum of Understanding.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. ED-006-17

From: Economic Development and Administration Committees

Dated: March 21, 2017

**BUDGET MODIFICATION – ACCEPTANCE OF FUNDING
FEASIBILITY STUDY FOR A MULTI-USE FACILITY**

WHEREAS, the Niagara County Legislature has tasked the Niagara County Department of Economic Development with writing a Request For Proposal, which will be issued by the Niagara County Purchasing Department, for a feasibility study of a multi-use facility in the City of Niagara Falls, and

WHEREAS, per IL-086-16, adopted December 13, 2016, the Niagara County Legislature allocated \$50,000 from revenues received by the county under 99-h Subdivision 3-a, towards a feasibility study for a multi-use facility to be sited in the County of Niagara, and

WHEREAS, the Honorable Robert G. Ortt, New York State Senator, representing the 62nd District has secured \$50,000 in funding which will be used towards the feasibility study, and

WHEREAS, the Niagara Falls City Council, on February 6, 2017, voted in favor of an allocation of \$50,000 towards the feasibility study for a multi-use facility, now, therefore, be it

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2017 budget, upon the full execution of the Memorandum of Understanding between the County of Niagara and the City of Niagara Falls

INCREASE REVENUE:

A.28.8020.000 43089.03	State Aid Other Revenue Economic Development	\$50,000
A.28.8020.000 42372.01	Planning Services, Other Gov Revenue	\$50,000
	City of Niagara Falls	

INCREASE APPROPRIATIONS:

A.28.8020.000 74500.01	Contractual Expenses	\$100,000
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Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. ED-007-17

From: Economic Development and Administration Committees

Dated: March 21, 2017

**RESOLUTION TO HIRE CONSULTANT TO UPDATE THE
NIAGARA COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN**

WHEREAS, proposals from three (3) qualified individuals or firms capable of providing the professional and technical expertise needed to review and update the current Agricultural and Farmland Protection Plan for Niagara County were received on December 1, 2016, and

WHEREAS, the individuals or firms submitting proposals included LaBella Associates, D.P.C., of Buffalo, NY; ACDS, LLC of Columbia MD; and Wendel Companies from Williamsville, NY, and

WHEREAS, the following list contains the cost proposed by each vendor to review and update the current Agricultural and Farmland Protection Plan

<u>Vendor</u>	<u>Proposed Cost</u>
LaBella Associates, D.P.C.	\$29,000.00
ACDS, LLC	\$30,000.00
Wendel Companies	\$30,000.00

and

WHEREAS, the Niagara County Agricultural and Farmland Protection Board and Cornell Cooperative Extension of Niagara County interviewed the listed firms on January 26, 2017 and unanimously agreed to select LaBella Associates, D.P.C., to provide the professional and technical expertise needed to review and update the current Agricultural and Farmland Protection Plan for Niagara County, and

WHEREAS, LaBella Associates, D.P.C., has experience preparing Agricultural and Farmland Protection Plans for thirteen (13) local municipalities, and assisted in the preparation of the Erie County Agricultural and Farmland Protection Plan, and

WHEREAS, LaBella Associates, D.P.C., proposed a detailed action plan, clearly identifying tasks to achieve desired outcomes stated in the Request for Proposals ("RFP"), and a clearly defined public participation plan, and

WHEREAS, LaBella Associates, D.P.C., proposed to identify and develop three to five (3-5) "immediate actions" for Agricultural Economic Development with countywide impacts, now, therefore, be it

RESOLVED, that the Niagara County Agricultural and Farmland Protection Board and Cornell Cooperative Extension of Niagara County recommend that LaBella Associates, D.P.C., be awarded a contract in the amount of \$29,000.00 to complete the updates to the Niagara County Agricultural and Farmland Protection Plan.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-001-17

From: Infrastructure & Facilities and Administration Committees

Dated: March 21, 2017

APPROVAL OF CONTRACT ADDENDUM FOR ADDITIONAL SERVICES TO BE PERFORMED BY CHA CONSULTING, INC. FOR THE NIAGARA COUNTY REFUSE DISPOSAL DISTRICT REGARDING C&D LANDFILL, LANDFILL #1 AND LANDFILL #2

WHEREAS, the Niagara County Refuse Disposal District and CHA Consulting, Inc. entered into a contract whereby CHA Consulting, Inc. agreed to provide certain specified services for Niagara County Refuse Disposal District in regards to C&D Landfill. Landfill #1 and Landfill #2, and

WHEREAS, said contract was fully executed by the Niagara County Refuse Disposal District and CHA Consulting, Inc. on June 26, 2014, and

WHEREAS, said June 24, 2014 contract contains clauses which contemplate the eventuality of additional services to be performed by CHA Consulting, Inc. for the Niagara County Refuse Disposal District in regards to C&D Landfill, Landfill #1 and Landfill #2, and

WHEREAS, said June 24, 2014 contract contains clauses which permit said additional services to be performed pursuant to a valid written Amendment/Addendum to said June 24, 2014 contract which is to be signed by authorized representatives of Niagara County Refuse Disposal District and CHA Consulting, Inc., and

WHEREAS, additional services to be performed by CHA Consulting, Inc. for the Niagara County Refuse Disposal District in regards to C&D Landfill, Landfill #1 and Landfill #2 are necessary, and

WHEREAS, CHA Consulting, Inc. has submitted a detailed Scope of Work and the corresponding Professional Fees to be charged by CHA Consulting, Inc. to Niagara County Refuse Disposal District to complete the above-referenced additional services in regards to C&D Landfill, Landfill #1 and Landfill #2, and

WHEREAS, the proposed Professional Fees to be charged by CHA Consulting, Inc. to Niagara County Refuse Disposal District to complete the above-referenced additional services in regards to C&D Landfill, Landfill #1 and Landfill #2 shall not exceed \$72,096.00, and

WHEREAS, the Niagara County Refuse Disposal District wishes to enter into an Amendment/Addendum to the June 24, 2014 contract with CHA Consulting, Inc. for above-referenced additional services, and

WHEREAS, prior to the execution of the such contract Amendment/Addendum, the County Attorney will review all documents for approval as to legal form, language and compliance, now, therefore, be it

RESOLVED, that the Niagara County Refuse Disposal District is hereby authorized to enter into an Amendment/Addendum to the June 24, 2014 contract with CHA Consulting, Inc. Amendment/Addendum to complete the above-referenced additional services in regards to C&D Landfill, Landfill #1 and Landfill #2 and the amount to be paid by the Niagara County Refuse Disposal District to CHA Consulting Inc. for said additional services shall not exceed the amount of \$72,096.00, and be it further

RESOLVED, the following 2017 budget transfer is effectuated:

DECREASE APPROPRIATION:		
EL.30.8160.807.74650.05	Engineering Service	\$1,089.15
INCREASE APPROPRIATION:		
EL.30.9950.000 79010.00	Transfers to Capital Projects	\$1,089.15
INCREASE ESTIMATED REVENUE:		
H650.30.8997.000 45031.00	Interfund Transfers from Operating	\$1,089.15
INCREASE APPROPRIATION:		
H650.30.8997.000.72400.00 (C&D)	Capital Budget	\$1,089.15

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 Bradt, seconded by Virtuoso.
Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Dated: March 21, 2017

**BUDGET MODIFICATION
FILTER BASINS #7-10 REHABILITATION - WATER DISTRICT**

WHEREAS, the Niagara County Water District desires to upgrade gravity sand filters seven through ten at the Williams Road Water Treatment Plant, and

WHEREAS, the existing system has reached the end of its useful life and is experiencing reduced performance, and

WHEREAS, the proposed system will upgrade the four filters with a system that utilizes an IMS Cap in lieu of support gravel and includes provisions for the use of air water backwashing in the future, and

WHEREAS, the Niagara County Water District Administrative Board authorized Wendel to proceed with Design and Bidding Services, along with a Drain Valve Study for the Filter Basins #7-10 Rehabilitation project at a cost estimated to be \$125,000, with an overall estimated project cost of \$1,700,000 including construction, contingency, engineering and legal costs, and

WHEREAS, the Wendel Project Number will be 3146-17-03 and the project manager will be Brian Sibiga, and

WHEREAS, there are sufficient funds in the Water District's 2017 Operating Budget to cover the expenses through bidding, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

FX.31.8330.000.72100.27	Water System Improvements	\$125,000
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INCREASE APPROPRIATIONS:

FX.31.9950.000.79010.00	Transfer to Capital Construction	\$125,000
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INCREASE REVENUE:

H618.31.8397.000.45031.00	Interfund Transfer, From Operating	\$125,000
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INCREASE APPROPRIATION:

H618.31.8397.000.72100.27	Water -Filter Basins Rehabilitation	\$125,000
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Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-048-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

**AWARD OF CONTRACT – CATEGORY 6 CABLING INSTALLATION
FOR NIAGARA COUNTY TROTT ACCESS CENTER**

WHEREAS, the Information Technology Department has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Category 6 Cabling Installation for Niagara County Trott Access Center project, and

WHEREAS, funds are available in account number H597.15.1650.000.72100.26, Technology Systems – Capital; and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on December 20, 2016 as tabulated below:

	Bid
1. Ferguson Electric Construction Co., Inc. 333 Ellicott Street Buffalo, NY 14203	\$100,276.00
2. RONCO 595 Sheridan Drive Tonawanda, NY 14150	\$177,460.00

and

WHEREAS, the Infrastructure and 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 Category 6 Cabling Installation for Niagara County Trott Access Center project be awarded to the lowest responsible bidder, Ferguson Electric Construction Co., Inc., 333 Ellicott Street, Buffalo, NY 14203, in the amount of \$100,276.00, 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 Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-049-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

**AWARD OF CONTRACT – TROTT STEPS AND HANDICAPPED
ACCESSIBILITY RAMP**

WHEREAS, the Department of Public Works, Engineering Division has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Trott Steps and Handicapped Accessibility Ramp project, and

WHEREAS, funds are available in account number H502.15.1620.000 72400.00, Land Improvements, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on February 16, 2017 as tabulated below:

1. Millennium Construction Inc. 248 North Brier Road Amherst, NY 14228	\$ 93,960.00
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|----|---|--------------|
| 2. | Yarussi Construction Inc.
5650 Simmons Avenue
Niagara Falls, NY 14304 | \$147,000.00 |
| 3. | Walter S. Johnson Building Co., Inc.
P.O. Box 688
Niagara Falls, NY 14302 | \$147,700.00 |
| 4. | Pinto Construction Services Inc.
1 Babcock Street
Buffalo, NY 14210 | \$159,140.00 |

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 Trott Steps and Handicapped Accessibility Ramp project be awarded to the lowest responsible bidder, Millennium Construction Inc., 248 North Brier Road, Amherst, NY 14228, in the amount of \$93,960.00, 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 Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-050-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

**AWARD OF CONTRACT – NIAGARA COUNTY SHERIFF'S OFFICE
FENCING/SECURITY PROJECT**

WHEREAS, the Department of Public Works, Engineering Division has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Niagara County Sheriff's Fencing/Security project, and

WHEREAS, funds are available in account number H632.15.3197.000 72400.00, Land Improvements, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on February 16, 2017 as tabulated below:

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|----|--|--------------|
| 1. | Rommel Fence, LLC
17 Railroad St., P.O. Box 367
Poland, NY 13431 | \$250,000.00 |
| 2. | R.B. Mac Construction Co., Inc.
P.O. Box 424
Lockport, NY 14095 | \$252,000.00 |

- | | | |
|----|--|--------------|
| 3. | Woodsmith Fence Corp.
5610 Old Saunders Settlement Road
Lockport, NY 14094 | \$269,700.00 |
| 4. | New York State Fence Inc.
858 Manitou Road
Hilton, NY 14468 | \$279,800.00 |
| 5. | Walter S. Johnson Bldg. Co., Inc.
P.O. Box 688
Niagara Falls, NY 14302 | \$286,000.00 |
| 6. | Senco Precision Parts, LLC
210 River Street, Suite 23
Hackensack, NJ 07601 | \$309,000.00 |

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 Sheriff's Office Fencing/Security project be awarded to the lowest responsible bidder, Rommel Fence, LLC, 17 Railroad St., P.O. Box 367, Poland, NY 13431, in the amount of \$250,000.00, 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 Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-051-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

**NIAGARA COUNTY SHERIFF'S OFFICE FENCING/SECURITY PROJECT
CONSULTANT AMENDMENT NO. 1**

WHEREAS, Resolution No. IF-073-16, dated August 2, 2016, authorized the contract for consultant services for the Niagara County Sheriff's Office Fencing/Security Project to Foit Albert Associates, 763 Main Street, Buffalo, NY 14203, for a fee not to exceed \$40,412, and

WHEREAS, it is necessary to amend the contract for construction inspection and construction administration in the amount of \$9,511.00, for a revised contract amount of \$49,923.00, 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 consulting services be amended by \$9,511.00 for construction administration and construction inspection to Foit Albert Associates, 763 Main Street, Buffalo, NY 14203, for a fee not to exceed \$49,923.00, 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 Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-052-17

From: Infrastructure & Facilities and Administration Committee

Dated: March 21, 2017

**CONSULTANT SERVICES FOR THE JAIL ROOF AND HVAC REPLACEMENT
PROJECT-CONSULTANT AMENDMENT NO. 3**

WHEREAS, Resolution No. PW-141-14, dated December 9, 2014, selected Foit Albert Associates, 763 Main Street, Buffalo, NY 14203, to assist the County with the design for the replacement of the Jail Roof and HVAC replacement Project on Building No. 2, for a fee not to exceed \$221,583, and

WHEREAS, Resolution No. PW-007-15, dated February 17, 2015, authorized Amendment No. 1 to include Building No. 1 in the HVAC replacement project for a fee not to exceed \$42,765, of which \$2,900 was for Building No. 1 and \$39,865 was for Building No. 2, for a revised contract amount of \$264,348, and

WHEREAS, Resolution No. IF-078-16, dated August 2, 2016, authorized Amendment No. 2 to increase the contract by \$84,668 for the Jail Roof System/HVAC System Replacements for Building No. 1, for a revised contract amount of \$349,016, and

WHEREAS, it is necessary to increase the contract by \$19,111 for construction administration and construction inspection for Building No. 1 HVAC, for a revised contract amount of \$368,127, 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 Amendment No. 3 to increase the contract by \$19,111 for construction administration and construction inspection for Building No. 1 HVAC, for a revised contract amount of \$368,127 to Foit Albert Associates, 763 Main Street, Buffalo, NY 14203, be approved, 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 Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-050-17

From: Infrastructure & Facilities and Administration Committees

Dated: March 21, 2017

**LOCKPORT ROAD, WALMORE ROAD, AND WARD ROAD INTERSECTIONS
RECONSTRUCTION AND RESURFACING PROJECT
CHANGE ORDER NO. 1 - FINAL**

WHEREAS, by Resolution No. IF-073-15, dated May 5, 2015, the Legislature awarded the contract for the Lockport Road, Walmore Road, and Ward Road Intersections Reconstruction and Resurfacing Project to Concrete Applied Technologies Corp., 1266 Townline Road, Alden, NY 14004, for a contract amount of \$3,898,592.47, and

WHEREAS, it is necessary to decrease the contract in the amount of \$33,834.68 for final quantities adjustments, for a revised contract amount of \$3,864,757.79, 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 Change Order No. 1-Final to decrease the contract by \$33,834.68 for the Lockport Road, Walmore Road, and Ward Road Intersections Reconstruction and Resurfacing Project, for a revised contract amount of \$3,864,757.79, to Concrete Applied Technologies Corp., 1266 Townline Road, Alden, NY 14004, be approved, 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 Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-054-17

From: Infrastructure & Facilities and Administration Committees

Dated: March 21, 2017

**FEIGLE ROAD REHABILITATION
CHANGE ORDER NO. 1 - FINAL**

WHEREAS, by Resolution No. IF-132-15, dated November 17, 2015, the Legislature awarded the contract for the Feigle Road Rehabilitation Project to Accadia Site Contracting, 5636 Transit Road, Depew, NY 14043, for a contract amount of \$2,099,981.96, and

WHEREAS, it is necessary to decrease the contract in the amount of \$53,790.88 for final quantities adjustments, for a revised contract amount of \$2,046,191.08, 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 Change Order No. 1-Final to decrease the contract by \$53,790.88 for the Feigle Road Rehabilitation Project, for a revised contract amount of \$2,046,191.08, to Accadia Site Contracting, 5636 Transit Road, Depew, NY 14043, be approved, 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 Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-055-17

From: Infrastructure & Facilities and Administration Committee

Dated: March 21, 2017

**UPPER MOUNTAIN ROAD RECONSTRUCTION PROJECT
BUDGET MODIFICATION**

WHEREAS, Resolution No. PW-069-14, dated May 6, 2014, created the capital project account for the Upper Mountain Road Reconstruction Project, estimating federal revenue at \$1,051,200, and

WHEREAS, Resolution No. AD-26-15, dated November 17, 2015, approved the issuance of \$4,008,800 in serial bonds for various public improvement projects, including the Upper Mountain Road Reconstruction Project, in the amount of \$1,400,000, of which \$1,120,000 is expected in federal grant monies, and

WHEREAS, per the New York State Contract Schedule A, for D034602, the federal revenue is capped at \$830,956, and the state Marchiselli aid is capped at \$155,804, and

WHEREAS, to properly align the revenue and expense accounts for this project a budget modification is necessary, now, therefore, be it

RESOLVED, that the following budget modification be effectuated to properly state the revenues and expenses for the Upper Mountain Road Project:

INCREASE ANTICIPATED REVENUE:		
H596.15.5112.000 43591.00	State Aid	\$155,804
DECREASE ANTICIPATED REVENUE:		
H596.15.5112.000.44597.01	Federal Aid	\$1,430,244
DECREASE ANTICIPATED APPROPRIATIONS:		
H596.15.5112.000 72600.01	Infrastructure Roads	\$1,274,440

Moved by Bradt, seconded by Virtuoso.
Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-056-17
From: Infrastructure & Facilities Committee
Dated: March 21, 2017

BID AWARD FOR HIGHWAY MATERIALS

WHEREAS, specifications for the 2017 Highway Maintenance Program have been prepared by the Highways, Bridges & Structures Division of the Department of Public Works, and

WHEREAS, the Purchasing Department advertised for bids and publicly opened and read bids on March 9, 2017, and

WHEREAS, the New York State Department of Audit and Control, has, in the past, requested the Purchasing Agent to refer the results of the bid to the Niagara County Legislature for its approval, and

WHEREAS, the Public Works Committee has examined and found the bids acceptable, and

WHEREAS, the bids have traditionally been used or made available to all the Niagara County municipalities, and

WHEREAS, funds are available in the 2017 budget of the Department of Public Works, now, therefore, be it

RESOLVED, that the bids, as outlined on the result sheets, be awarded to the respective lowest responsible bidder, and be it further

RESOLVED, that the Commissioner of Public Works is authorized to purchase the required materials from the bid awards, and be it further

RESOLVED, that copies of the bid results be distributed to the Niagara County municipalities for their use.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-057-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

AWARD OF CONTRACT - COUNTY ROAD PAINTING AND STRIPING

WHEREAS, the Department of Public Works, Division of Highways, Bridges & Structures has prepared specifications and the Niagara County Purchasing Department has advertised for bids for painting traffic lines on County roads, and

WHEREAS, funds are available in the 2017 budget of the Highways, Bridges & Structures Division of the Department of Public Works, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on March 9, 2017, and tabulated below:

Waterborne Paint Application	Price Per Mile Of Centerline	Price Per Mile Of Edge Line
1. Seneca Pavement Marking Inc. 3526 Watkins Road Horseheads, NY 14845	\$296.00	\$186.00
2. Accent Stripe, Inc. 3275 N. Benzing Road Orchard Park, NY 14127	\$311.00	\$194.00

and

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

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

RESOLVED, that the contract for painting traffic lines on County roadways be awarded to the lowest responsible bidder, Seneca Pavement Marking Inc., 3526 Watkins Road, Horsehead, NY 14845, 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 Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-058-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

AWARD OF CONTRACT FOR CONTROL OF ROADSIDE VEGETATION

WHEREAS, the Commissioner of Public Works prepared specifications and the Niagara County Purchasing Department advertised for bids for the chemical weed control of roadside vegetation on County roadways, and

WHEREAS, funds are available in the 2017 budget of the Department of Public Works, and

WHEREAS, the Purchasing Department advertised for bids and publicly opened and read bids on March 9, 2017, and

	Guide Railing Per Side Mile	Vegetation Control Per Gal. Mat. Applied
1. DeAngelo Brothers, LLC 100 N. Conahan Drive Hazleton, PA 18201	\$21.89	\$0.69
2. Allen Chase Enterprises, Inc. 24 County Route 1A Oswego, NY 13126	\$22.50	\$0.75

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 roadside vegetation control be awarded to DeAngelo Brothers, LLC, 100 N. Conahan Drive, Hazleton, PA 18201, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute the required documents.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-059-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

VENDING EQUIPMENT AND SERVICES FOR COUNTY OFFICE FACILITIES

WHEREAS, the County Department of Management & Budget, Division of Purchasing, publicly opened and read sealed proposals on February 21, 2017, for vending equipment and services for County Office Facilities, and

WHEREAS, Crickler Vending submitted the only proposal for this service, and

WHEREAS, Crickler Vending proposes to provide to the County fifteen (15) percent commission on all vending sales, and

WHEREAS, Crickler Vending will provide vending service for two (2) years with the option to extend for three (3) additional one year periods, 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 County accept Cricker Vending's proposal for vending equipment and services for County Office Facilities, providing fifteen (15) percent sales commission, for an initial period of two (2) years, with the option to extend for three (3) additional one (1) year periods, 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 Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-060-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

THE TOWN OF NEWFANE-ORGAN FESTIVAL

WHEREAS, the town of Newfane has requested that the County of Niagara grant them permission to use Krull Park for the purpose of hosting the National Organ Festival, and

WHEREAS, it is the wish of the town of Newfane to hold the National Organ Festival on July 29-30, 2017, and

WHEREAS, the Town will provide all insurances required by the Risk Management Office, and agree to cover all extraordinary expenses associated with event, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the town of Newfane, now, therefore, be it

RESOLVED, that the terms and conditions of the agreement between the county of Niagara and the town of Newfane, as appears on the proposed agreement, is hereby approved in all respects, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-061-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND
THE NEWFANE YOUTH FOOTBALL LEAGUE AND CHEERLEADING**

WHEREAS, the Newfane Youth Football League and Cheerleading has requested that the County of Niagara grant them exclusive rights to operate a football program in an area situated in the County owned property on Lake Road, and

WHEREAS, this program benefits the youth and other residents of both the town of Newfane in addition to Niagara County as a whole, and

WHEREAS, such program is operated on a not-for-profit basis, and

WHEREAS, the event coordinator will provide all insurances required by the Risk Management Office, and agree to cover all extraordinary expenses associated with event, and

WHEREAS, prior to the execution of the license agreement between the County of Niagara and the Newfane Youth Football League and Cheerleading, the County Attorney will review said agreement for approval as to legal form, language and compliance, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Newfane Youth Football League, now, therefore, be it

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the Newfane Youth Football League and cheerleading, as appears on the proposed agreement, is hereby approved in all respects, and be it further

RESOLVED, that the Chairman of the Legislature is authorized and directed to execute and deliver the agreement with the Newfane Youth Football League and Cheerleading.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-062-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA
AND THE LIGHTHOUSE OPTIMIST CLUB OF BARKER**

WHEREAS, the Lighthouse Optimist Club of Barker has requested that the County of Niagara grant them permission to use Krull Park, and the field East of the Softball diamonds, for the purpose of holding a Kite Flying Event, to be held on June 10, 2017, and

WHEREAS, the kite event will be successful in attracting many children from the area, and

WHEREAS, it is the wish of the organizers to hold the kite event on June 10, 2017, and

WHEREAS, the event coordinator will provide all insurances required by the Risk Management Office, and agree to cover all extraordinary expenses associated with event, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Lighthouse Optimist Club of Barker, and

WHEREAS, prior to the execution of the license agreement between the County of Niagara and the Lighthouse Optimist Club of Barker, the County Attorney will review said Agreement for approval as to legal form, language, and compliance, now, therefore, be it

RESOLVED, that following the County Attorney's review, the Chairman of the County Legislature be, and hereby is, authorized to execute the License Agreement between the County of Niagara and the Lighthouse Optimist Club of Barker.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-063-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA
AND THE BOND LAKE ATHLETIC CLUB**

WHEREAS, the Bond Lake Athletic Club has requested that the County of Niagara grant them permission to use the north section of Bond Lake and the Warming House for the purpose of holding a "Rut Race", and

WHEREAS, this race has been successful for the past several years in attracting hundreds of visitors from across Greater Western New York and southern Canada, and

WHEREAS, it is the wish of the organizers to hold the Bond Lake Rut Race on August 14, 2017, and

WHEREAS, the event coordinator will provide all insurances required by the Risk Management Office, and agree to cover all extraordinary expenses associated with event, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Bond Lake Athletic Club, and

WHEREAS, prior to the execution of the License Agreement between the County of Niagara and the Bond Lake Athletic Club, the County Attorney will review said Agreement for approval as to legal form, language and compliance, now, therefore, be it

RESOLVED, that following the County Attorney's review, the Chairman of the County Legislature be, and hereby is, authorized to execute the License Agreement between the County of Niagara and the Bond Lake Athletic Club.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-064-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND
THE NIAGARA FRONTIER CROSS COUNTRY CLUB**

WHEREAS, the Niagara Frontier Cross Country Club has requested that the county of Niagara grant them exclusive rights to operate a Cross Country program in an area situated in the County owned property at Bond Lake Park, and

WHEREAS, this program benefits the residents of the town of Wheatfield in addition to Niagara County as a whole, and

WHEREAS, such program is operated on a not-for-profit basis, and

WHEREAS, the event coordinator will provide all insurances required by the Risk Management Office, and agree to cover all extraordinary expenses associated with event, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Niagara Frontier Cross Country Club, and

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

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the Niagara Frontier Cross Country Club, as appears on the proposed agreement, is hereby approved in all respects, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-065-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND
THE LOCKPORT SOCCER CLUB**

WHEREAS, the Lockport Soccer Club has requested that the county of Niagara grant them exclusive rights to operate a soccer program in an area situated in the County owned property on Davison Road, and

WHEREAS, this program benefits the youth and other residents of both the town of Lockport in addition to Niagara County as a whole, and

WHEREAS, such program is operated on a not-for-profit basis, and

WHEREAS, the event coordinator will provide all insurances required by the Risk Management Office, and agree to cover all extraordinary expenses associated with event, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Lockport Youth Soccer Club, and

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

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the Lockport Soccer Club, as appears on the proposed agreement, is hereby approved in all respects, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-066-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND
THE LOCKPORT RUGBY CLUB**

WHEREAS, the Lockport Rugby Club has requested that the County of Niagara grant them exclusive rights to

operate a Rugby program in an area situated in the County owned property on Davison Road, and

WHEREAS, this program benefits the residents of the town and city of Lockport in addition to Niagara County as a whole, and

WHEREAS, such program is operated on a not-for-profit basis, and

WHEREAS, the event coordinator will provide all insurances required by the Risk Management Office, and agree to cover all extraordinary expenses associated with event, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Lockport Rugby Club, now, therefore, be it

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the Lockport Rugby Club, as appears on the proposed agreement, is hereby approved in all respects, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature is hereby authorized to execute the agreement with the Lockport Rugby Club.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IF-067-17

From: Infrastructure & Facilities Committee

Dated: March 21, 2017

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND
THE LOCKPORT HIGH SCHOOL CROSS COUNTRY CLUB**

WHEREAS, the Lockport High School Cross Country Club has requested that the County of Niagara grant them exclusive rights to operate a cross country program in an area situated in the County owned property near Day Road Park, and

WHEREAS, this program benefits the residents of the town and city of Lockport in addition to Niagara County as a whole, and

WHEREAS, such program is operated on a not-for-profit basis, and

WHEREAS, the event coordinator will provide all insurances required by the Risk Management Office, and agree to cover all extraordinary expenses associated with event, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Lockport High School Cross Country Club, and

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

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the Lockport High School Cross Country Club, as appears on the proposed agreement, is hereby approved in all respects, and be it further

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

Moved by Bradt, seconded by Virtuoso.
Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IL-010-17

From: Legislators Richard L. Lance, Randy R. Bradt, Kathryn L. Lance and Economic Development
Dated: March 21, 2017

**RESOLUTION IN SUPPORT OF STEPHEN SIKORA POST 1322
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, Stephen Sikora Post 1322 of North Tonawanda is comprised of over 300 proud Veterans, who have served in the United States military during times of conflict, and

WHEREAS, Stephen Sikora Post is the only Veteran's organization located in North Tonawanda, and

WHEREAS, the building and property is in desperate need of repairs, which include the front parking lot storm sewer and other sanitary sewer repairs inside and outside the building, and

WHEREAS, the Stephen Sikora Post 1322 is also asking the Niagara County Legislature to support the North Tonawanda Military Banner Program, now, therefore, be it

RESOLVED, Niagara County supports Stephen Sikora Post 1322 as follows:

Property Repairs	\$3,000.00
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North Tonawanda Military Street Banner Program	\$1,500.00
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and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2017 budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$4,500.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$4,500.00
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Moved by Andres, seconded by Lance .

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IL-012-17

From: Legislator Dennis F. Virtuoso, Jason A. Zona and Owen T. Steed
Dated: March 21, 2017

**RESOLUTION OPPOSING FURTHER COMMERCIALIZATION OF THE NIAGARA
RESERVATION STATE PARK WITH THE PROPOSAL OF
THE CREATION OF A WORLD CLASS LODGE ON GOAT ISLAND**

WHEREAS, in the 1860's, landscape architect Frederick Olmstead, along with other preservationists formed the Free Niagara Movement with the intent of protecting the natural beauty of Niagara Falls from commercial interests and exploitation, while keeping it free to the public, and

WHEREAS, after a fifteen year effort, Free Niagara was able to secure through the New York State Legislature the adoption of the Niagara Appropriations Bill which formed the Niagara Reservation, which would go on to be today's oldest state park in the country, and

WHEREAS, today, America's oldest state park, the Niagara Reservation State Park continues to maintain Olmsted's vision of staying committed to maintaining native vegetation, preserving its unparalleled vistas and providing public access, and

WHEREAS, during his 2017 State of the State address, Governor Andrew Cuomo proposed the creation of "a world class lodge" (Niagara Gazette 1/10/17) on Goat Island as part of the second phase of his "Buffalo Billion" program, and

WHEREAS, even in the late 1800's, Olmstead understood the problems with commercialization of this park as Olmsted implied: any commercial undertaking into which the state was entering, would be in competition with the people of the village of Niagara and... It is a sufficient answer to say that there is no point in the reservation at which a house can be placed that is more than ten minutes walk or five minutes drive from hotels and restaurants standing on land of private ownership." -- Thus giving any state sponsored development of the park an unfair and ... unjustified advantage over private ownership near the park, and

WHEREAS, this legislative body supports economic development efforts in the area around the Niagara Reservation State Park in conjunction with the City of Niagara Falls Comprehensive Plan, and feels a "lodge" such as this in the New York State Parks were serve as unfair advantage to private hoteliers in Niagara Falls, NY and efforts should continue to develop such a lodge outside of the New York State Park, now therefore, be it

RESOLVED, that the Niagara County Legislature goes on record opposing further commercialization of the Niagara Reservation State Park and respectfully requests that the office of Governor Andrew Cuomo cease any efforts to develop a "lodge hotel" anywhere in the state park, and be it further

RESOLVED, the Niagara County Legislature asks that New York State redirect state resources to assist with economic development efforts outside of the state park in conjunction with the City of Niagara Falls Comprehensive Plan, and be it further

RESOLVED, that copies of this resolution be forwarded to the Honorable Governor Andrew Cuomo, New York State Senator Robert Ort, NYS Assemblyman Angelo Morinello, Howard Zemsky, President and CEO of the Empire State Development Corp., Mayor Paul Dyster, City of Niagara Falls, NY and Mark Thomas, NYS Parks Western District.

Moved by Virtuoso, seconded by Steed, to untable resolution.
Carried.

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

Moved by Virtuoso, seconded by Steed.
Adopted. 13 Ayes, 0 Noes, 2 Absent -Hill and Nemi

Resolution No. IL-018-17

From: Legislators Anthony J. Nemi, Wm. Keith McNall and William J. Collins

Dated: March 21, 2017

**RESOLUTION IN SUPPORT OF THE HISTORIC PALACE THEATRE
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the Historic Palace Theatre opened its doors on July 18, 1925 and has continued to be a community based organization dedicated to maintaining the historic and architectural integrity of Lockport and Western New York while providing a venue for the performing arts and a center for arts education, and

WHEREAS, the Palace Theatre would like to purchase new state of the art technology projector and screen system to function as a public use, this would allow the theatre and community groups to present works and discussions in digital format, now, therefore, be it

RESOLVED, that Niagara County supports the Historic Palace Theatre as follows:

Projector and Screen System	\$12,423.00
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and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2017 budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$12,423.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$12,423.00
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Referred to Economic Development

Resolution No. IL-019-17

From: Legislator Anthony J. Nemi

Dated: March 21, 2017

**RESOLUTION IN SUPPORT OF 2017 COMMUNITY FUNDING FOR PENDLETON
ORGANIZATIONS THROUGH THE USE OF CASINO FUNDS**

WHEREAS, Niagara County is in receipt of funds generated from the Seneca Niagara Casino, as per New York statute, and

WHEREAS, the town of Pendleton is blessed with various not-for-profit organizations that promotes civil engagement and community pride, and

WHEREAS, these organizations play an important role throughout the community by teaching and promoting good citizenship, honoring veterans, helping seniors, preserving history, promoting local business, and

WHEREAS, the Pendleton Lions Club would like to purchase and donate a child handicap playground equipment for Pendleton Town Park, and

WHEREAS, the Pendleton Food Pantry would like to purchase additional food stock for their yearly family in need distribution, and

WHEREAS, the Pendleton Business & Community Association would sponsor and promote its annual Community Faire & Business Expo, and

WHEREAS, the Pendleton Veterans, would like to build a permanent monument to honor all veterans, and

WHEREAS, the Pendleton Historical Society would like to improve their exhibit area for visitors and school children, and

WHEREAS, the Pendleton seniors and Wendelville seniors would like improve and expand their monthly programs to include wellness and fitness instructions, and

WHEREAS, the Pendleton Farm & Home Days committee is planning a two day celebration promoting the good life and community spirit as well as celebrating the 190th year of the Town founding, and

WHEREAS, Pets Alive WNY rescues' cats and kittens and provides housing, food, medicine, and affection while finding adopt homes, and

WHEREAS, Niagara County is interested in supporting efforts of community service, promoting local business, and create a sense of pride throughout the community, now, therefore, be it

RESOLVED, that Niagara County supports the following Pendleton organizations as follows:

Pendleton Food Pantry	\$500.00
Pendleton Community & Business Assoc.	\$1,500.00
Pendleton Lions Club	\$500.00
Pendleton Veterans	\$500.00
Pendleton Historical Society	\$1,000.00
Pendleton Seniors	\$500.00
Wendelville Seniors	\$500.00
Pendleton Farm & Home Days	\$1,000.00
Pets Alive WNY	\$500.00

and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2017 budget:

INCREASE APPROPRIATIONS FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance – Committed Funds	\$6,500.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$6,500.00
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Referred to Economic Development

Resolution No. IL-020-17

From: Legislators Richard L. Andres, Randy R. Bradt and Kathryn L. Lance

Dated: March 21, 2017

**RESOLUTION IN SUPPORT OF THE CHAMBER OF COMMERCE OF THE
TONAWANDA'S THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the Chamber of Commerce of the Tonawanda's provides a strong source of services, support and networking for business and industry in the Tonawanda's, and

WHEREAS, the Chamber of Commerce of the Tonawanda's are seeking assistance to help purchase and install a Logitech USB camera/audio system which will allow for a complete video conferencing service in their conference room, and

WHEREAS, having this equipment will benefit all members and the board of directors and help to increase profits, now, therefore, be it

RESOLVED, that Niagara County supports the Chamber of Commerce of the Tonawanda's as follows:

Logitech USB Camera/Audio System	\$3,000.00
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and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2017 budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$3,000.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$3,000.00
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Referred to Economic Development

Resolution No. IL-018-17

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

Dated: March 21, 2017

**ADOPTION OF A LOCAL LAW AMENDING LOCAL LAW 5 OF 2015
THE COUNTY OF NIAGARA NEW YORK, ESTABLISHING
THE NIAGARA COUNTY ANIMAL ABUSER REGISTRY**

WHEREAS, the Niagara County Legislature adopts the following Local Law:

A Local Law of the County of Niagara, New York, Amending Local Law No. 5 of 2015 which establishes the Niagara County Animal Abuser Registry, and

WHEREAS, a public hearing was held on March 21, 2017 at 6:30 p.m. in the Legislative Chambers, Courthouse, Lockport, New York, on said Local Law, and

WHEREAS, one person appeared to speak on said Local Law, and

WHEREAS, no amendment(s) was (were) made to said Local Law, now, therefore, be it

RESOLVED, that the County Legislature of the County of Niagara, does hereby Amend the requirements in Section 5. Registry Requirements of Local Law 5 of 2015, the Local Law of the County of Niagara, New York, which establishes the Niagara County Animal Abuser Registry, as follows:

.....

Section 5. Registry Requirements:

- a) All Animal Abuse Offenders who reside in Niagara County and who are convicted of an Animal Abuse Crime on or after the effective date of this article must register with the Niagara County Animal Abuser Registry within five (5) days of their release from incarceration or, if not incarcerated, from the date of the rendering of judgment.
- b) Anyone who has been charged with an Animal Abuse Crime and is offered a plea to a reduced charge may be ordered by the court, with proper notice and after a hearing, to register with the Niagara County Animal Abuse Registry as part of the final judgment. The Niagara County District Attorney's Office, as part of a disposition may make it a condition of such reduced charge that the defendant consent to register with the Niagara County Animal Abuse Registry or request a hearing in accepting a reduction of the charge of an animal abuse crime.

Any hearing pursuant to this subsection shall be a summary hearing and necessary when the defendant has plead to a non-enumerated crime under this section. The hearing shall determine if the underlying conduct the defendant was charged with poses a risk to the safety and well-being of animals and therefore indicates a compelling interest to subject the defendant to registration under this local law. Any person who is required to register with the Niagara County Animal Abuse Registry pursuant to this subdivision shall comply with all remaining provisions of this section.

- c) When a person is convicted of an Animal Abuse Crime, the prosecuting agency shall forward to the Sheriff's Office the name and address of the convicted person along with the name of the Animal
- d) Abuse Crime the person was convicted of, thereby notifying the Sheriff's Office that the person is required to register with the Animal Abuser Registry.
- e) Each person required to register with the Animal Abuser Registry shall submit to the Niagara County Sheriff's Office:
 - i) Their name and any aliases they may be known by
 - ii) Their residence address
 - iii) Their date of birth, and
 - iv) A photograph of the front of their head and shoulders not less than 2" by 3" or a digital image commonly known as a digital photograph of the front of their head and shoulders.
- f) Every person required to register with the Animal Abuser Registry shall update their registry information within five (5) days of any change of residential address and/or upon any official change of name.
- g) Every person required to register with the Animal Abuser Registry shall pay a fee of one hundred twenty-five dollars (\$125.00) to the Niagara County Sheriff's Office at the time of Registration. All such fees shall be used to help pay the administrative and maintenance costs of maintaining the Registry.
- h) The Niagara County Sheriff is hereby authorized and empowered to promulgate such rules and regulations as may be necessary to implement the Animal Abuser Registry.

.....

This Local Law shall take effect as provided by the New York State Municipal Home Rule Law and upon completion of the requisite filings and procedures.

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

Carried.

Moved by Virtuoso, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IL-022-17

From: Legislators William J. Collins, Richard L. Andres, Rebecca J. Wydysh and David E. Godfrey

Dated: March 21, 2017

**RESOLUTION SUPPORTING LEGISLATION TO PARTIALLY REPEAL
THE NEW YORK SECURE AMMUNITION AND FIREARMS ENFORCEMENT (SAFE) ACT OF
2013 FOR AREAS OUTSIDE OF NEW YORK CITY**

WHEREAS, Senate Bill S879B has been introduced to the New York State Senate by Senator Robert Ort, which would repeal part of the New York Secure Ammunition and Firearms Enforcement Act of 2013, and

WHEREAS, this Legislative body has long advocated for the protection of the rights afforded our citizens under the Constitution, which has for generations guided our Nation and served as a framework to our republic and society, and

WHEREAS, the Second Amendment of the United States provides for the “right of the people to keep and bear arms” and further states that this right “shall not be infringed”, and

WHEREAS, members of the Niagara County Legislature, being elected to represent the people of Niagara County, are duly sworn by their oath office to uphold the Constitution of the United States, and

WHEREAS, members of the New York State Assembly and the New York State Senate, being elected by the people of New York State, are duly sworn by their oath of office to uphold the Constitution of the United States, and

WHEREAS, the Civil Rights Law of the Senate of New York States in Article 2 Section 4, “Right to keep and bear arms. A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms cannot be infringed”, and

WHEREAS, a lawful ownership of firearms is a recreational benefit to our residents through hunting and target shooting, along with an economic and environmental benefit to our region with severally locally owned and operated gun/sporting businesses, and

WHEREAS, the New York State Secure Ammunition and Firearms Enforcement (NY SAFE Act) of 2013 which was rushed to passage by New York State Assembly and Governor, will have a detrimental effect on hunters, sportsmen and legal gun owners, creating a hostile environment both for them and for the sale and manufacture of legal firearms, and

WHEREAS, the legislation unconstitutionally prohibited the sale of firearm magazines with a capacity larger than seven rounds and, those firearm magazines with a capacity larger than seven rounds, which were authorized to be retained by existing owners, could be loaded with seven rounds and eventually must be permanently altered to only accept seven rounds or be disposed of, and

WHEREAS, the seven round limit contemplated in the legislation was found to be unconstitutional upon judicial review, and

WHEREAS, the legislation severely impacts the possession and use of firearms now employed by the residents of Niagara County for the defense of life, liberty and property, and

WHEREAS, the legislation severely impacts the possession and use of firearms now employed for safe forms of recreation including, but not limited to hunting and target shooting, and

WHEREAS, while there are some areas of the legislation that the Niagara County Legislature finds encouraging, such as the strengthening of Kendra's Law and Mark's Law, as well as privacy protections for lawful permit holders, we find the legislation fails to offer little meaningful solutions to gun violence and places undue burdens where they don't belong, squarely on the backs of law abiding citizens, and

WHEREAS, there are many parts of this Legislation that place a unfunded mandate on the local Sheriff Departments, County Clerk's Office and County Judges, while tax payers are crying out relief, and

WHEREAS, there will be a significant financial impact due to approximately 33,156 Niagara County pistol permits that will have to be renewed requiring additional manpower and computer systems, and

WHEREAS, requiring law-abiding gun owners to verify ownership of certain types of firearms every five years, in addition to registering them on permits, which now also must be renewed every five years, does not increase the safety of the public and is unnecessarily burdensome to the residents of New York State, and

WHEREAS, this legislation effectively treats countless New York State law abiding gun owners as criminals, and

WHEREAS, the enactment of the NY SAFE Act has engendered significant controversy over both the process by which it was enacted and certain provisions contained within, and

WHEREAS, the manner in which this legislation was brought forward for vote in the State Legislature is deeply disturbing to the Niagara County Legislature, and

WHEREAS, this legislative body unanimously voted to oppose the New York Secure Ammunition and Firearms Enforcement Act of 2013 for all reasons stated above in Resolution IL-011-13 of the Niagara County Legislative proceedings of February 19, 2013, now, therefore, be it

RESOLVED, that the Niagara County Legislature do hereby support Senator Robert Ort's bill (S879B) to repeal part of the New York Secure Ammunition and Firearms Enforcement Act of 2013, limiting the application of the "S.A.F.E Act" to the five boroughs of New York City, and be it further

RESOLVED, that this Legislature supports the introduction of an Assembly bill which calls for the repeal or partial repeal of the New York Secure Ammunition and Firearms Act 2013 from the New York State Budget, and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the Governor of the State of New York Andrew Cuomo, Senate Majority Leader John Flanagan, Senator Robert Ort, Speaker of the New York State Assembly Carl Heastie, Assemblyman Angelo Morinello, Assemblyman Michael J. Norris, New York State Association of Counties, Inter-County of Western New York, all Niagara County Towns and Villages, and all others deemed necessary and proper.

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

Carried.

Moved by Collins , seconded by Wydysh .

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IL-023-17

From: Legislators Rebecca J. Wydysh, Randy R. Bradt, Anthony J. Nemi, John Syracuse, Jason A. Zona and Owen T. Steed

Dated: March 21, 2017

RESOLUTION CALLING ON THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES AND THE GOVERNOR OF THE STATE OF NEW YORK TO PROVIDE STATE FUNDING TO SUPPORT THE TREATMENT OF INDIVIDUALS WITH SUBSTANCE USE DISORDERS WHO ARE INCARCERATED IN COUNTY JAILS, IN ORDER TO HELP COMBAT THE HEROIN AND OPIOID ABUSE EPIDEMIC AND OTHER ADDICTIONS, SAVE LIVES AND REDUCE THE RATE OF RECIDIVISM

WHEREAS, the rise in heroin and prescription opioid addiction and overdose-related deaths continue to be a major epidemic across New York State, and

WHEREAS, substance use disorders, including heroin and opioid addiction, are very common among incarcerated individuals, and

WHEREAS, according to the National Center on Addiction and Substance Abuse at Columbia University, 65 percent of individuals incarcerated in jails and prisons in the U.S. meet the medical criteria for a substance use disorder and only 11 percent receive any treatment for substance abuse while incarcerated, and

WHEREAS, without access to substance use disorder treatment while incarcerated, many individuals start using drugs again immediately upon release from incarceration, and

WHEREAS, in the first two weeks after an individual with a substance use disorder is released from jail, the risk of a fatal drug overdose is much higher than at any other time, resulting in individuals dying from overdoses in high numbers after they are released from incarceration or getting re-arrested for drug related crimes, and

WHEREAS, Article 41 of Mental Hygiene Law Charges the Local Governmental Unit (LGU) with the responsibility for the planning, development, implementation and oversight of services to individuals with mental illness, substance use disorders and developmental disabilities at the local level, and

WHEREAS, the LGU works closely with local correctional facilities, community providers and other stakeholders to improve in-jail behavioral health treatment facilitate community linkages upon reentry and reduce recidivism with very limited resources, and

WHEREAS, while the Office of Mental Health provides some state aid to counties for the provision of mental health services in the jails, there is no comparable funding provided by the state for incarcerated individuals with substance use disorders, and

WHEREAS, state funding is needed to help provide access to comprehensive substance use disorder services in the jails, including screening and assessment at entry, education and counseling services, peer support, medication assisted treatment and discharge planning to continue treatment post-incarceration, and

WHEREAS, that Niagara County calls on the Governor and Office of Alcoholism and Substance Abuse Services to help combat the heroin and opioid epidemic, save lives and reduce the rate of recidivism by providing state funding for the treatment of incarcerated individuals with substance use disorders in our county jails, now, therefore, be it

RESOLVED, that the Niagara County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and the Office of Alcoholism and Substance Abuse Services and all others necessary and proper.

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

Carried.

Moved by Wydysh, seconded by Bradt.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Hill and Nemi

Resolution No. IL-024-17

From: Legislators Anthony J. Nemi, Wm. Keith McNall and William J. Collins

Dated: March 21, 2017

**RESOLUTION IN SUPPORT OF FUNDING LOCKPORT IN BLOOM
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, Niagara County is in receipt of funds generated from the Seneca Niagara Casino, as per New York statute, and

WHEREAS, Lockport in Bloom is a not-for-profit organization, chartered in 2005, that promotes the beautification of Lockport by encouraging residents to share with others their beautiful and creative gardens, and

WHEREAS, by encouraging neighborhood beautification, Lockport in Bloom helps promote community pride by bringing people to the area to view the many beautiful gardens, and

WHEREAS, through their annual Garden Festival, Lockport in Bloom brings thousands of visitors to the City of Lockport to view the 40 plus gardens that are put on display every summer, and

WHEREAS, local businesses and restaurants benefit greatly from the increase in foot traffic that Lockport in Bloom generates throughout the City of Lockport, and

WHEREAS, Niagara County is interested in supporting efforts that generate increased revenue for businesses and create a sense of pride throughout the community, now, therefore, be it

RESOLVED, that Niagara County supports Lockport in Bloom as follows:

Lockport in Bloom	\$2,000.00
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and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2017 budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$2,000.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$2,000.00
Referred to Economic Development		

Resolution No. IL-025-17

From: Legislator Randy R. Bradt

Dated: March 21, 2017

**RESOLUTION IN SUPPORT OF FUNDING THE LAKE ONTARIO PRO-AM SERIES
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, Niagara County is in receipt of funds generated from the Seneca Niagara Casino, as per New York State Finance Law § 99-h, and

WHEREAS, this Legislature is committed to utilizing said funds for economic and community development goals that enhance our community and make it more desirable to businesses looking to expand and relocate operations, and

WHEREAS, the economies of New York State and Niagara County are heavily reliant upon Lake Ontario, Lake Erie, the Niagara River waterway, and the Tonawanda Creek, and

WHEREAS, the economic impact of sport fishing on those counties bordering Lake Ontario, namely the Counties of Niagara, Orleans, Monroe, Wayne, Cayuga, Oswego, and Jefferson, was \$54 million in 2007, per research by Cornell University's Department of Natural Resources, and

WHEREAS, these sport fishing events benefit hotels, restaurants and retail businesses throughout Niagara County and provide substantial sales tax revenue, and

WHEREAS, the Lake Ontario Pro-Am Series is among the most prominent of these fishing derbies, and specifically features the Lake Ontario Pro-Am Salmon Team Tournament in Niagara County May 19-21 of this year, and

WHEREAS, the 2017 Lake Ontario Pro-Am Series includes a "Reelin' for a Cure" fishing derby in Olcott that will raise funds for cancer research, now, therefore, be it

RESOLVED, that Niagara County disburses § 99-h funding for the purpose of defraying costs associated with development and promotion of the 2017 Lake Ontario Pro-Am Series:

NTCC—Sport Fishing	\$7,500.00
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and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2017 budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$7,500.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$7,500.00
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Referred to Economic Development

Resolution No. IL-026-17

From: Legislator David E. Godfrey

Dated: March 21, 2017

MEMORIALIZING RESOLUTION COMPELLING THE NEW YORK STATE SENATE, NEW YORK STATE ASSEMBLY AND THE GOVERNOR TO PASS THE CANCER PRESUMPTIVE BILL THAT WOULD EXTEND THE ALREADY EXISTING VOLUNTEER FIREFIGHTERS' BENEFIT LAW TO COVER ALL INSTANCES OF MELANOMA, AS WELL AS CANCERS OF THE DIGESTIVE, HEMATOLOGICAL, LYMPHATIC, URINARY, PROSTATE, NEUROLOGICAL, BREAST AND REPRODUCTIVE SYSTEMS SENATE BILL: S-1411/ASSEMBLY BILL: A 00711

WHEREAS, it is firmly established in the occupational medicine literature that firefighters are exposed to many known and suspected carcinogens every time they respond to a fire scene. Numerous studies have measured levels of chemical carcinogens at structural and vehicle fires; and from the personal protective clothing of firefighters at concentrations that are considered hazardous and well in excess of permissible workplace levels; these carcinogens include polycyclic aromatic hydrocarbons (PAHs) in soot and tars; benzene, formaldehyde, 1,4-butadiene, arsenic, polychlorinated biphenyls (PCBs), dioxins, asbestos, and diesel engine exhaust, and

WHEREAS, the uncontrolled environment conditions that occur during the knockdown and overhaul phases at fire scenes guarantee that firefighters are routinely exposed to these toxic chemicals, so it's not surprising that studies of cancer in career firefighters find significant associations between firefighting and certain forms of cancer; the evidence is strongest for increased risk of brain, digestive tract (colorectal, stomach), genitourinary tract (bladder, kidney, testicles, prostate), lympho-hematopoietic (leukemia, Non-Hodgkin's lymphoma, multiple myeloma), skin (melanoma) and lung cancers among volunteer firefighters; the current presumptive cancer bills covering career firefighters were built on the results of these studies, and

WHEREAS, there are 110,000 reasons why our volunteer firefighters should have presumptive cancer coverage; presumptive cancer legislation is the top legislative agenda for New York's volunteer firefighters, and the volunteer fire service of Oneida County urges our county legislators to support this bill; volunteer firefighters did not volunteer to get cancer, now, therefore, be it

RESOLVED, that the Niagara County Legislature calls upon Governor Andrew Cuomo, and the New York State Senate and Assembly, to pass the Cancer Presumptive Bill for volunteer firefighters so that volunteers can be protected from the dangers they face with cancer each and every day.

Moved by Godfrey, 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 Godfrey, seconded by Collins.

Adopted. 13 Ayes, 0 Noes, 2 Absent—Hill and Nemi

Resolution No. IL-027-17

From: Legislator Jason A. Zona

Dated: March 21, 2017

RESOLUTION IN SUPPORT OF THE TOWN OF NIAGARA BEAUTIFICATION COMMITTEE THROUGH THE USE OF CASINO FUNDING

WHEREAS, the Town of Niagara Beautification Committee works to enhance the beauty of the Business District in the Town of Niagara, and

WHEREAS, each year, tens of thousands of visitors, as well as Niagara County residents, utilize the Military Road retail business corridor, and

WHEREAS, these shoppers generate revenue for local businesses, as well as large amounts of sales tax receipts for the county, and

WHEREAS, the Town of Niagara Beautification Committee strives to make a pleasant, welcoming experience for all residents and visitors alike to the Town of Niagara and Niagara County, and

WHEREAS, this year the Town of Niagara Beautification Committee is planning to enhance the area with forty-three (43) potted planters placed throughout the business corridor of the town, now, therefore, be it

RESOLVED, that the Niagara County Legislature wishes to support the Town of Niagara Beautification Committee's mission to beautify and enhance the business district in Niagara County through the use of casino revenues, and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2017 budget:

Town of Niagara Beautification Committee	\$6,450.00
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and be it further

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$6,450.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$6,450.00
Referred to Economic Development		

Resolution No. IL-028-17

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

Dated: March 21, 2017

RESOLUTION IN SUPPORT OF A REQUEST BY NIAGARA FALLS MEMORIAL MEDICAL CENTER AND 1199SEIU FOR STATE FUNDING FOR INFRASTRUCTURE IMPROVEMENTS AT MEMORIAL MEDICAL CENTER

WHEREAS, Niagara Falls Memorial Medical Center (NFMMC) has provided high quality care to those who live and work in Niagara County and beyond since its founding in 1895, and

WHEREAS, NFMMC provides the health care and services that our communities need, while also making significant economic contributions to our region, and

WHEREAS, NFMMC has shown tremendous growth over the past 12 years with the construction of The Heart Center of Niagara and the Golisano Center for Community Health while greatly expanding its surgical services, adding six primary care offices and opening a comprehensive wound care center, two OB/GYN centers, a bariatric surgery center and other needed medical services, and

WHEREAS, NFMMC provided an array of inpatient and outpatient services to more than 44,500 people (unduplicated count) in 2015 and again in 2016, and

WHEREAS, according to the economic indicator formula provided by the American Hospital Association, NFMMC's economic impact on Niagara County and the surrounding area is \$275 million annually, and

WHEREAS, NFMMC is a major economic force in the Niagara Region with a significant, stable employment base of 1,200 employees and a steady, consistent job growth record comprising 150 well-paying jobs created during the past four years with 25 more positions to be added by mid-2018, and

WHEREAS, 800 of NFMMC's current employees are represented by and members of 1199SEIU, and

WHEREAS, NFMMC's growth has created an acute parking shortage that will become even more critical with the April opening of a cardiac catheterization laboratory at The Heart Center of Niagara on its downtown campus, and

WHEREAS, that growth has added urgency to the need for NFMMC to replace its aging emergency power generators, and

WHEREAS, NFMMC and 1199SEIU have launched a major joint initiative asking Governor Andrew Cuomo to provide state funding for needed capital and infrastructure improvements, and

WHEREAS the requested funds would renovate and transform NFMMC's aging parking garage and bridge connector into an aesthetically attractive interactive facility that would host medical center and community activities, and

WHEREAS, those funds would also replace Niagara Falls Memorial Medical Center's antiquated emergency power system with a system that would ensure adequate emergency power to meet the healthcare needs of Niagara County residents without interruption and guarantee full capacity to provide for its critical role as a first responder facility in the event of a public emergency situation, and

WHEREAS, this capital project is an extension of the common goals of Niagara Falls Memorial Medical Center and 1199SEIU to maintain the highest standards of patient safety and satisfaction and meet the needs of our growing community, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby supports the joint campaign being conducted by NFMMC and 1199SEIU and urges Governor Andrew Cuomo to ensure funding in the 2017/2018 New York State budget for repairs, construction and modernization of Niagara Falls Memorial Medical Center.

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

Carried.

Moved by Virtuoso, seconded by Grozio.

Adopted. 13 Ayes, 0 Noes, 2 Absent—Hill and Nemi

APPOINTMENTS:

	<u>Appt.</u>	<u>Expires</u>
<u>FISH & WILDLIFE:</u>		
Matt Foe (Landowner Rep.)	03/21/17	12/31/18
4517 Upper Mountain Road, Lockport 14094		

HISTORIANS BOARD:

Elaine Timm 1283 93 rd Street, Niagara Falls 14304	City of Niagara Falls	03/21/17	12/31/17
Pete Ames 800 Porter Rd. Lot 10, Niagara Falls 14304	Tn. of Niagara	03/21/17	12/31/17
William Clark 2737 Main Street, Newfane 14108	Tn. of Newfane	03/21/17	12/31/17
John Sharpe P.O. Box 330, Lewiston 14092	Tn. of Lewiston	03/21/17	12/31/17

LOCAL EMERGENCY PLANNING COMMITTEE (LEPC):

Kevin Hodgson 67 Jesella Driven North Tonawanda 14120	03/21/17
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RECORDS ADVISORY BOARD:

1. Joseph Jastrzemski, Co. Clerk/Records Mgmt Officer-Chr	03/21/17	12/31/17
2. Wendy Roberson, First Deputy County Clerk	03/21/17	12/31/17
3. Richard I. Andres, Chr, Community Services Committee	03/21/17	12/31/17
4. Clyde Burmaster, Legislator	03/21/17	12/31/17
5. Catherine Emerson, County Historian	03/21/17	12/31/17
6. William Flynn, Director, Information Technology	03/21/17	12/31/17
7. Gary Lisowski, Assistant County Attorney	03/21/17	12/31/17
8. Eric Behm, Records Management Coordinator	03/21/17	12/31/17
9. Thomas M. Jaccarino, Social Services	03/21/17	12/31/17
10. Meghan Lutz, Social Services	03/21/17	12/31/17
11. Jeffrey Gaston, Director, Buildings and Grounds	03/21/17	12/31/17
12. Julie Speer, Registrar, NCCC	03/21/17	12/31/17
13. Margaret Truax, citizen representative	03/21/17	12/31/17
14. Cathy Lovejoy Maloney. Exec. Dir., Cornell Cooperative Ext.	03/21/17	12/31/17

Moved by Syracuse, seconded by Collins
Carried.

Director of Employment and Training Donald Jablonski announced that the Spring Career Fair will be held on March 29 from 1:00 – 3:30 p.m. at the Four Point Sheridan Hotel

Chairman McNall recognized Ed and Marty from the Buildings and Grounds Department for their great craftsmanship on the cabinet and closets they have built

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

The Chairman declared the Board adjourned at 8:36 p.m., subject to the call of the Clerk.

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

May Jo Tamburlin