

## OFFICIAL RECORD

Lockport, New York  
May 2, 2017

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

Clerk Tamburlin called the roll. All Legislators were present with the exception of Legislators Syracuse and Wydysh.

A moment of silence was held for former Niagara County Legislator and North Tonawanda First Ward Alderman Phillip "Russ" Rizzo and former Niagara County Legislator John Collins.

### **CORRESPONDENCE/RECOGNITION:**

1. Clerk Tamburlin announced that Niagara County's Municipal Separate Storm Sewer Systems (MS4) Draft Annual Report, March 2016-March 2017 is available for Public Review and comment until May 26, 2017 at the Niagara County Department of Public Works, Administration Office, 2<sup>nd</sup> floor 59 Park Ave., Lockport NY 14094 or on the County's Website under County Information Stormwater.
2. Clerk Tamburlin read a letter from Legislator Richard L. Andres, Chairman of the Niagara County Ad Hoc Committee on Recreation and Tourism and R. Thomas Burgasser, Asst. County Attorney Thanking Raphaele Proefrock, Executive Director of the Carousel Society of the Niagara Frontier for their presentation and will be presenting the project to the full body Legislature for approval.
3. Chairman McNall announced that Governor Cuomo has declared a State of Emergency in Niagara County and other counties along the Lake Ontario Shoreline that have been impacted by the recent flooding from the lakes rising water levels. Legislator Godfrey wanted to thank Senator Ortt, Assemblyman Morinello, Assemblyman Norris, First Responders and Emergency Services Director Jonathan Schultz and staff on a job well done very pleased with the work that has been done and will be done.
4. Chairman McNall spoke how he had the pleasure of sitting down with Retired United States Coast Guard Auxiliary Bill Callahan and sign the Proclamation that will be presenting in honor of Armed Forces Week may 7- 15, 2017
5. Chairman McNall spoke on the Borderworx Logistics Grand Opening & Ribbon Cutting Ceremony he attended and after conversation with Dean Wood CEO/ owner who recognized the all the work Sam Ferraro, Commissioner of Economic Development and especially Andrea Klyzek, Director of Marketing for her business professionalism, her determination and her unending work in bringing Borderworx Logistics to Niagara County and in our Inducon Complex.
6. Donald J. Jablonski Employment and Training Director announced that Wednesday May 10<sup>th</sup> from 9:30-12:00pm a Job Fair will be held at the Best Western Hotel on Transit in Lockport.

### **PRESENTATIONS:**

1. Economic Development Committee Chair, Kathryn L. Lance presented the William G. Mayne Jr. Business Community Enhancement Program Awards. Legislator Lance thanked Niagara Falls Bridge Commission members in attendance; Frank Soda Commissioner, Commissioner Soda spoke about the late William Mayne and his positive impact on the community.

2. Legislator Andres invited Laura Kelemen, Niagara County Mental Health Director and staff from different community agencies to the lectern to give a brief overview of the efforts of the county to treat people with mental illness. Legislator Andres read a proclamation declaring May 2017 as Mental Health Awareness Month in Niagara County.

3. Chairman McNall called Joseph Jastrzemski, County Clerk and Catherine Emerson, County Historian to the lectern to give a overview on a the Greg Lewis Grant that was awarded to the Historian department which will be used to digitalize the 51,000 fragile Niagara County Newspapers dated from 1826-1960 for the public to see.

0 citizens spoke at this time.

Recess

**Resolution No. CW-003-17 was read at this time. (Appears in numerical order)**

Chairman McNall announced ED-008-17 was being removed from the preferred agenda and placed on the regular agenda.

Moved by Andres, second by Nemi.

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

Carried.

**Resolution No. AD-006-17**

From: Administration Committees

Dated: May 2, 2017

**SUMMER HOURS – 2017**

WHEREAS, the County has agreed to a ten-week period for a summer work schedule change and,

WHEREAS, it was agreed that this new schedule will apply only to those departments and employees who are on a Monday through Friday, 9:00 a.m. to 5:00 p.m. schedule, now, therefore, be it

RESOLVED, that effective June 25, 2017 through September 2, 2017 the work schedule of the County employees mentioned above will be 8:30 a.m. to 4:30 p.m. with the following regulations:

1. Any department required by local regulations or law to remain open until 5:00 p.m. may be exempt from this schedule.
2. Each Department Head is authorized to return to the 9:00 a.m. to 5:00 p.m. schedule if the new hours cause operational problems, or if the employees abuse the new work schedule.
3. This agreement is for the ten-week period as stated above and will not be repeated without further Legislative action.
4. Public notice of the hours will be posted in all County offices affected.

Any deviation from the above must be cleared with the Human Resources Department.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysch



**Resolution No. CS-017-17**

From: Community Services &amp; Administration Committees

Dated: May 2, 2017

**ABOLISH AND CREATE POSITION – SOCIAL SERVICES**

WHEREAS, a matter of practice the Department of Social Services reviews the need for the filling of vacant positions or to determine if they can be better utilized in other areas of the department, and

WHEREAS, currently the workload of the child welfare units have increased as a result of the number of children being referred for services due to increased child abuse reports, and

WHEREAS, the housing unit has seen a substantial increase in the number of people who present themselves to the department as being homeless which has placed a significant burden on the existing staff, and

WHEREAS, process reviews/revisions have been completed in other areas of the department, allowing us to make the determination that four (4) positions that are currently vacant, 1- Chief Social Services Worker, Job Group 12, 1- Account Clerical I, Job Group 4, 2-Social Services Workers, Job Group 7 are no longer necessary to fill, and

WHEREAS, due to the increase in workload in the Child Welfare units, 2 (two) Caseworker positions, Job Group 9 would greatly help to ensure that children receive appropriate services, and

WHEREAS, due to the increase in the number of people presented as homeless, an additional Employment Case Manager position, Job Group 9 is needed in the department's Housing unit to ensure that families are able to secure permanent housing and provide a stable environment for their children, now, therefore, be it

RESOLVED, that the following positions be abolished effective May 8, 2017: Chief Social Services Worker, position #10208, Job Group 12 step 8 at \$32.60 per hour, Social Services Worker position #1037 Job Group 7 step 4 at \$20.97 per hour, Social Services Worker position #1184 Job Group 7 step 8 at \$22.23 per hour, Account Clerical I position #1102 Job Group 4 step 8 at \$18/84 per hour, and be it further

RESOLVED, that the following positions be created and filled effective May 8, 2017: One (1) Employment Case Manager, Job Group 10 step 1 at \$23.59 per hour, and two (2) Caseworker positions Job Group 9 step 1 each at \$21.84 per hour, and be it further

RESOLVED, that the following line item transfer be effectuated:

**FROM:**

A.22.6010.000 71010.10208	Chief Social Services Worker	\$45,881
A.22.6010.000 71010.1102	Account Clerical I	34,289

**TO:**

A.22.6010.000 71010.xxxx	Employment Case Manager	\$28,072
A.22.6010.000 71010.xxxx	Caseworker 1,2	26,049
A.22.6010.000 71010.xxxx	Caseworker 1,2	26,049

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysh

**Resolution No. CS-018-17**

From: Community Services &amp; Administration Committees

Dated: May 2, 2017

**BUDGET MODIFICATION – ACCEPT IMPACT FUNDING  
NURSING DIVISION - DEPARTMENT OF HEALTH**

WHEREAS, the Nursing Division of the Niagara County Department of Health provides a wide array of essential services, and

WHEREAS, the New York State Department of Health through the P2 Collaborative of Western New York, a New York not-for-profit corporation, has awarded the Nursing Division IMPACT (Initiatives for Multi-Sector Public Action) funds to support the implementation of the National Diabetes Prevention Program at a self-insured employer site and in primary care offices, now, therefore, be it

RESOLVED, that the following budget modification, be effectuated:

**INCREASE REVENUE:**

A.20.4189.401 43489.06 Healthy Community Initiatives	\$7,000.00
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**INCREASE APPROPRIATIONS:**

A.20.4189.401 71050.00 Overtime	\$2,034.00
A.20.4189.401 74250.01 Office Supplies	600.00
A.20.4189.401 74250.03 Printing/Duplicating	800.00
A.20.4189.401 74300.03 Mileage	700.00
A.20.4189.401 74375.01 Advertising /Promotion	1,200.00
A.20.4189.401 74600.02 Books/Subscriptions	300.00
A.20.4189.401 74675.02 Central Printing	450.00
A.20.4189.401 74675.03 Print Shop Supplies	100.00
A.20.4189.401 74750.11 Med/lab/clinic supplies	250.00
A.20.4189.401 78200.00 FICA	156.00
A.20.4189.401 78100.00 Retirement	382.00
A.20.4189.401 78300.00 Worker's Comp	28.00

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysh

**Resolution No. CS-019-17**

From: Community Services & Administration Committees

Dated: May 2, 2017

**ACCEPT GRANT  
NIAGARA COUNTY HISTORIAN**

WHEREAS, an important part of the mission of the Niagara County Historian's Office is to serve as an advocate and resource in historic preservation of manuscripts and records that document a community's past and constitute a community's material culture, and

WHEREAS, the Niagara County Historian's Office has served as custodian of one-of-a-kind, never before microfilmed (or re-created in any format) newspapers dating from 1826-1960, and

WHEREAS, these important papers are not held in any other repository and provide testimony of Niagara County's contributions to the Western New York region and the world, and



WHEREAS, the collection is fragile and brittle (yet still legible), and is unlisted in the 1976 New York State Newspaper Project, and

WHEREAS, since the collection is the only surviving copy, it has been determined that digitization of this rare collection is imperative, and

WHEREAS, the Grigg-Lewis Foundation, Inc. has awarded the Niagara County Historian's office a grant in the amount of \$51,000.00 for the purpose of preserving and protecting this fragile collection and the history it holds through digitization, and

WHEREAS, the Niagara County Historian will administer the grant, now, therefore, be it

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute the attached grant, subject to the approval of the County Attorney, and be it further

RESOLVED, that the following budget modification be effectuated to accept the full amount of this grant:

INCREASE REVENUE

A.10.1410.000 42705.00	Gifts and Donations	\$51,000.00
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INCREASE APPROPRIATIONS:

A1410.000.74550.25	Records Maintenance	\$51,000.00
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Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysh

**Resolution No. CSS-024-17**

From: Community Safety & Security and Administration Committees

Dated: May 2, 2017

**NIAGARA COUNTY SHERIFF'S OFFICE-BUDGET MODIFICATION  
EXPLOSIVE DETECTION CANINE TEAM GRANT PROGRAM**

WHEREAS, the Niagara County Sheriff's Office has been awarded a grant in the amount of \$14,600 from the New York State Division of Criminal Justice Services for the period April 1, 2017 through August 31, 2019 to protect Niagara County residents and infrastructure from terrorist attacks involving explosive devices, and

WHEREAS, the grant will allow the Niagara County Sheriff's Office to purchase equipment and provide training to enhance explosive detection canine team capabilities, 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.17.3645.000.44305.02	Civil Defense Homeland Security	\$14,600
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INCREASE APPROPRIATIONS:

A.17.3645.000.72100.21	Law Enforcement Supplies	\$11,900
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A.17.3645.000.74750.05	Law Enforcement Supplies	1,200
A.17.3645.000.74600.03	Training and Education	1,500

Moved by Bradt, seconded by Virtuoso.  
 Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysch

**Resolution No. CSS-025-17**

From: Community Safety & Security and Administration Committees  
 Dated: May 2, 2017

**DISTRICT ATTORNEY BUDGET MODIFICATION  
 USE OF ASSETS FORFEITURE FUNDS –CRIME NIGHT OUT**

WHEREAS, the Niagara County District Attorney's Office maintains its Local Asset Forfeiture Trust Account for the prosecution and reduction of targeted drug crimes, and

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

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

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

RESOLVED, that the Niagara County Treasurer's Office is hereby authorized to disburse \$500 from the District Attorney's Local Assets Forfeiture Account A.02.1165.000.40036 into the District Attorney's operating budget, and be it further

RESOLVED, that the following budget modifications are effectuated:

**INCREASE REVENUE:**

A.02.1165.000.40599.02	Appropriated Fund Balance Restricted Funds	\$500
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**INCREASE APPROPRIATIONS:**

A.02.1165.000.74400.09	Payments to Other Agencies	\$500
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Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysch

**Resolution No. CSS-026-17**

From: Community Services & Administration Committees  
 Dated: May 2, 2017

**DISTRICT ATTORNEY- BUDGET MODIFICATION- REAPPROPRIATE GRANT FUNDING**

WHEREAS, the Niagara County District Attorney's Office received funding from the Division of Criminal Justice Services in the amount of \$15,000 for the period of October 1, 2016 through September 30, 2017 to enhance law enforcement initiatives, and

WHEREAS, funds were appropriated into the District Attorney's operating budget but not fully expended prior to year-end, and

WHEREAS, it is necessary to re-appropriate those unspent into the 2017 operating budget to continue the



initiative as directed by the Division of Criminal Justice Services, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

**INCREASE REVENUE:**

A.02.1165.000.43389.25	Division of Criminal Justice DA	\$3,146.31
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**INCREASE APPROPRIATIONS**

A.02.1165.000.74400.10	Miscellaneous Expenses-Other	\$3,146.31
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Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysh

**Resolution No. CW-003-17**

From: Committee of the Whole

Dated: May 2, 2017

**RESOLUTION REQUESTING TO AMEND THE TAX LAW, IN RELATION TO  
CONTINUING TO AUTHORIZE NIAGARA COUNTY TO IMPOSE  
SALES AND COMPENSATING USE TAXES, PURSUANT TO  
SENATE BILL NO. S-5656 AND ASSEMBLY BILL NO. A-7465**

WHEREAS, in 2003 the County of Niagara requested the State of New York to amend Article 29, Sections, 1210, 1224 and 1262-n of the State of New York to authorize the County of Niagara to impose an additional one percent (1%) rate of tax in addition to the three percent (3%) the County is authorized to impose and pursuant thereto the County imposed the additional one percent (1%) rate and dedicated the funds so raised to the payment of the local share of Medicaid costs, and

WHEREAS, the County of Niagara deemed it necessary to extend the additional one percent (1%) in the Niagara County sales tax which was imposed pursuant to Home Rule Message resolution FN-005-03 adopted January 21, 2003 and pursuant to imposition resolution FN-006-03 adopted January 22, 2003 to enable the County of Niagara to offset the cost of the local share of Medicaid, and

WHEREAS, the additional one percent (1%) was imposed for the period beginning March 1, 2003 and ending November 30, 2005, and

WHEREAS, the County of Niagara thereafter deemed it necessary to extend the additional one percent (1%) in the Niagara County sales tax, as set forth in Home Rule Message resolution AD-017-05 adopted April 19, 2005 and imposition resolution AD-027-05 adopted July 12, 2005 to enable the County of Niagara to continue to offset the cost of the local share of mandated Medicaid costs, and

WHEREAS, the extension of the additional one percent (1%) rate was imposed for the period beginning December 1, 2005 and ending November 30, 2007, and

WHEREAS, the County of Niagara thereafter deemed it necessary to extend the additional one percent (1%) in the Niagara County sales tax, as set forth in Home Rule Message resolution AD-017-07 adopted May 1, 2007 and imposition resolution CW-001-07 adopted August 7, 2007 to enable the County of Niagara to continue to offset the cost of the local share mandated Medicaid costs, and

WHEREAS, the extension of the additional one percent (1%) rate was imposed for the period beginning December 1, 2007 and ending November 30, 2009, and

WHEREAS, the County of Niagara thereafter deemed it necessary to extend the additional one percent (1%) in the Niagara County sales tax, as set forth in Home Rule Message Resolution AD-012-09 adopted May 5, 2009



and imposition resolution CW-001-09 adopted July 28, 2009 to enable the County of Niagara to continue to offset the cost of the local share mandated Medicaid costs, and

WHEREAS, the extension of the one percent (1%) rate was imposed from the period beginning December 1, 2009 and ending November 30, 2011, and

WHEREAS, the County of Niagara thereafter deemed it necessary to extend the additional one percent (1%) in the Niagara County sales tax, as set forth in Home Rule Message Resolution AD-015-11 adopted May 17, 2011 and imposition resolution CW-001-11 adopted August 22, 2011 to enable the County of Niagara to continue to offset the cost of the local share mandated Medicaid costs, and

WHEREAS, the extension of the one (1%) percent rate was imposed from the period beginning December 1, 2011 and ending November 30, 2013, and

WHEREAS, the County of Niagara thereafter deemed it necessary to extend the additional one percent (1%) sales tax, as set forth in Home Rule Message Resolution AD-009-13 adopted May 21, 2013 and imposition resolution AD-019-13 adopted August 6, 2013 to enable the County of Niagara to continue to offset the cost of the local share of mandated Medicaid costs, and

WHEREAS, the extension of the one (1%) percent rate was imposed from the period beginning December 1, 2013 and ending November 30, 2015, and

WHEREAS, the County of Niagara thereafter deemed it necessary to extend the additional one percent (1%) sales tax, as set forth in Home Rule Message Resolution CW-009-15 adopted May 19, 2015 and imposition resolution CW-013-15 adopted September 9, 2015 to enable the County of Niagara to continue to offset the cost of the local share of mandated Medicaid costs, and

WHEREAS, the extension of the one percent (1%) rate was imposed from the period beginning December 1, 2015 and ending November 30, 2017, and

WHEREAS, the Niagara County Legislature hereby finds that it is necessary to further extend the additional one percent (1%) sales tax for the period beginning December 1, 2017 and ending November 30, 2019 to enable the County of Niagara to continue to offset the cost of the local share of mandated Medicaid costs, now, therefore, be it

RESOLVED, that the Niagara County Legislature requests the New York Legislature to authorize the County of Niagara to continue to impose an additional one percent (1%) rate of tax for the period beginning December 1, 2017 and ending November 30, 2019 in addition to the three percent (3%) the County is authorized to impose and to dedicate the funds from the additional one percent (1%) rate to the payment of the local share of Medicaid costs, said authorization in the form of Senate Bill No. S-5656 and Assembly Bill No. A-7465, and be it further

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

Chairman McNall implemented Rule 28 and turned the floor over to Legislator Nemi for discussion on CW-003-17

Moved by Bradt, seconded by Burmaster.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Syracuse and Wydysh

**Resolution No. ED-008-17**

From: Economic Development & Administration Committees



Dated: May 2, 2017

**RESOLUTION OF THE NIAGARA COUNTY LEGISLATURE, AS THE ELECTED LEGISLATIVE BODY OF NIAGARA COUNTY, NEW YORK, IN ACCORDANCE WITH SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE"), APPROVING THE ISSUANCE BY THE NIAGARA AREA DEVELOPMENT CORPORATION OF UP TO \$17,000,000 TAX-EXEMPT REVENUE BONDS (YOUNG MEN'S CHRISTIAN ASSOCIATION BUFFALO NIAGARA PROJECT), SERIES 2017**

WHEREAS, the Niagara County Legislature (the "Legislature"), as the elected legislative body of Niagara County, New York (the "County") has been advised by the Niagara Area Development Corporation (the "Issuer") that, in order to assist in the financing of a certain Project (as defined below) for the benefit of Young Men's Christian Association Buffalo Niagara, a not-for-profit corporation organized and existing under and by virtue of the laws of the State of New York (for Young Men's Christian Association Buffalo Niagara Project itself, an affiliate or an entity on its behalf) (collectively, the "Company"), the Issuer proposes to issue, contingent upon the adoption of this Resolution by the Legislature, its Tax-Exempt Revenue Bonds (Young Men's Christian Association Buffalo Niagara Project), Series 2017, in an aggregate principal amount not to exceed \$17,000,000 (the "Bonds"), and

WHEREAS, proceeds of the Bonds will finance a certain project (the "Project") consisting of: (A) the financing of certain improvements to be located at 1000 Locust Street Extension, Town of Lockport, New York (being more fully identified as tax map number 123.00-1-1) (the "Land"), consisting of (i) the construction of (a) an approximately 52,000 square-foot facility to provide traditional YMCA membership and program services such as fitness activities, youth sports programs, summer day camp and preschool education and other services, and (ii) a related parking lot, all to serve the Town of Lockport and the surrounding communities (collectively, the "Improvements"), and (ii) the acquisition of and installation in and around the Improvements of certain machinery, equipment and other items of tangible personal property (the "Equipment", and together with the Land and the Improvements, the "Facility"); and (B) the paying of all or a portion of the costs incidental to the issuance of the Bonds, including issuance costs of the Bonds, capitalized interest and any reserve funds as may be necessary to secure the Bonds (the costs associated with items (A) and (B) above being hereinafter collectively referred to as the "Project Costs"), and

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

WHEREAS, on May 1, 2017 at 3:00 p.m., the Issuer held such a public hearing upon proper notice in compliance with the Code, and

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

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

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

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

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

Section 3. This Resolution shall take effect immediately.

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

	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Clyde L. Burmaster	[ X ]	[ ]	[ ]	[ ]
Rebecca J. Wydysh	[ ]	[ ]	[ X ]	[ ]
Mark J. Grozio	[ X ]	[ ]	[ ]	[ ]
Owen T. Steed	[ X ]	[ ]	[ ]	[ ]
Jason A. Zona	[ X ]	[ ]	[ ]	[ ]
Dennis F. Virtuoso	[ X ]	[ ]	[ ]	[ ]
Kathryn L. Lance	[ X ]	[ ]	[ ]	[ ]
Richard L. Andres	[ ]	[ X ]	[ ]	[ ]
Randy R. Bradt	[ X ]	[ ]	[ ]	[ ]
David E. Godfrey	[ X ]	[ ]	[ ]	[ ]
Anthony J. Nemi	[ X ]	[ ]	[ ]	[ ]
William J. Collins Sr.	[ X ]	[ ]	[ ]	[ ]
William Keith McNall	[ ]	[ X ]	[ ]	[ ]
John Syracuse	[ ]	[ ]	[ X ]	[ ]
Michael A. Hill	[ X ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.

Dated: May 2, 2017

Moved by Bradt, seconded by Collins.

Adopted. 11 Ayes, 2 Noes – McNall & Andres, 2 Absent –Syracuse & Wydysh

**Resolution No. IF-071-17**

From: Infrastructure & Facilities and Administration Committees

Dated: May 2, 2017



**GRISWOLD STREET BRIDGE OVER TRIBUTARY OF MUD CREEK  
FEDERAL AID LOCAL PROJECT AGREEMENT**

WHEREAS, the Griswold Street Bridge over Tributary of Mud Creek project, town of Royalton, Niagara County, (the "Project"), is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% federal funds and 5% non-federal Funds, and

WHEREAS, the county of Niagara desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering Design Phases I-VI and Right-of-Way Incidentals phases of the project, 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 Legislature of the county of Niagara hereby approves the above-subject project, and be it further

RESOLVED, that the Legislature of the county of Niagara hereby authorizes the county of Niagara to pay in the first instance 100% of the federal and non-federal shares of the cost of the Preliminary Engineering Design Phases I-VI and Right-of-Way Incidentals phases of the Project or portions thereof, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE ANTICIPATED REVENUE:

H651.15.5197.000 44597.01	Federal Aid Capital Const Hwy	\$247,000
H651.15.5197.000 43501.00	CHIPS	\$ 13,000

INCREASE ANTICIPATED APPROPRIATIONS:

H651.15.5197.000 72600.02	Infrastructure-Bridges	\$260,000
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and be it further

RESOLVED, that the sum of \$260,000 is hereby appropriated in account H651.15.5197.000 72600.02 and made available to cover the cost of participation in the above phases of the project, and be it further

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

RESOLVED, that the Chair of the Legislature of the county of Niagara be, and hereby is, authorized to execute all necessary agreements, certifications, or reimbursement requests for federal aid on behalf of the county of Niagara with the New York State Department of Transportation, in connection with the advancement or approval of the Project providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

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

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

RESOLVED, that this Resolution shall take effect immediately.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysch

**Resolution No. IF-072-17**

From: Infrastructure & Facilities Committee

Dated: May 2, 2017

**WALMORE ROAD PAVEMENT PROJECT  
CONSULTANT CONTRACT**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Walmore Road Pavement project, and

WHEREAS, funds are available in account H643.15.5112.000 72600.01, Infrastructure Roads, 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 consultant services contract for the Walmore Road Pavement Project be awarded to C&S Engineers, Inc., 499 Col Eileen Collins Blvd., Syracuse, NY 13212, for a contract amount not to exceed \$185,000.00, 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 –Syracuse & Wydysch

**Resolution No. IF-073-17**

From: Infrastructure & Facilities Committee

Dated: May 2, 2017

**AWARD PUBLIC WORKS DIESEL FUEL ISLAND  
FACILITY CONSULTANT CONTRACT**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Diesel Fuel Island Facility project, and

WHEREAS, funds are available in account H641.25.1620.000 72400.00, Land Improvements Expense, 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 consultant services contract for the Public Works Diesel Fuel Island Facility Project be awarded to Foit -Albert Associates, 763 Main Street, Buffalo, NY 14203, for a contract amount not to exceed \$37,913.00, 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 –Syracuse & Wydysh

**Resolution No. IF-074-17**

From: Infrastructure & Facilities Committee  
Dated: May 2, 2017

**AWARD GRISWOLD STREET BRIDGE OVER TRIBUTARY  
OF MUD CREEK CONSULTANT CONTRACT**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Griswold Street Bridge over Tributary of Mud Creek project, and

WHEREAS, funds are available in account H651.15.5197.000 72600.02, Infrastructure Bridges, 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 consultant services contract for the Griswold Street Bridge over Tributary of Mud Creek Project be awarded to Watts Engineering & Architecture, PC, 95 Perry Street, Suite 300, Buffalo, NY 14203, for a contract amount not to exceed \$218,700.00, 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 –Syracuse & Wydysh

**Resolution No. IF-075-17**

From: Infrastructure & Facilities and Administration Committees  
Dated: May 2, 2017

**NIAGARA COUNTY COURTHOUSE  
CONTRACT AMENDMENT**

WHEREAS, by Resolution No. IF-012-17, dated February 21, 2017, the Legislature awarded the contract for the Niagara County Court House Asbestos Abatement and Floor Preparation to Regional Environmental Demolition, Inc., for a contract amount of \$32,200.00, and

WHEREAS, it is recommended to increase the contract in the amount of \$33,956.00, for additional square footage at the Court House to be remediated, for a revised contract amount of \$66,156.00, and

WHEREAS, it is also recommended that a building at Bond Lake Park, be remediated, for a fee not to exceed, \$3,200.00, for a revised contract price of \$69,356.00, 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 Change Order No. 1 to increase the contract by \$37,156 for the Niagara County Courthouse Project, for a revised contract amount of \$69,356.00, to Regional Environmental Demolition Inc., 6281 Wendt Drive, Niagara Falls, NY 14304, 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 –Syracuse & Wydysch

**Resolution No. IF-076-17**

From: Infrastructure & Facilities Committee

Dated: May 2, 2017

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

WHEREAS, the Lockport Exchange Club have requested that the county of Niagara grant them permission to use a portion of the Davison Road Campus for the purpose of holding a Beef on Weck Sale, and

WHEREAS, it is the wish of the Lockport Exchange Club to hold the Beef on Weck Sale on June 8, 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 Lockport Exchange Club, and

WHEREAS, prior to the execution of the license agreement between the County of Niagara and Lockport Exchange Club, the County Attorney will review said agreement for approval as to legal form, language and compliance, and now, therefore, it is

RESOLVED, that, following the County Attorney's review, the Chair of the County Legislature be, and hereby is, authorized to execute the license agreement between the county of Niagara and Lockport Exchange Club.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysch

**Resolution No. IF-077-17**

From: Infrastructure & Facilities Committee

Dated: May 2, 2017

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA  
AND IABCA & INTERNATIONAL DOG SHOW**

WHEREAS, IABCA & International Dog Show has requested that the county of Niagara grant them permission to use Oppenheim Park, for the purpose of holding an International Dog Show Event, to be held May 19-21, 2017, and

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

WHEREAS, it is the wish of the organizers to hold the event on May 19-21, 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 IABCA & International Dog Show, and



WHEREAS, prior to the execution of the license agreement between the county of Niagara and IABCA & International Dog Show, 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 IABCA & International Dog Show.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysch

**Resolution No. IF-078-17**

From: Infrastructure & Facilities Committee

Dated: May 2, 2017

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND  
THE KAIHATSU FIELD HOCKEY CLINIC**

WHEREAS, the Kaihatsu Field Hockey Clinic has requested that the county of Niagara grant them rights to operate a field hockey clinic 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 Kaihatsu Field Hockey Clinic, 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 Kaihatsu Field Hockey Clinic, now, therefore, be it

RESOLVED, that the terms and conditions of the agreement between the county of Niagara and the Kaihatsu Field Hockey Clinic, 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 license agreement between the County of Niagara and the Kaihatsu Field Hockey Clinic.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysch

**Resolution No. IF-079-17**

From: Infrastructure & Facilities Committee

Dated: May 2, 2017

**AUTHORIZATION TO PROCEED WITH  
THE NIAGARA COUNTY WEST CANAL MARINA & PARKS PADDLE SPORT  
LAUNCH PROJECT - PHASE II POWER AND WATER INSTALLATION**

WHEREAS, the Niagara Power Coalition (“NPC”) and the New York Power Authority (“NYPA”) agreed to a licensing settlement for the next 50 years for the Niagara Power Project, and

WHEREAS, that settlement provides Niagara County to receive \$390,000 annually to fund economic development projects along the Greenway Trail, and

WHEREAS, the Erie Canal waterfront is a shared natural, scenic and recreational asset for Niagara County and the town of Pendleton and great strides have been taken by both communities to work collaboratively to study, plan and implement development and preservation efforts that will enhance accessibility while maintaining the natural integrity of the area, and

WHEREAS, the Niagara County Parks Department is proposing to improve waterfront access and recreational opportunities offered to the community at the West Canal Marina & Park site; this proposal is the next step in utilizing greenway funds to execute the goals of the Niagara County Comprehensive Plan and the comprehensive plan in the “Vision for the Amherst/Pendleton Waterfront Revitalization Area,” and

WHEREAS, Niagara County Parks has a series of parks throughout the County, serving the families of Niagara County and Western New York; West Canal Marina & Park is a 30 acre park that serves as a marina and parkland, and is open to all residents; it is an ideal setting for picnicking, kayaking, boating, canoeing and more, and

WHEREAS, the current proposal is a “Phase II” to the original Park Paddle Sport Launch Project; the second phase includes enhancement to the boat launch area with the installation of power and water, and

WHEREAS, the West Canal Marina & Park Paddle Sport Launch - Phase II Power and Water Installation Project meets the guiding principles of the Niagara River Greenway Commission, and

WHEREAS, the Niagara River Greenway Commission’s guiding principles promote high-quality, ecologically sensitive and sustainable activities and development, and

WHEREAS, the proposed West Canal Marina & Park Paddle Sport Launch - Phase II Power and Water Installation Project will increase traffic to the County’s waterfront and parks; restoring environmental integrity, and

WHEREAS, Niagara County’s Park request has the support of the town of Pendleton, and be it further

RESOLVED, that the Niagara County Legislature does hereby authorize the Niagara County Buildings and Grounds Department to proceed with the request for sponsorship through the Niagara County’s Ad Hoc Committee on Recreation and Tourism and the Niagara Power Coalition’s Host Community Standing Committee for funding in an amount not to exceed \$100,000.00 for the Niagara County West Canal Marina & Parks Paddle Sport Launch - Phase II Power and Water Installation Project when presented to the Host Community Standing Committee, 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 –Syracuse & Wydysh

**Resolution No. IF-080-17**

From: Infrastructure & Facilities and Administration Committees

Dated: May 2, 2017



**TO CONVEY COUNTY PROPERTY LOCATED AT  
50 MAIN STREET, LOCKPORT, NEW YORK TO THE CITY OF LOCKPORT**

WHEREAS, the parcel of property located at 50 Main Street, Lockport, NY was part of the land package to purchase 20-40 East Avenue and 111 Main Street, Lockport, New York, and

WHEREAS, the county of Niagara has no plan to develop or utilize this property, and

WHEREAS, the County by resolution IF-116-15 declared 50 Main Street, Lockport, New York, surplus property, and

WHEREAS, the Lockport Industrial Development Corp. passed a resolution on March 23, 2017 authorizing the mayor of the city of Lockport, New York to convey the property located at 50 Main Street, Lockport, New York from the County for the municipal use and utilization of the property, and

WHEREAS, the county of Niagara hereby determines the transfer of said parcel to the city of Lockport would be in the best interest of the County, and

WHEREAS, the county of Niagara finds and determines prior to the conveyance as protection of the County's interests the execution and delivery of a transfer and indemnity agreement received from the city of Lockport is necessary, and

WHEREAS, the terms and conditions under which the property is to be conveyed to the city of Lockport are subject to the final review and approval by the Niagara County Attorney's Office and the attorney of the city of Lockport, and must include legally binding assurances of the city of Lockport holding harmless and fully indemnifying the county of Niagara from any liability, damage, claims or judgments arising after the transfer of said property from the condition and use of the Property including the condition and use of the Property thereafter by the city of Lockport, its transferees, grantees, successors and assigns, now, therefore, be it

RESOLVED, that the county of Niagara agrees to sell the premises located at 50 Main Street, Lockport, parcel SBL# 109.13-3-5, in city of Lockport to the city of Lockport for the amount of one dollar (\$1.00), and be it further

RESOLVED, that the county of Niagara agrees to transfer title to the premises in "as is condition," and be it further

RESOLVED, that the city of Lockport agrees to maintain the facilities and grounds, pay all utilities, and assume all liability issues for the facilities and grounds, and be it further

RESOLVED, that the city of Lockport shall use such premises for the utilization by the city of Lockport for municipal purposes, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to convey said property to the city of Lockport, by the execution and delivery of a deed and all other required documents for transfer of 50 Main Street, Lockport, New York, SBL#109.13-3-5.

Moved by Collins, seconded by Nemi.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysch

**Resolution No. IL-018-17**

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

Dated: May 2, 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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Moved by Andres, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysh

**Resolution No. IL-019-17**

From: Legislator Anthony J. Nemi and Economic Development Committee

Dated: May 2, 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 promote 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 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 190<sup>th</sup> 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

INCREASE APPROPRIATIONS:

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

Moved by Andres, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysk

**Resolution No. IL-020-17**

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

Dated: May 2, 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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Moved by Andres, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysh

**Resolution No. IL-024-17**

From: Legislators Anthony J. Nemi, Wm. Keith McNall, William J. Collin and Economic Development Committee

Dated: May 2, 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
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Moved by Andres, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysh

**Resolution No. IL-025-17**

From: Legislator Randy R. Bradt and Economic Development Committee

Dated: May 2, 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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Moved by Andres, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysh

**Resolution No. IL-027-17**

From: Legislator Jason A. Zona and Economic Development Committee

Dated: May 2, 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
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Moved by Andres, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysh

**Resolution No. IL-029-17**

From: Legislator Michael A. Hill and Economic Development Committee

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF THE TOWN OF ROYALTON THROUGH  
THE USE OF CASINO FUNDING**

WHEREAS, the town of Royalton is requesting funding for updates to the Veterans Park in the Hamlet of Gasport, and

WHEREAS, the Veterans Park would like to add new playground equipment and woodchips to the playgrounds and upgrades to the horseshoe pits, and

RESOLVED, that Niagara County supports the town of Royalton as follows:

Town of Royalton	\$5,000.00
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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	\$5,000.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$5,000.00
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Moved by Andres, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysh

**Resolution No. IL-030-17**

From: Legislator Rebecca J. Wydysh and Economic Development Committee

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF NIAGARA RIVER REGION CHAMBER OF COMMERCE  
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the Niagara River Region Chamber of Commerce has recently expanded their advertising line to the Lewiston, Youngstown, Sanborn and Ransomville region to showcase the great natural beauty and the local businesses and organizational sponsoring exciting events that draw thousands of people from all over Western New York and Southern Ontario, and

WHEREAS, an opportunity has risen for the Chamber to place a featured listing on the Niagara Tourism Convention Corporation website geared toward visitors of the region and help generate a positive economic impact which includes first class restaurants and interesting shops, and

WHEREAS, the communities within the boundaries of the Niagara River Region Chamber of Commerce draw thousands of visitors every year, bringing tourism dollars to the area which are vital to the Niagara County economy, now, therefore, be it

RESOLVED, that the Niagara County Legislature supports funding to the Niagara River Region Chamber of Commerce for marketing purposes as follows:

Niagara River Region Chamber of Commerce	\$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
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Moved by Andres, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysh

**Resolution No. IL-031-17**

From: Legislator Rebecca J. Wydysh and Economic Development Committee

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF THE HISTORIC LEWISTON JAZZ FESTIVAL  
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the village of Lewiston is blessed with great natural beauty and its local organizations sponsor a multitude of extremely exciting events which draw thousands of people from all over Western New York, Southern Ontario and beyond, and

WHEREAS, these festival events generate a positive economic impact on the businesses which include first class restaurants and interesting shops, and

WHEREAS, the Historic Lewiston Jazz Festival is the premier Jazz Festival in Western New York and has the total support of the residents and companies for funding this regional music jewel, and

WHEREAS, the Niagara County Legislature casino fund contribution will support the marketing effort of the Lewiston Jazz Festival Board of Directors, now, therefore, be it

RESOLVED, that the Niagara County Legislature support this outstanding musical event as follows:



Historic Lewiston Jazz Festival \$2,000.00

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

INCREASE APPROPRIATIONS:

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

Moved by Andres, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysh

**Resolution No. IL-032-17**

From: Legislator Rebecca J. Wydysh and Economic Development Committee

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF THE LEWISTON ART FESTIVAL  
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the village of Lewiston is blessed with great natural beauty and its local organizations sponsor a multitude of extremely exciting events which draw thousands of people from all over Western New York, Southern Ontario and beyond, and

WHEREAS, the Lewiston Art Festival, which is sponsored by the Lewiston Council on the Arts, has become a highlight of the summer season in Niagara County, and

WHEREAS, the Lewiston Art Festival attracts artists and vendors from across the country, and

WHEREAS, the Lewiston Art Festival is an economic driver that supports jobs, generates government revenue and is a cornerstone of local tourism, and

WHEREAS, the Niagara County Legislature casino fund contribution will support the continuous marketing effort of the Lewiston Art Festival by the Lewiston Council on the Arts, now, therefore, be it

RESOLVED, that Niagara County supports this outstanding Art event as follows:

Lewiston Art Festival Marketing \$2,000.00

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

INCREASE APPROPRIATIONS:

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

Moved by Andres, seconded by Zona.  
Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysch

**Resolution No. IL-033-17**

From: Legislator Clyde L. Burmaster and Economic Development Committee  
Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF THE YOUNGSTOWN LIONS CLUB  
THROUGH THE USE OF CASINO FUNDS**

WHEREAS, the Lions Club has made available a Community park area in Youngstown for many years, it now finds itself in need of major restoration which will take place over many years, and

WHEREAS, the Lions Club has studied the various needs and has planned a joint project with the village of Youngstown for the next few years to restore the park to safe and fun use, and

WHEREAS, this is a significant undertaking which will enhance the quality of life for all, not just Village residents, and

WHEREAS, the Lions Club has reached out for help with this project and in consideration of all the good Lions do every day, it is only right for the Legislature to assist when possible, now, therefore, be it

RESOLVED, that Casino development funds be granted to the Youngstown Lions Club in the amount of \$1,500 to assist in the restoration of the Youngstown Lions Park, and be it further

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

Youngstown Lions Club	\$1,500.00
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and be it further

**INCREASE APPROPRIATED FUND BALANCE:**

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$1,500.00
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**INCREASE APPROPRIATION:**

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$1,500.00
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Moved by Andres, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysch

**Resolution No. IL-034-17**

From: Legislator Clyde L. Burmaster and Economic Development Committee  
Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF YOUNGSTOWN VILLAGE CONCERT SERIES FOR THE  
SUMMER OF 2017  
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, there has been in existence for many years a full schedule of weekly musical concerts in the park in Youngstown for many years which have been very well attended by people from all over Niagara County as by visitors to Old Fort Niagara, and



WHEREAS, the entertainment provided is of 1<sup>st</sup> class and makes for a enjoyable summer evening outdoor entertainment for all, and

WHEREAS, funding for these events is always a challenge and many dedicated volunteers diligently have worked very hard to ensure these concerts continue, and

WHEREAS, it is the wish of the Legislature to always be supportive of our communities as best we can, now, therefore, be it

RESOLVED, that the sum of \$1,000.00 be granted to the Youngstown Village Concert Series from Casino Funds for costs incurred in continuing this most worthy activity, and be it further

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

Youngstown Village Concert Series	\$1,000.00
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and be it further

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$1,000.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$1,000.00
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Moved by Andres, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysh

**Resolution No. IL-035-17**

From: Legislator Clyde L. Burmaster and Economic Development Committee

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF PURCHASING OF A ELECTRONIC SIGN FOR THE  
RANSOMVILLE LIBRARY TO ANNOUNCE COMMUNITY ACTIVITY AND ALERTS  
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, it is very important to every community to have a central information point and increasingly it has become a major source of providing emergency alerts and activity schedules by use of Electronic Signs for these announcements, and

WHEREAS, the old fashioned manually lettered sign was destroyed by severe weather, which will require a new sign, and

WHEREAS, it has been decided to replace the sign with modern electronic sign which can be accessed indoors to program the messages, and

WHEREAS, signs of this kind can cost as much as \$10,000 and higher, it is decided that the technology provided by a sign in the \$15,000 range will satisfy the immediate and near future, now, therefore, be it

RESOLVED, that available Casino funds be used in the amount of \$7,000.00 to be added to other community funds to purchase this sign, and be it further

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

Ransomville Library	Electronic Sign	\$7,000.00
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and be it further

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$7,000.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$7,000.00
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Moved by Andres, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysh

**Resolution No. IL-036-17**

From: Legislator Clyde L. Burmaster and Economic Development Committee

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF FUNDING TO THE OLD FORT NIAGARA ASSOCIATION FOR CONSTRUCTION OF A BUILDING TO HOUSE NEEDED SAFETY EQUIPMENT**

WHEREAS, Youngstown N.Y. is one of the most historic places in these United States, and

WHEREAS, Youngstown is the location of Old Fort Niagara, the oldest continuously occupied military fort this side of the Mississippi which draws over 115,000 visitors per year to see and learn about history of the United States, and

WHEREAS, it is the responsibility of the Association to provide for the safety of the visitors as well as to protect the structures contained therein, and

WHEREAS, there is an immediate need for a structure that would house much required fire fighting apparatus but limited funds are available to complete the project, and

WHEREAS, funds are available in the amount of \$7,000.00 through the use of Casino funds to finish the job, now, therefore, be it

RESOLVED, the sum of \$7,000.00 be granted to the Old Fort Niagara Association from the stated monies to complete the construction of a building, and be it further

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

Old Fort Niagara Association	\$7,000.00
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and be it further

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$7,000.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$7,000.00
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Moved by Andres, seconded by Zona.  
Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysch

**Resolution No. IL-037-17**

From: Legislator Clyde L. Burmaster and Economic Development Committee  
Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF THE RANSOMVILLE LIBRARY HISTORY PRESERVATION PROGRAM AND LIBRARY IMPROVEMENTS THROUGH THE USE OF CASINO FUNDS**

WHEREAS, Libraries remain the center of any community for reading, media and history, and

WHEREAS, Libraries are more than just books but are used for meetings, celebrations, small community events, etc, and

WHEREAS, some Libraries also become safe havens for historical artifacts and documents so important to preserving our heritage, and

WHEREAS, the Ransomville Library has a very active Library as well as a very active history preservation, requiring ongoing material costs for special programs, and

WHEREAS, funds are available to help offset these costs through the Casino funds, now, therefore, be it

RESOLVED, that a grant of \$1,000.00 to each, Library and History Program for a total of \$2,000.00 be awarded from the Casino funds for Program expenses in the year 2017, and be it further

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

Ransomville Library	\$2,000.00
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and be it further

**INCREASE APPROPRIATED FUND BALANCE:**

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

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$2,000.00
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Moved by Andres, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysch

**Resolution No. IL-038-17**

From: Legislator Clyde L. Burmaster and Economic Development Committee  
Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF THE USE OF CASINO FUNDS TO PURCHASE LIBRARY MATERIALS FOR THE YOUNGSTOWN FREE LIBRARY FOR 2017**

WHEREAS, the Youngstown Free Library has served the village of Youngstown for many years, providing a valuable resource center for its residents, and

WHEREAS, the Library is the center of the Village for those reading books as well as many using the media resources as well as computers to satisfy recreational and educational needs, and

WHEREAS, each year it becomes increasingly more difficult to provide research materials with limited funding, and

WHEREAS, if the library is able to continue to be the resource to the community it must actively seek finances from residents and with support from the friends of the Library will be able to keep abreast with new technology, now, therefore, be it

RESOLVED, that funds are available through the development funds to award \$1,000.00 to the Youngstown Library for the year 2017 for expenses of reference materials, and be it further

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

Youngstown Free Library	\$1,000.00
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and be it further

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$1,000.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$1,000.00
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Moved by Andres, seconded by Zona.

Adopted. 13 Ayes, 0 Noes, 2 Absent –Syracuse & Wydysch

**Resolution No. IL-041-17**

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

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF GRATWICK HOSE FIRE COMPANY INC.  
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, Gratwick Hose Company has been a volunteer fire company in North Tonawanda for over 100 years, and

WHEREAS, Gratwick Hose donates the use of their facilities to different organizations for their events and were recently notified the roof on the field house needs to be replaced, and

WHEREAS, Gratwick Hose would greatly appreciate any assistance with this project as they continue to serve the community of North Tonawanda now, therefore, be it

RESOLVED, that the Niagara County Legislature support Gratwick Hose Company, Inc. as follows:

Field House Roof Replacement	\$3,600.00
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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 \$3,600.00

INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund \$3,600.00  
Referred to Economic Development Committee

**Resolution No. IL-042-17**

From: Legislator Randy R. Bradt

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF THE NORTH TONAWANDA HALL OF FAME  
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the North Tonawanda Football Hall of Fame was created over 40 years ago, and

WHEREAS, the North Tonawanda Football Hall of Fame's building is in need of improvements, which include new doors and a side porch replacement with all the work being done by the hall of fame volunteers, and

WHEREAS, the Niagara County Legislature casino fund contribution will support building improvements for the North Tonawanda Football Hall of Fame, now, therefore, be it

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

Building Improvements \$2,578.00

and be it further

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01 Appropriated Fund Balance - Committed Funds \$2,578.00

INCREASE APPROPRIATION:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund \$2,578.00  
Referred to Economic Development Committee

**Resolution No. IL-043-17**

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

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF THE LOCKPORT COMMUNITY FARMER'S MARKET  
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the Lockport Community Market located on Historic Canal Street has been bringing farmers, artisans and the community together to celebrate the rich agriculture heritage that Western New York has to offer for the past 7 years, and

WHEREAS, the Lockport Farmers Market is expanding to be a full "Quality of Life" program that will include numerous community engagement programs such as cooking lessons, music exploration sessions for the youth, recycling and community "clean up" programs, yoga and nutrition demonstrations as well as participating in multiple food programs, now, therefore, be it

RESOLVED, that the Niagara County Legislature supports the Lockport Community Farmers Market as it strives to give a better Quality of Life to the residents in the community as follows:

Lockport Community Farmer's Market	\$5,000.00
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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	\$5,000.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund	\$5,000.00
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Referred to Economic Development Committee

**Resolution No. IL-044-17**

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

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF THE CHALLENGER LEARNING CENTER OF ORLEANS,  
NIAGARA AND ERIE COUNTIES THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the Challenger Learning Center of Orleans, Niagara and Erie Counties offers educational STEAM (science, technology, engineering, art and math) and a complementary Planetarium program for people of all ages, and

WHEREAS, the planetarium is the only public planetarium in Niagara County and has begun offering "Rendezvous with Comet Halley" missions, this is a interactive, immersive experience with each individual taking on a unique and essential role in mission control on Earth and on the International Space Station, and

WHEREAS, the Challenger Learning Center of is currently borrowing an antiquated projector, when available and would like to purchase a new digital planetarium projector which will provide a unique view of the universe both today and throughout history, now, therefore, be it

RESOLVED, that the Niagara County Legislature supports the Challenger Learning Center as it focuses on serving students and residents in the community as follows:

Challenger Learning Center of Orleans, Niagara and Erie Counties	\$14,000.00
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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 \$14,000.00

INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund \$14,000.00  
Referred to Economic Development Committee

**Resolution No. IL-045-17**

From: Legislator Dennis F. Virtuoso

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF THE REMOVAL OF  
NIAGARA COUNTY COMMUNITY COLLEGE PRESIDENT**

WHEREAS, there have been several recent incidents at NCCC that have affected the reputation of NCCC, and

WHEREAS, there is an ongoing federal investigation into bid rigging and the Governor of New York Andrew Cuomo has called for an investigation into the recent sexual assault of a NCCC student, and

WHEREAS, the way NCCC handled this sexual assault and other assaults may have violated Federal Law, Clery Act and New York State Law, Enough is Enough Law which took effect last year, and

WHEREAS, also NCCC is in violation of their own Sexual Assault Policy, and

WHEREAS, the President and members of his administration staff are on tape blaming the victim for her sexual assault and making rude remarks about the victim and her family, and

WHEREAS, this is unacceptable behavior on behalf of the President and members of his administration, now, therefore, be it

RESOLVED, the Niagara County Legislature is asking for the resignation of the President of Niagara County Community College, and be it further

RESOLVED, that if the President does not resign that the Board of Trustees take necessary action to remove him from office, and be it further

RESOLVED, that the Niagara County Legislature recommends the Board of Trustees to consider looking into hiring Niagara County Sheriff Deputies to conduct security at NCCC. This would bring needed confidence to the students and the parents of students at NCCC.

Legislator Virtuoso withdrew this Resolution.

Moved by Virtuoso, seconded by Hill

**Resolution No. IL-046-17**

From: Legislator John Syracuse

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF FUNDING OLCOTT MERMAID PARADE  
THROUGH THE USE OF CASINO FUNDS**

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

WHEREAS, “quality of life” is a critical component of economic development strategy, with “Area Development” magazine noting in a January 2009 article that “While companies seldom base their site-selection decisions solely on quality-of-life issues - housing, schools, healthcare, amenities, crime - these factors do play an increasingly important role in this decision-making process, especially for those dependent on the talents of highly educated workers,” and

WHEREAS, Niagara County supports those activities designed to enhance quality of life for residents as a critical facet in convincing businesses to locate high-wage jobs in this county, and deems a “family-friendly” environment essential to the economic development of the Western New York region, and

WHEREAS, various summer festivals and markets are a critical part of our county’s draw as a bedroom community for local residents working in critical professions in the Western New York economy, and especially young families that are so evident at these events, and

WHEREAS, the third annual Olcott Beach Mermaid Parade will be held June 17, and past years’ parades have sought to raise funds for various commendable community causes, and

WHEREAS, the Olcott Beach Mermaid Parade seeks to generate attention for the small hamlet of Olcott Beach, and to further local economic development by generating large-scale foot traffic in the small hamlet of Olcott Beach, which benefits many local shops, restaurants and businesses throughout the business district, and draws tourists and tourism-derived revenue, which benefits the region as a whole, now, therefore, be it

RESOLVED, that Niagara County supports its successful summer festival season, and in particular the Olcott Beach Mermaid Parade, and be it further

RESOLVED, that the above initiative be funded with monies as follows:

Town of Newfane	\$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 REVENUE:

A.28.8020.812 40599.01	Appropriated Fund Balance	\$500.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Monies	\$500.00
Referred to Economic Development Committee		

**Resolution No. IL-047-17**

From: Legislator John Syracuse

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF FUNDING NEWFANE YOUTH FOOTBALL AND  
CHEERLEADING THROUGH THE USE OF CASINO FUNDS**

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



WHEREAS, "quality of life" is a critical component of economic development strategy, with "Area Development" magazine noting in a January 2009 article that "While companies seldom base their site-selection decisions solely on quality-of-life issues - housing, schools, healthcare, amenities, crime - these factors do play an increasingly important role in this decision-making process, especially for those dependent on the talents of highly educated workers," and

WHEREAS, Niagara County supports those activities designed to enhance quality of life for residents as a critical facet in convincing businesses to locate high-wage jobs in this county, and deems a "family-friendly" environment essential to the economic development of the Western New York region, and

WHEREAS, youth athletics have long been a critical part of the appeal of municipalities in this county as "bedroom communities" for the local workforce, and

WHEREAS, Newfane Youth Football and Cheerleading has, since 2006, via its Newfane Panthers team, enabled children ages 6 to 13 from Newfane and surrounding communities to participate in athletic competition and learn valuable lessons about teamwork, personal fitness, and achieving objectives through hard work, and further sought to meet those goals in a fiscally responsible manner, and

WHEREAS, Newfane Youth Football and Cheerleading is also the home team of Niagara County's own Krull Park, and

WHEREAS, ensuring that our area youth have access to sports competition with an emphasis on safe play is critical to retaining the young, and often ambitious, families taking on key roles in the Western New York workforce, now, therefore, be it

RESOLVED, that Niagara County supports youth athletics and specifically wishes to see Newfane Youth Football and Cheerleading continue to provide a positive outlet for youth that enhances quality of life in the Western New York region, and be it further

RESOLVED, that the above initiative be funded with monies as follows:

Town of Newfane	\$1,000.00
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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 REVENUE:

A.28.8020.812 40599.01	Appropriated Fund Balance	\$1,000.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Monies	\$1,000.00
Referred to Economic Development Committee		

**Resolution No. IL-048-17**

From: Legislator John Syracuse

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF FUNDING OLCOTT BEACH JAZZ TRAIL  
THROUGH THE USE OF CASINO FUNDS**

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

WHEREAS, "quality of life" is a critical component of economic development strategy, with "Area Development" magazine noting in a January 2009 article that "While companies seldom base their site-selection decisions solely on quality-of-life issues - housing, schools, healthcare, amenities, crime - these factors do play an increasingly important role in this decision-making process, especially for those dependent on the talents of highly educated workers," and

WHEREAS, Niagara County supports those activities designed to enhance quality of life for residents as a critical facet in convincing businesses to locate high-wage jobs in this county, and deems a "family-friendly" environment essential to the economic development of the Western New York region, and

WHEREAS, various summer festivals and markets are a critical part of our county's draw as a bedroom community for local residents working in critical professions in the Western New York economy, and especially young families that are so evident at these events, and

WHEREAS, on July 23, Olcott Beach will host a unique music festival, the Olcott Beach Jazz Trail, with said festival including five outdoor stages and venues with live jazz music performances, and

WHEREAS, the Olcott Beach Jazz Trail will serve as a venue for local residents to hear musical performances by such performers as the Ralph Fava Quintet with Bobby Jones, Dan Hull and Friends, the Bobby Millitello Quartet, the Phil Simms Quintet, jazz vocalist Nancy Kelly, and Juno Award-winner Pat LaBarbera, and

WHEREAS, the Olcott Beach Jazz Trail seeks to further local economic development by generating large-scale foot traffic in the small hamlet of Olcott Beach, which benefits many local shops, restaurants and businesses throughout the business district, and draws tourists and tourism-derived revenue, which benefits the region as a whole, now, therefore, be it

RESOLVED, that Niagara County supports its successful summer festivals, and in particular the Olcott Beach Jazz Trail, and be it further

RESOLVED, that the above initiative be funded with monies as follows:

Town of Newfane	\$1,000.00
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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 REVENUE:

A.28.8020.812 40599.01	Appropriated Fund Balance	\$1,000.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Monies	\$1,000.00
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Referred to Economic Development Committee

**Resolution No. IL-049-17**

From: Legislator John Syracuse

Dated: May 2, 2017

**RESOLUTION IN SUPPORT OF FUNDING NIAGARA PIRATE FESTIVAL**



## THROUGH THE USE OF CASINO FUNDS

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

WHEREAS, "quality of life" is a critical component of economic development strategy, with "Area Development" magazine noting in a January 2009 article that "While companies seldom base their site-selection decisions solely on quality-of-life issues - housing, schools, healthcare, amenities, crime - these factors do play an increasingly important role in this decision-making process, especially for those dependent on the talents of highly educated workers," and

WHEREAS, Niagara County supports those activities designed to enhance quality of life for residents as a critical facet in convincing businesses to locate high-wage jobs in this county, and deems a "family-friendly" environment essential to the economic development of the Western New York region, and

WHEREAS, various summer festivals and markets are a critical part of our county's draw as a bedroom community for local residents working in critical professions in the Western New York economy, and especially young families that are so evident at these events, and

WHEREAS, Newfane's Niagara Pirate Festival has will launch its 20<sup>th</sup> iteration this July, having been established by the Olcott Fire Department in 1998, and has been documented in such national publications as USA Today, and

WHEREAS, the 2017 Niagara Pirate Festival boasts such attractions as rides, food vendors, and a car show, plus live entertainment, and

WHEREAS, the Niagara Pirate Festival draws large-scale foot traffic to the small hamlet of Olcott Beach, which benefits many local shops, restaurants and businesses throughout the business district, and draws tourists and tourism-derived revenue, which benefits the region as a whole, now, therefore, be it

RESOLVED, that Niagara County supports its successful summer festivals, and in particular the Olcott Beach Niagara Pirate Festival, and be it further

RESOLVED, that the above initiative be funded with monies as follows:

Town of Newfane	\$3,500.00
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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 REVENUE:**

A.28.8020.812 40599.0	Appropriated Fund Balance	\$3,500.00
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**INCREASE APPROPRIATION:**

A.28.8020.812 74400.15	Seneca Niagara Monies	\$3,500.00
Referred to Economic Development Committee		

**Resolution No. IL-050-17**

From: Legislators John Syracuse, Clyde L. Burmaster, David E. Godfrey, Wm. Keith McNall, Randy R. Bradt, et al.



Dated: May 2, 2017

**RESOLUTION URGING PRESIDENT TRUMP TO IMMEDIATELY APPOINT  
NEW COMMISSIONERS TO THE INTERNATIONAL JOINT COMMISSION  
AND SAID COMMISSIONERS TO ENACT POLICIES RESCINDING  
THE IJC'S 'PLAN 2014' LAKE LEVEL MANAGEMENT SCHEME**

WHEREAS, Niagara County has, on multiple occasions, expressed its opposition to the International Joint Commission's imposition of Plan 2014, most notably through the passage of Resolution IL-061-15, "Expressing the Opposition of the Niagara County Legislature to the IJC Plan 2014 & Supporting the Efforts of U.S. Representative Chris Collins to Block Enactment of the Same," IL-041-13, "Request to the International Joint Commission to Reject the Proposed Plan 2014 in its Entirety," and IL-035-14, "Niagara-Orleans Regional Alliance (NORA) Requests Governor Andrew M. Cuomo to Veto the International Joint Commission's Plan 2014 for Controlling the Levels of Lake Ontario Should the US Department of State Recommend It," and

WHEREAS, said resolutions clearly warned "qualified observers with expertise in civil engineering have indicated Plan 2014 will have a devastating impact on the communities along the Lake's southern shoreline" and "Plan 2014 will increase the frequency of raising and lowering the water levels in Lake Ontario and the fluctuations in water levels will result in increased erosion damage to the shoreline, including the properties of businesses and homeowners," and

WHEREAS, said resolutions noted "the effects of Plan 2014 span six counties in Upstate New York and would cause damage to land assessed at nearly \$4 billion", and

WHEREAS, said resolutions also warned "the IJC working group stated the proposed lake levels are going to reduce recreational boating/sport fishing benefits by 25%, resulting in a devastating negative impact on those economics in Niagara County which is estimated at \$30 million per year, and in Orleans County which is estimated \$12 million per year, thus an area-wide loss of revenue of over \$10.5 million annually," and

WHEREAS, in 2013 this Legislature did warn that the goal of Plan 2014 was to enrich St. Lawrence River hydropower producers at the much greater expense of South Shore property owners, noting, "[Plan 2014] greatly decreases protections that exist in the current plan, replacing them with a plan that results in the transfer of prosperity from Niagara County along with other Lake Ontario communities to Hydropower (NYPA and others) who will realize a benefit of approximately \$5.3 million per year on average," and

WHEREAS, due to drastically higher water levels in Lake Ontario, the counties of Niagara and Orleans did, on April 20 of this year, the first year of implementation of Plan 2014, declare States of Emergency due to a high probability of flooding in lakeshore communities in addition to large-scale lakeshore erosion impacting the integrity of banks and presenting hazards to both individuals on land and boaters, and

WHEREAS, various lakeshore communities did, on April 12 and 13, issue 500-foot "no wake zone" orders, forbidding boat traffic closer than 500 feet from shore except for the purpose of docking, and

WHEREAS, the Corps of Engineers has refused to release Lake Ontario water into the St. Lawrence River at an accelerated pace, which could relieve flooding concerns, due to rules set in Plan 2014, and

WHEREAS, the implementation of Plan 2014 has proven an absolute disaster for our communities, now, therefore, be it

RESOLVED, that the Legislature of the county of Niagara does hereby call upon the remaining U.S. Commissioners and all three Canadian Commissioners of the IJC to resign, and be it further

RESOLVED, that the Legislature of the county of Niagara does hereby call upon President Trump to demand said resignations or fire the U.S. Commissioners immediately, and be it further



RESOLVED, that the Legislature of the county of Niagara does hereby call upon the United States Congress to conduct investigative hearings into the IJC's culpability in a manmade disaster on a financial scale comparable with the contamination of the Flint, Michigan, water supply, and that has placed lives in immediate danger, and be it further

RESOLVED, that the Legislature of the county of Niagara does hereby call upon President Trump to replace said failed U.S. Commissioners with representatives who will appropriately weigh protecting property owners' rights and property values with environmental considerations, and with such experience in civil engineering and other appropriate fields as to be qualified to make determinations about lake levels, and be it further

RESOLVED, that the Legislature of the county of Niagara does hereby call upon the International Joint Commission to immediately suspend Plan 2014 and reimplement previous regulatory rules, and be it further

RESOLVED, that the Legislature of the county of Niagara does hereby call upon the Corps of Engineers to take immediate steps to release water from Lake Ontario, and be it further

RESOLVED, that the county of Niagara shall forward copies of this Resolution to President Trump; Secretary of State Rex Tillerson; U.S. Rep. Chris Collins; U.S. Senator Charles E. Schumer; U.S. Senator Kirsten E. Gillibrand; International Joint Commission Chair Lana Pollock; Commissioner Rich Moy; Commission Chair Gordon Walker; Commissioner Benoit Bouchard; Commissioner Richard A. Morgan; and all others deemed necessary and proper.

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

Carried.

Moved by Burmaster, seconded by Godfrey.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Syracuse and Wydysh

Richard E. Updegrave, County Manager addressed the Legislators on Governor Cuomo's Bill on Shared Services, something Niagara County has already started and assured the Legislators and Public he would seek answers to the questions that have gone unanswered when he meets with the Department of State and NYSAC

#### APPOINTMENTS:

		<u>Appt.</u>	<u>Expires</u>
<u>HISTORIANS BOARD:</u>			
Lynn Zanardi	Tn. of Porter	05/02/17	12/31/17
581 Applewood Dr. Youngstown, 14174			
Gary Zanardi, Deputy Historian	Tn. of Porter	05/02/17	12/31/17
581 Applewood Dr. Youngstown, 14174			

Moved by Zona, seconded by Lance.

Carried.

Moved by Steed, seconded by Bradt that the Board adjourn.

The Chairman declared the Board adjourned at 8:54 p.m., subject to the call of the Clerk.

One citizen spoke at this time on the General Welfare of the County.



Mary Jo Tamburlin, Clerk