

AGENDA
NIAGARA COUNTY LEGISLATURE
MAY 21, 2013 – 7:00 P.M.

Resolutions not on previous agenda:

- CS-012-13** Community Services & Administration, re Budget Modification – Acceptance of Wal-Mart Foundation Local Facility #2107 Community Contribution/Hunger Outreach Grant – Office for the Aging – Approved
- CS-013-13** Community Services & Administration, re Public Hearing for NCCC FY 2013-2014 Maintenance & Operating Budget – Approved

Regular Meeting – May 21, 2013

- AD-009-13** Administration, re Home Rule Message Requesting an Act to Amend the Tax Law, in Relation to Continuing to Authorize Niagara County to Impose Sales & Compensating Use Taxes, Pursuant to Senate Bill No. S-4704 & Assembly Bill No. A-7040 – County Attorney
- *CS-014-13** Community Services & Administration, re Budget Modification – Accept Medical Reserve Corps Award Emergency Planning Program – Public Health
- *CS-015-13** Community Services & Administration, re Seasonal Budget Modification, Create & Fill Environmental Division – Public Health
- *CS-016-13** Community Services & Administration, re Budget Modification Court Ordered County Mandated Costs – Mental Health
- *CS-017-13** Community Services & Administration, re NCCC FY 2013-2014 Maintenance & Operating Budget – Management & Budget
- *CSS-015-13** Community Safety & Security & Administration, re Create Deputy Sheriff Investigator Welfare Fraud Unit – Sheriff
- IL-020-13** Legislators Jason A. Zona, Owen T. Steed, Dennis F. Virtuoso & Economic Development, re In Support of the Buffalo Bills Moving to Niagara County & Building an NFL Stadium in Niagara Falls, NY
- IL-024-13** Legislators William L. Ross, Clyde L. Burmaster, Richard E. Updegrove, et al., re Declaring “Mayday for Mandate Relief” & Urging the State to Adopt Laws that do not Impose Further

Fiscal Stress on Local Governments & Taxpayers & Build Upon Recent Efforts to Reform
Costly Unfunded Mandates

- IL-025-13** Legislators Jason A. Zona, Owen T. Steed & Dennis F. Virtuoso, re Directing Niagara County to do a Request for Proposal for Centralized Storage of County Voting Equipment
- IL-026-13** Legislators Dennis F. Virtuoso, Jason A. Zona & Owen T. Steed, re Inspection of Social Service Rental Units
- IL-027-13** Legislators Chereé J. Copelin, Kathryn L. Lance, Anthony J. Nemi, John Syracuse, Owen T. Steed & Parks, Recreation & Tourism Ad Hoc Committee, re Support for the Niagara 1812 Bicentennial Commemoration Project
- IL-028-13** Legislators Chereé J. Copelin, Kathryn L. Lance, Anthony J. Nemi, John Syracuse, Owen T. Steed & Parks, Recreation & Tourism Ad Hoc Committee, re Support for the Town of Wilson Harbor Revitalization Project
- IL-029-13** Legislators Chereé J. Copelin, Kathryn L. Lance, Anthony J. Nemi, John Syracuse, Owen T. Steed & Parks, Recreation & Tourism Ad Hoc Committee, re Support for the Porter-On-The-Lake Park Improvement Project



Mary Jo Tamburlin, Clerk
Niagara County Legislature

*** Indicates Preferred Agenda items**

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

The next meeting of the Legislature will be held on June 18, 2013.

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 05/21/13 RESOLUTION #AD-009-13

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
AD - 5/7/13

LEGISLATIVE ACTION

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

HOME RULE MESSAGE

REQUESTING AN ACT 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-4704 AND ASSEMBLY BILL NO. A-7040

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 (1%) percent 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 Niagara County Legislature hereby finds that it is necessary to further extend the additional one percent (1%) sales tax for the period from December 1, 2013 and ending November 30, 2015 to enable the County of Niagara to continue to offset the cost of the local share of mandated Medicaid costs, now, therefore, be it

WHEREAS, the Niagara County Legislature hereby finds that it is necessary to further extend

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 from December 1, 2013 to November 30, 2015 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-4704 and Assembly Bill No. A-7040 attached to, and made a part of, this resolution, 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.

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration

DATE: 05/21/13

RESOLUTION # CS-014-13

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CS - 5/13/13
AD - 5/13/13

LEGISLATIVE ACTION

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

BUDGET MODIFICATION – ACCEPT MEDICAL RESERVE CORPS AWARD EMERGENCY PLANNING PROGRAM - DEPARTMENT OF HEALTH

WHEREAS, the Emergency Planning Program of the Niagara County Department of Health provides services, information and training to protect the health and safety of the citizens of Niagara County, and

WHEREAS, the National Association of County and City Health Officials, via the Department of Health and Human Services CFDA #93.008, awarded Niagara County Emergency Planning Program \$7,000 to build the capacity of the Medical Reserve Corps Units, now, therefore, be it

RESOLVED, that the Niagara County Department of Health be given authorization to accept the award with the effectuation of the following budget modification, effective immediately:

INCREASE REVENUE:

CM.20.4189.406 44489.24	Other Health MRC	\$7,000.00
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INCREASE APPROPRIATIONS:

CM.20.4189.406 74600.03	Training & Education	\$7,000.00
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration

DATE: 05/21/13

RESOLUTION #CS-015-13

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CS - 5/13/13
AD - 5/13/13

LEGISLATIVE ACTION

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

**SEASONAL BUDGET MODIFICATION, CREATE & FILL
ENVIRONMENTAL DIVISION - DEPARTMENT OF HEALTH**

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

WHEREAS, the Environmental Division wishes to add a Public Health Intern position redistributing budgeted seasonal hours among three seasonal interns instead of the previously approved two seasonal interns, and

WHEREAS, the change reflects no cost increase to the county, now, therefore, be it

RESOLVED, that an additional Public Health Intern position, at \$10 per hour for approximately 280 hours ending September 3, 2013, be created and filled with the following modification:

DECREASE APPROPRIATIONS:

A.20.4090.000 71011.00	Seasonal PH Intern position #10741	\$1,200
A.20.4090.000 71011.00	Seasonal PH Intern position #10743	1,600

INCREASE APPROPRIATION:

A.20.4090.000 71011.00	Seasonal PH Intern position #xxxxxx	\$2,800
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DATE: 05/21/13 RESOLUTION # CS-016-13

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CS = 5/13/13
AD = 5/13/13

LEGISLATIVE ACTION

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

BUDGET MODIFICATION – COURT ORDERED COUNTY MANDATED COSTS

WHEREAS, the County is required by New York State law, including various articles of Criminal Procedure Law §730, and Family Court Act §120 to pay for court ordered state in-patient stays and mental health examinations, and

WHEREAS, the County is responsible for 50% of the costs of the court ordered in-patient stays, and

WHEREAS, as a result of an unanticipated volume of court ordered in-patient stays, outstanding expenses currently exist, and

WHEREAS, based on outstanding court orders and the existing expenses, these costs will exceed the 2013 Department of Mental Hygiene budget, and

WHEREAS, the Niagara County Department of Mental Health administers payment of these bills on behalf of the County, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

FROM:

A.08.1990.000 74500.01 Contingency \$125,000

TO:

A.21.4310.000 74550.17 Department of Mental Hygiene \$125,000

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration

DATE: 05/21/13

RESOLUTION # CS-017-13

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CS - 5/13/13
AD - 5/13/13

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

NCCC FY 2013-2014 MAINTENANCE AND OPERATING BUDGET

WHEREAS, the Administration Committee and the Community Services Committee, which are also the Budget Review Committees, have had under consideration the Niagara County Community College Board of Trustees recommended budget for the conduct of the Niagara County Community College fiscal year commencing September 1, 2013 and ending August 31, 2014, and

WHEREAS, the said budget has had careful consideration by the Administration Committee, the Community Services Committee, the Budget Office, and the County Manager, and

WHEREAS, a public hearing was held on the 21st day of May, 2013, with regard to the tentative budget for the College, now, therefore, be it

RESOLVED, that the foregoing tentative Niagara County Community College budget for the fiscal year 2013-14, beginning September 1, 2013 and ending August 31, 2014, is hereby approved and adopted with any amendments as heretofore approved this date by this legislature and which results in a total figure of \$49,083,408, with the Sponsor's contribution from taxes of \$8,871,000.

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security and DATE: 05/21/13 RESOLUTION # CSS-015-13

Administration Committees

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CSS - 5/14/13</u> <u>AD - 5/13/13</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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CREATE DEPUTY SHERIFF INVESTIGATOR WELFARE FRAUD UNIT

WHEREAS, the Niagara County Department of Social Services has a contract with the Niagara County Sheriff's Office to provide assistance in preventing, detecting and reporting public assistance fraud, and

WHEREAS, the Niagara County Department of Social Services cost the county taxpayers over fifty-seven million dollars (\$57,000,000) in property tax in 2013, and

WHEREAS, Niagara County has seen an increase in the number of participants who are committing frauds to gain access to benefits and once awarded benefits are not using them as intended, and

WHEREAS, the Sheriff's Office Welfare Fraud Unit through its investigations saved county taxpayers approximately \$393,000 by detecting fraud by benefit recipients, which was a 327% increase from 2011, and

WHEREAS, in 2013 there have been approximately thirty (30) welfare recipients arrested on felony charges and both Social Services and the Sheriff's Office wish to devote more manpower to the prevention and detection of fraud, and

WHEREAS, in addition to investigating Welfare Fraud which consists of food stamps, Medicaid, HEAP and other public assistance programs, this Investigator is also responsible for investigating workplace violence and adult protective complaints, and

WHEREAS, the Sheriff's Office currently has one D.S. Investigator assigned to this program and both parties wish to add a second D.S. Investigator to this division for prevention and prosecution of fraud, and

WHEREAS, the Department of Social Services will receive seventy-five percent (75%) reimbursement from the New York State Office of Temporary and Disability Assistance and the remaining twenty-five per cent (25%) from its 2013 approved budget to fund the second D.S. Investigator, now, therefore, be it

RESOLVED, that the position of D.S. Investigator, Job Group DW, Step 10 at an hourly rate of \$33.22 be created and filled effective May 22, 2013, and be it further

RESOLVED, that the following budget modification be made:

INCREASE REVENUE:

A.17.3989.301.41510.02	Sheriff Fees Fraud Investigation	\$68,245
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INCREASE APPROPRIATIONS:

A.17.3989.301.71010.00	Positions (D.S. Investigator)	\$42,522
A.17.3989.301.71032.00	Training Allowance	736

A.17.3989.301.71034.00	Briefing Time	1,831
A.17.3989.301.71035.00	Uniform Allowance	193
A.17.3989.301.78100.00	Retirement	10,559
A.17.3989.301.78200.00	FICA	3,452
A.17.3989.301.78300.00	Workers Compensation	1,760
A.17.3989.301.78400.01	Insurance Health Active Hosp./Medical	6,002
A.17.3989.301.78400.05	Insurance Health HRA Employer Contribution	850
A.17.3989.301.78800.00	Flex 125 Employer	340

FROM:

A.22.6010.000.71010.00 847	Caseworker – Steps 3458	\$1,825
A.22.6010.000.71010.00 2168	Clerical 1	6,800
A.22.6010.000.71010.00 3811	Community Services Aide	6,100
A.22.6010.000.71010.00 1176	Director Support Enforcement/FnclRcvry	38,220
A.22.6010.000.71010.00 4515	Social Services Worker-Steps 1	7,300
A.22.6010.000.71010.00 10829	Social Services Worker Steps 3458	8,000

TO:

A.22.6010.000.74550.10	Programs Welfare Fraud Services	\$68,245
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COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Jason A. Zona, Owen T.

DATE: 05/21/13

RESOLUTION # IL-020-13

Steed, Dennis F. Virtuoso and Economic Development

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
ED - 5/9/13

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

RESOLUTION IN SUPPORT OF THE BUFFALO BILLS MOVING TO NIAGARA COUNTY AND BUILDING AN NFL STADIUM IN NIAGARA FALLS, NY

WHEREAS, the Buffalo Bills, a team in the National Football League, provides a yearly multi-million dollar economic impact to the Western New York Region, and

WHEREAS, on the March 15, 2013 WGRZ newscast, it was reported that downtown Niagara Falls may be an option as a location for a new stadium housing the Buffalo Bills, and

WHEREAS, the availability of affordable, and undeveloped property in downtown Niagara Falls, along with its proximity to the Canadian border and a Toronto market of millions of fans makes Niagara Falls an attractive location to move the franchise to, and

WHEREAS, Niagara County, and New York State have taken an active role in the redevelopment of downtown Niagara Falls by way of the central business district, and Regional Economic Development Council, and having an NFL franchise to center entertainment opportunities around will bolster downtown revitalization efforts, and

WHEREAS, the relocation of the Buffalo Bills within Niagara County will provide substantial economic development within our County, resulting in increased revenue to all Niagara County local governments, now, therefore, be it

RESOLVED, the Niagara County Legislature goes on record supporting the Buffalo Bills pursuing the option of moving its National Football League franchise to Niagara County, and building an NFL stadium in downtown Niagara Falls hereby keeping the team in Western New York on a permanent basis, and be it further

RESOLVED, that a copy of this resolution be forwarded to Governor Andrew Cuomo; Senator George Mazarz; Assemblyman John Ceretto; Senator Charles E. Schumer; Senator Kirsten Gillibrand; Congressman Brian Higgins; Paul Dyster, Mayor, City of Niagara Falls; Glenn Choolokian, Council Chairman, City of Niagara Falls; and Russ Brandon, President Buffalo Bills.

LEGISLATOR JASON A. ZONA

LEGISLATOR OWEN T. STEED

LEGISLATOR DENNIS F. VIRTUOSO

ECONOMIC DEVELOPMENT COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Legislators William L. Ross, Clyde L.

DATE: 05/2/13

RESOLUTION # IL-024-13

Burmester, Richard E. Updegrove and et al.

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

RESOLUTION DECLARING "MAYDAY FOR MANDATE RELIEF" AND URGING THE STATE TO ADOPT LAWS THAT DO NOT IMPOSE FURTHER FISCAL STRESS ON LOCAL GOVERNMENTS AND TAXPAYERS AND BUILD UPON RECENT EFFORTS TO REFORM COSTLY UNFUNDED MANDATES

WHEREAS, counties are mandated to administer and finance dozens of state and federal programs, and

WHEREAS, many counties in New York State face significant fiscal challenges made worse by the recent recession and slow economic recovery, and

WHEREAS, these county fiscal challenges are also directly tied to state-imposed mandates and in recent years reduced state reimbursement, and

WHEREAS, the New York State Association of Counties has identified 9 state mandates that consume 90 percent of all county property taxes levied across the state (outside of New York City), representing over \$4 billion in county property taxes levied, and

WHEREAS, these mandates include: Medicaid, Public Assistance Safety Net, Child Welfare Protective and Preventive Care, Special Education, Pre-School, Early Intervention, Probation, Indigent Defense, Youth Detention and Pensions, and

WHEREAS, these mandates and fixed employee costs can consume more than 80 percent of a county's total budget, leaving fewer local dollars that can be devoted to local programs, and

WHEREAS, these State mandates are the root cause of high county property and sales taxes in New York and have led to a decline in the delivery of important local services, now, therefore, be it

RESOLVED, that Niagara County hereby declares the month of May to be "Mayday for Mandate Relief" to raise awareness that decisions made in Albany have a direct impact on the property tax levy and local community services here in Niagara County, and be it further

RESOLVED, that Niagara County strongly encourages the Governor and State Legislature to continue working to enact meaningful mandate relief, and be it further

RESOLVED, that Niagara County calls on State Lawmakers to enact legislation preventing future unfunded mandates without corresponding state aid to pay for them, and be it further

RESOLVED, that the County of Niagara shall forward copies of this Resolution to Governor Andrew Cuomo, Senate Vice President Pro Tem George D. Mazarz; Senate Temporary President Dean G. Skelos; Senate Deputy Majority Leader Thomas W. Libous; Member of the Assembly Jane L. Corwin; Member of the Assembly John D. Ceretto; Member of the Assembly Ray Walter; Member of the Assembly Robin

Schimminger; Speaker of the Assembly Sheldon Silver; Assembly Majority Leader Joseph D. Morelle, Assembly Minority Leader Brian M. Kolb, NYSAC and all others deemed necessary and proper.

LEGISLATOR WILLIAM L. ROSS

LEGISLATOR CLYDE L. BURMASTER

LEGISLATOR RICHARD E. UPDEGROVE

LEGISLATOR JOHN SYRACUSE

LEGISLATOR CHEREÉ J. COPELIN

LEGISLATOR MICHAEL A. HILL

LEGISLATOR WM. KEITH MCNALL

LEGISLATOR ANTHONY J. NEMI

LEGISLATOR PAUL B. WOJTASZEK

LEGISLATOR DAVID E. GODFREY

LEGISLATOR KATHRYN L. LANCE

LEGISLATOR PETER E. SMOLINSKI

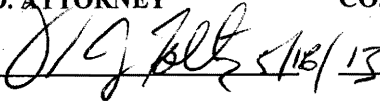
LEGISLATOR DENNIS F. VIRTUOSO

LEGISLATOR OWEN T. STEED

LEGISLATOR JASON A. ZONA

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Jason A. Zona, Owen T. Steed DATE: 05/21/13 RESOLUTION # IL-025-13
and Dennis F. Virtuoso

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
<u> 5/18/13</u>			Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____

RESOLUTION DIRECTING NIAGARA COUNTY TO DO A REQUEST FOR PROPOSAL FOR CENTRALIZED STORAGE OF COUNTY VOTING EQUIPMENT

WHEREAS, the Niagara County Board of Elections leases space at 1961 Transit Rd Burt, for storage of voting machines, equipment and training, and

WHEREAS, on November 13, 2013, a lease agreement extending the current contract with Clear Opportunity Properties LLC for the site at 1961 Transit Rd Burt was brought before a joint Administration Committee and Community Services Committee meeting for consideration, and

WHEREAS, the resolution to extend the lease agreement with Clear Opportunity Properties LLC was tabled at the joint committee meeting on November 13, 2013, and

WHEREAS, it is in the best interest of the Niagara County taxpayers to do a request for proposals for the location for centralized storage of county voting equipment, and

WHEREAS, issuing a request for proposal for centralized storage of voting machine equipment provides full transparency for Niagara County in securing the lowest possible price, now, therefore, be it

RESOLVED, the Niagara County Legislature directs the County Manager to issue a Request for Proposal for centralized storage of county voting equipment.

LEGISLATOR JASON A. ZONA

LEGISLATOR OWEN T. STEED

LEGISLATOR DENNIS F. VIRTUOSO

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Dennis F. Virtuoso, Jason A. Zona and Owen T. Steed DATE: 05/21/13 RESOLUTION # IL-026-13

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

INSPECTION OF SOCIAL SERVICE RENTAL UNITS

WHEREAS, the Niagara County Legislature passed a resolution to allow direct pay to landlords for shelter allowance, and

WHEREAS, this resolution guarantee's shelter allowance payments to landlords which in turn should give them the needed capital to upkeep their property, and

WHEREAS, the taxpayers of New York State and Niagara County are paying a portion for this shelter allowance, and

WHEREAS, these rental units should be safe and code compliant, and

WHEREAS, Section 8 Leased Housing has a program where all rental units are inspected before the client moves in to ensure code compliance, and

WHEREAS, these rental units are also inspected annually to ensure the safety of the rental unit and to ensure there are no fraud issues, now, therefore, be it

RESOLVED, that all rental units paid for with shelter allowance be inspected before the client moves in and also inspected on an annual basis in order to improve the quality of life issues for families and neighborhoods, and be it further

RESOLVED, that this could be a cost savings for Niagara County by avoiding costly move out expenses and fraud issues, and be it further

RESOLVED, that the Niagara County Legislature establish an Ad Hoc Committee to study the issue of inspecting rental units much like the Section 8 Leased Housing Program, and be it further

RESOLVED, that this committee be comprised of the Chairman of Community Services, the Commissioner of Social Services, the Majority Leader, the Minority Leader, the County Manager and the County Attorney, and be it further

RESOLVED, that this committee study this issue and report back to the Legislature no later than September 2, 2013 with its recommendation.

LEGISLATOR DENNIS F. VIRTUOSO

LEGISLATOR JASON A. ZONA

LEGISLATOR OWEN T. STEED

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Cheree J. Copelin, Kathryn L. Lance, Anthony J. Nemi, John Syracuse, Owen T. Steed and Parks, Recreation & Tourism Ad hoc Committee

DATE: 05/21/13

RESOLUTION # IL-027-13

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
Ad hoc - 04/22/13

LEGISLATIVE ACTION

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

SUPPORT FOR THE NIAGARA 1812 BICENTENNIAL COMMEMORATION PROJECT

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

WHEREAS, that settlement allows Niagara County to receive, through NPC Host Community Standing Committee ("HCSC"), up to \$390,000 annually to fund projects which are found to be consistent with the Niagara Greenway projects along the Greenway Trail, and

WHEREAS, the Niagara 1812 Bicentennial Legacy Council runs the Niagara 1812 Bicentennial Commemoration and has made application to the Niagara County's Ad Hoc Committee on Recreation and Tourism for Greenway funds for the Niagara 1812 Bicentennial Commemoration activities at Fort Niagara, and

WHEREAS, the Niagara 1812 Bicentennial Legacy Council is a cross-border non-profit organization that is used to increase public awareness and participation in the bicentennial throughout 2012 to 2014 marking the 200th anniversary of the three-year war of 1812, and

WHEREAS, the Niagara 1812 Bicentennial Legacy Council has scheduled several events at Fort Niagara, in Niagara County, and is requesting assistance for those specific functions that revolve around Fort Niagara, and

WHEREAS, the Niagara 1812 Bicentennial Legacy Council not only will invite and attract tourism, but it will also be a testimony of the culture and history of the area, and

WHEREAS, the Niagara 1812 Bicentennial Commemoration project meets the guiding principles of the Niagara Greenway, and

WHEREAS, the Niagara River Greenway Commission's guiding principles promote high quality sustainable activities and development, and

WHEREAS, the proposed project will promote increased attendance and access to the County's history and culture, and

WHEREAS, the project has the support and approval of the Niagara River Greenway Commission on January 18, 2012, and

WHEREAS, the ad hoc committee for recreation and tourism fund appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Niagara Power Coalition and the Host Community Standing Committee; has recommended that Niagara County approve and support this project, and

WHEREAS, after receipt of grants and other funding for the project and in-kind services to be performed by the Council, they are requesting \$43,000.00, subject to auditing and confirmation that all funds are utilized at the immediate area of Fort Niagara, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$43,000.00 for the Niagara 1812 Bicentennial project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

LEGISLATOR CHEREÉ J. COPELIN

LEGISLATOR KATHRYN L. LANCE

LEGISLATOR ANTHONY J. NEMI

LEGISLATOR JOHN SYRACUSE

LEGISLATOR OWEN T. STEED

PARKS, RECREATION & TOURISM
AD HOC COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Cheree J. Copelin, Kathryn L. Lance, Anthony J. Nemi, John Syracuse, Owen T. Steed and Parks, Recreation & Tourism Ad hoc Committee

DATE: 05/21/13

RESOLUTION # IL-028-13

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
Ad hoc - 04/22/13

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

SUPPORT FOR THE TOWN OF WILSON HARBOR REVITALIZATION PROJECT

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

WHEREAS, that settlement allows Niagara County to receive, through NPC Host Community Standing Committee ("HCSC"), up to \$390,000 annually to fund projects which are found to be consistent with the Niagara Greenway projects along the Greenway Trail, and

WHEREAS, the Town of Wilson has made application to the Niagara County's Ad Hoc Committee on Recreation and Tourism for Greenway funds to support the Town of Wilson Harbor Revitalization project, and

WHEREAS, these funds are to be utilized by the Town of Wilson as matching funds, and

WHEREAS, the Town of Wilson's application for funding for the revitalization of the Wilson Harbor which draws tens of thousands of boaters and fishermen from around the world every year, as well as the residents of the Town of Wilson who enjoy all of its services, and

WHEREAS, this application will assist the local citizens, taxpayers and business people being able to establish a study indicating exactly what type of dredging is necessary outside of the main channels after the main channel dredging is accomplished by the Corps of Engineers, and

WHEREAS, the Town of Wilson and its residents and businesses intend to add on to that main channel dredging once it takes place and in order to do that, they need to have the full study done for those areas in addition to the main channel that are to be dredged in order to determine the resulting disposition of the sediment that is to be dredged out of the Wilson Harbor, and

WHEREAS, currently many boats are having difficulty reaching fuel, maintenance, pump-out facilities and the U.S. Customs point at the far-end of the harbor which impedes tourism, boat traffic and use of the harbor to its full extent, and

WHEREAS, the application is requesting \$70,000.00 to be utilized along with in-kind effort of engineering materials, supplies and administration of \$17,742.00 to be an \$87,500.00 match request for the New York State LWRP for a total project cost of \$175,000.00, and

WHEREAS, the Town of Wilson Harbor Revitalization Project has the support and approval of Legislator David Godfrey, Senator George Maziarz and Assemblywoman Jane L. Corwin along with various business concerns in the Town of Wilson, and

WHEREAS, the ad hoc committee for recreation and tourism fund appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Niagara Power Coalition and the Host Community Standing Committee; has recommended that Niagara County approve and support this project, and

WHEREAS, the Town of Wilson has utilized great effort and is complimented for being able to receive the \$87,500.00 New York State LWRP 50% match request, and

WHEREAS, after receipt of in-kind services and the matching grant, the remaining \$70,000.00 needed for the matching grant is being requested, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$70,000.00 for the Town of Wilson Harbor Revitalization Project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

LEGISLATOR CHEREÉ J. COPELIN

LEGISLATOR KATHRYN L. LANCE

LEGISLATOR ANTHONY J. NEMI

LEGISLATOR JOHN SYRACUSE

LEGISLATOR OWEN T. STEED

PARKS, RECREATION & TOURISM
AD HOC COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Cheree J. Copelin, Kathryn L. Lance, Anthony J. Nemi, John Syracuse, Owen T. Steed and Parks Recreation & Tourism Ad hoc Committee DATE: 05/21/13 RESOLUTION # I1-029-13

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION AD hoc -04/22/13	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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SUPPORT FOR THE PORTER-ON-THE-LAKE PARK IMPROVEMENT PROJECT

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

WHEREAS, that settlement allows Niagara County to receive, through NPC Host Community Standing Committee ("HCSC"), up to \$390,000 annually to fund projects which are found to be consistent with the Niagara Greenway projects along the Greenway Trail, and

WHEREAS, the Town of Porter runs the Porter-on-the-Lake Park and is the only park area in the Town of Porter on the river and was acquired by the Town for development as a park, and

WHEREAS, the Town of Porter will be installing playground equipment, construction of small family-sized pavilions and Niagara River Greenway signage, and

WHEREAS, the Town of Porter wishes to be able to continue the Niagara Greenway vision of parks along the River, and

WHEREAS, Town of Porter wishes to bring this park, its pavilions and playground equipment within the Greenway, using the template and signage approved through Niagara County Public Works Department, which will invite visitors along their journey along the River and also to attract tourism, a resting spot and also for the residents of the Town of Porter, but it would also be a testimony to the culture and history of the area, and

WHEREAS, the Town of Porter Park Improvement 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 Town of Porter project will promote increased access to the County's area of the Niagara River and will be open to all of the citizens of Niagara County, its tourists and visitors, and

WHEREAS, the Town of Porter project has the support and approval of Legislator Clyde L. Burmaster, and

WHEREAS, the ad hoc committee for recreation and tourism fund appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Niagara Power Coalition and the Host Community Standing Committee; has recommended that Niagara County approve and support this project, and

WHEREAS, after the Town of Porter has found funding grants from other resources for the Porter-on-the-Lake Park Improvement Project and has utilized great effort to receive additional funding and support, whereby they are requesting the sum of \$150,000.00 for the total project, and

WHEREAS, after receipt of other funding or in-kind services for the project to be performed by the Town of Porter, the remaining \$150,000.00 of funds is being requested, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$150,000.00 for the Porter-on-the-Lake Park Improvement project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

LEGISLATOR CHEREÉ J. COPELIN

LEGISLATOR KATHRYN L. LANCE

LEGISLATOR ANTHONY J. NEMI

LEGISLATOR JOHN SYRACUSE

LEGISLATOR OWEN T. STEED

PARKS, RECREATION & TOURISM
AD HOC COMMITTEE