

**AGENDA**  
**NIAGARA COUNTY LEGISLATURE**  
**APRIL 8, 2014      –      7:00 P.M.**

**Resolutions not on previous agenda:**


- IL-017-14** Legislators John Syracuse, Richard E. Updegrave, et al., re Urging Eastern Niagara Hospital CEO Clare Haar to Place a Moratorium on Further Cuts at the Newfane Site & Seek Solutions Oriented Toward Continuing Vital Community Services There – Approved
- IL-019-14** Legislators Randy R. Bradt, Richard L. Andres & Kathryn L. Lance, re Directing Clerk of Legislature to Draft Proclamation Honoring Paralympian & Veteran Pail Schaus of North Tonawanda & Designating an Appropriate Date “Team USA Day” in Niagara County Celebrating the Gold Medal Victory of the USA Sled Hockey Paralympic Team – Approved
- PW-042-14** Public Works & Administration, re Cedar Street Bridge Reconstruction Contract Change Order No. 6 – Final – Approved

**Regular Meeting – April 8, 2014**

- \*AD-004-14** Administration, re Approval of Voting Machine Agreement between the County of Niagara and the Niagara Falls City School District (§3-224, New York State Election Law) – BOE
- \*CS-015-14** Community Services & Administration, re Abolish Motor Vehicle Representative I Create & Fill Document Clerk & Cashier – County Clerk
- \*CS-016-14** Community Services & Administration, re Permission to Apply for Historic Marker Grant – County Clerk
- \*CSS-011-14** Community Safety & Security & Administration, re Appointment of Deputy Fire Coordinator for Hazard Materials Team – Fire Coordinator
- \*CSS-012-14** Community Safety & Security & Administration, re Budget Modification Homeland Security – Fire Coordinator
- \*CSS-013-14** Community Safety & Security & Administration, re Budget Modification Fire Coordinator’s Office – Fire Coordinator
- \*CSS-014-14** Community Safety & Security & Administration, re Abolish & Create Position – Sheriff

- \*CSS-015-14** Community Safety & Security & Administration, re Budget Modification NYS Strike Force – Sheriff
- \*CSS-016-14** Community Safety & Security & Administration, re Budget Modification NYS Office of Parks, Recreation & Historic Preservation
- \*CSS-017-14** Community Safety & Security & Administration, re County Wide Communications Narrow Banding P25 Phase II Back-Up Dispatch Center – Fire Coordinator
- \*ED-001-14** Economic Development & Administration, re Budget Modification Re-appropriate Grant Funds Brownsfield Hazardous Waste Assessment
- \*ED-003-14** Economic Development & Administration, re Budget Modification Re-appropriate Grant Funds EPA Browfield Petroleum Assessment
- \*ED-004-14** Economic Development & Administration, re Budget Modification Re-appropriate Grant Funds from National Grid’s Brownfield Redevelopment Program for Old Military Base Demolition & Rehabilitation Project in the Town of Cambria
- \*ED-005-14** Economic Development, re Resolution to Publish & Post the Notice of the Review of Niagara County Agricultural District #2
- \*ED-006-14** Economic Development, re Resolution to Hold Hearing on the Review of Niagara County Agricultural District #2
- IL-020-14** Legislators David E. Godfrey & Jason A. Zona, re Opposing NYS Assembly Bill 4113/NYS Senate Bill 3262 Providing Authorities Having Control of a Fire Department or Fire Company Which Provide Emergency Medical Services to Establish Fees & Charges for Emergency Medical Services
- \*PW-043-14** Public Works, re Agreement between the County of Niagara and the Pendleton Lions Club
- \*PW-044-14** Public Works, re Agreement between the County of Niagara & the Lighthouse Classic Softball League
- \*PW-045-14** Public Works, re Bid Award for Highway Materials
- \*PW-046-14** Public Works, re Award of Contract for Control of Roadside Vegetation
- \*PW-047-14** Public Works, re Award of Contract County Road Painting & Striping
- \*PW-048-14** Public Works & Administration, re Stone Rd. Reconstruction Contract Change Order #1 – Final
- \*PW-049-14** Public Works & Administration, re Bridge Superstructure Joints & Substructures Change Order #2 – Final
- \*PW-050-14** Public Works & Administration, re Award General Contract for Niagara County Sheriff’s Office Vehicle & Property Storage Facility
- \*PW-051-14** Public Works, re Award Electrical Contract for Niagara County Sheriff’s Office Vehicle & Property Storage Facility

- \*PW-052-14** Public Works, re Award Mechanical Contract for Niagara County Sheriff's Office Vehicle & Property Storage Facility
- \*PW-053-14** Public Works, re Award Plumbing Contract for Niagara County Sheriff's Office Vehicle & Property Storage Facility
- \*PW-054-14** Public Works, re Award of Contract County Bridge Washing
- \*PW-055-14** Public Works & Administration, re Appointment of Engineer Niagara County Sewer District #1  
– Sewer
- \*PW-056-14** Public Works & Administration, re Appointment of Attorney Niagara County Sewer District #1  
– Sewer



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 May 6, 2014.**

# NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 04/08/14 RESOLUTION #: AD-004-14

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
AD - 4/7/14

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

## APPROVAL OF VOTING MACHINE AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND THE NIAGARA FALLS CITY SCHOOL DISTRICT (§3-224, NEW YORK STATE ELECTION LAW)

WHEREAS, the Niagara Falls City School District will be conducting an election on May 20, 2014 and requires the use of the Niagara County Board of Elections voting equipment in connection with this election, and

WHEREAS, the Niagara County Attorney's Office has prepared a formal agreement for use between the County of Niagara and the Niagara Falls City School District, which has been fully approved by the District, a copy of which has been filed with the Clerk of the Legislature, and

WHEREAS, time is of the essence in connection with the approvals by the Niagara County Legislature, and

WHEREAS, under the terms of the agreement the County will provide, and be reimbursed for transportation of the voting machine preparation, programming, and packaging of the voting machine and all necessary Niagara County personnel and also be reimbursed for machine depreciation: the District, among other things, shall furnish at its expense, election custodians and inspectors and also insurance in form, content and amounts as approved by the Niagara County Attorney, and

WHEREAS, the final written agreement between the parties is subject to the review and approval by the parties' respective legal counsel, now, therefore, be it

RESOLVED, that pursuant to the provisions of §3-224 of New York State Election Law, the Chair of the Niagara County Legislature and the Niagara County Election Commissioners are authorized and directed to execute and deliver an agreement, in substantially the form of agreement now filed with the Clerk of the Legislature between and among the County of Niagara, the Niagara County Election Commissioners and the Niagara Falls City School District for the provision, by the County of Niagara, of sufficient voting equipment, including the programming thereof, to the Niagara Falls City School District in connection with an election scheduled to be held the 20th day of May 2014, and be it further

RESOLVED, that the execution and delivery of this equipment, is subject to the approval of the Board of the Niagara Falls City School District and the review and approval of the Niagara County Attorney's Office and counsel to the Niagara Falls City School District, and be it further

RESOLVED, that a true copy of the fully signed and approved agreement be filed by the Clerk of this Legislature simultaneously with the delivery of the or as soon as reasonably possible thereafter.

ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

**FROM:** Community Services and Administration      **DATE:** 04/08/14      **RESOLUTION #:** CS-015-14

## Committees

**APPROVED BY**  
**CO. ATTORNEY**

**REVIEWED BY**  
**CO. MANAGER**

**COMMITTEE ACTION**  
CS - 4/7/14  
AD - 4/7/14

**LEGISLATIVE ACTION**

**Approved:** Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
**Rejected:** Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
**Referred:** \_\_\_\_\_

## **ABOLISH MOTOR VEHICLE REPRESENTATIVE I CREATE AND FILL DOCUMENT CLERK AND CASHIER - COUNTY CLERK**

WHEREAS, the Niagara County Clerk serves as the Clerk of Supreme and County Courts as well as register of all land transactions and receiver of filings and recordings of numerous and varied documents (Recording Office), and

WHEREAS, the County Clerk is responsible for the operation of three motor vehicle offices across Niagara County and

WHEREAS, NYS DMV has accelerated their investment in technology through their Gen Next mission, and continue to identify opportunities for greater use of technology through the NYS DMV improved website design, use of social networking and MyDmv with their goal of reengineering the DMV customer experience, and

WHEREAS, this acceleration has negatively impacted local county DMV revenues and face to face transaction numbers due to customers being directed to the NYS website for revenue producing transactions while still requiring county DMV operations to perform no-fee/problem solving transactions, and

WHEREAS, operations of the Recording Office, which additionally includes providing funding and staffing for the Pistol Permit Office, Veterans Service Agency, Historian Office and the countywide Records Management Program struggle to provide necessary personnel to properly deliver those services, and

WHEREAS, this move will provide greater flexibility in addressing the personnel needs of the many areas for which the County Clerk is responsible, and

WHEREAS, this action will realize a savings of \$1540.00, now, therefore, be it

RESOLVED, that the County Clerk be authorized to abolish one (1) FTE Motor Vehicle Representative I, position #4453 effective May 11, 2014, and be it further

RESOLVED, that the County Clerk be authorized to create and fill one (1) Document Clerk and Cashier position, Grade VI, Step I, CSC Salary Plan, Salary \$17.09 per hour, 35 hours per week, effective May 11, 2014, and be it further

RESOLVED, that the following transfer of position funds be effectuated:

TO:

A.10.1410.000 71010.00

Positions

\$20,098.00

FROM:

A.10.1410.103.4453 71010.00

Positions

\$20,098.00

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COMMUNITY SERVICES COMMITTEE

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ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration DATE: 04/08/14 RESOLUTION #: CS-016-14

Committees

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CS - 4/7/14  
AD - 4/7/14

LEGISLATIVE ACTION  
Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

## PERMISSION TO APPLY FOR HISTORIC MARKER GRANT

WHEREAS, the mission of the Niagara County Historian's Office includes preservation of sites of historical and architectural significance, and

WHEREAS, the Niagara County Historian's Office recognizes that many citizens are unaware that the original County Clerk's building, located at 139 Niagara Street, is the oldest Niagara County governmental building and has National Register status, and

WHEREAS, as a method to raise public consciousness, a sign or plaque would greatly enhance the historic significance of the building, and

WHEREAS, the William G. Pomeroy Foundation learned that when a property or district is placed on the National Register of Historic Places, that designation does not include funding for a plaque or sign; and, therefore, many sites do not have signage, and

WHEREAS, commemorative signage on a property may be the only indicators of historic significance, and

WHEREAS, the William G. Pomeroy Foundation has established a grant program to fund a plaque or sign to identify a property's designation, now, therefore, be it

RESOLVED, that the Niagara County Historian be permitted to apply for a William G. Pomeroy Foundation Grant that will provide for a 9"x13" plaque or a 2'x3' sign with a 7' mounting pole to be place on the 139 Niagara Street property.

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COMMUNITY SERVICES COMMITTEE

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ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security and DATE: 04/08/14 RESOLUTION #: CSS-011-14

Administration Committees

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CSS - 4/7/14  
AD - 4/7/14

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



## APPOINTMENT OF DEPUTY FIRE COORDINATOR FOR HAZARD MATERIALS TEAM

WHEREAS, pursuant to Section 401 of the County Law, the Fire Coordinator may appoint or remove the Deputy Fire Coordinator with the approval of the Niagara County Legislature, and

WHEREAS, a vacancy exists in the Deputy Fire Coordinator for Hazard Materials Team, with the retirement of John (Jack) Lyon, and

WHEREAS, the Fire Coordinator desires to appoint Mark Hain of Gasport as Deputy Fire Coordinator for Hazard Materials Team, and

WHEREAS, the Fire Advisory Board has approved the appointment of Mark Hain as Deputy Fire Coordinator for Hazard Materials Team, now, therefore, be it

RESOLVED, that Mark Hain be appointed Deputy Fire Coordinator for Hazard Materials Team, pursuant to section 401 of the County Law and subject to the approval of the Niagara County Legislature.


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COMMUNITY SAFETY & SECURITY  
COMMITTEE

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ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security and DATE: 04/08/14 RESOLUTION #: CSS-012-14

## Administration Committees

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION		
CO. ATTORNEY	CO. MANAGER	CSS - 4/7/14	Approved: Ayes	Abs.	Noes
		AD - 4/7/14	Rejected: Ayes	Abs.	Noes
			Referred:		

## 2014 BUDGET MODIFICATION HOMELAND SECURITY

WHEREAS, Homeland Security funds were not fully expended in 2013, now, therefore, be it

RESOLVED, that the remaining funds from the Homeland Security grants be re-appropriated into the 2014 budget, and be it further

RESOLVED, that the following 2014 budget modification be effectuated:

### INCREASE REVENUE:

A.19.3645.000 44305.02	Civil Defense Homeland Security	\$873,028.42
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### INCREASE APPROPRIATIONS:

A.19.3645.000 72100.05	Machinery/Equip-Computers	\$103,600.00
A.19.3645.000 72100.14	Machinery/Equip-Misc Equip	354,226.83
A.19.3645.000 72100.15	Machinery/Equip-Comm Equip	136,500.00
A.19.3645.000 74250.01	Office Expenses Office Supplies	1,000.00
A.19.3645.000 74300.01	Reimbursements-Travel/Conf	7,500.00
A.19.3645.000 74375.04	Communications-Leased Lines	55,783.47
A.19.3645.000 74500.01	Contractual Expense	22,000.00
A.19.3645.000 74500.02	Contractual Exp-Maint Service Exp	116,576.68
A.19.3645.000 74650.08	Professional Consultants/Expert Services	60,000.00
A.19.3645.000 74800.01	Communication-Supplies/Service	6,440.05
A.19.3645.000 74800.10	Supplies/Services, Maint-Misc Equip	9,401.39

COMMUNITY SAFETY & SECURITY  
COMMITTEE

ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security and DATE: 04/08/14 RESOLUTION #: CSS-013-14

Administration Committees

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CSS - 4/7/14  
AD - 4/7/14

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

## 2014 BUDGET MODIFICATION FIRE COORDINATOR'S OFFICE

WHEREAS, when one of the County Teams responds to an incident supplies are used, and some of the supplies are not reusable, and

WHEREAS, the Fire Coordinator's budget normally replaces these supplies with the current budget constraints; the Fire Coordinator's Office has started requesting replacement of the supplies used during the incident to the insurance company of the property owner if the insurance covers these supplies used; we will account for the revenue and purchase the used supplies, and

WHEREAS, the Fire Coordinator's Office received payments for the replacement of these supplies, one check for the supplies used by the Search & Technical Rescue Team for the incident on November 21, 2013 in the amount of \$240, and one check for the supplies used by the Hazmat Team for the incident on November 7, 2013 in the amount of \$415.70, and

WHEREAS, the Fire Coordinator's Office needs to replenish the supplies used by the two Teams, at no cost to the County, now, therefore, be it

RESOLVED, that the following 2014 budget modifications be effectuated:

### INCREASE REVENUE:

A.19.3410.000 42690.02	Other Compensation for Loss Reimbursements	\$655.70
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### INCREASE APPROPRIATIONS:

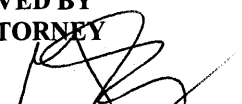
A.19.3410.000 74750.10	Supplies, Gen Hazmat Inventory	\$415.70
A.19.3410.000 74800.16	Safety Equip under \$500	240.00

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COMMUNITY SAFETY & SECURITY  
COMMITTEE

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ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

**FROM:** Community Safety & Security and Administration Committees **DATE:** 04/08/14 **RESOLUTION #:** CSS-014-14

<b>APPROVED BY</b> <b>CO. ATTORNEY</b> 	<b>REVIEWED BY</b> <b>CO. MANAGER</b> _____	<b>COMMITTEE ACTION</b> CSS - 4/7/14 AD - 4/7/14 _____	<b>LEGISLATIVE ACTION</b> <b>Approved:</b> Ayes _____ Abs. _____ Noes _____ <b>Rejected:</b> Ayes _____ Abs. _____ Noes _____ <b>Referred:</b> _____
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## ABOLISH AND CREATE POSITION NIAGARA COUNTY SHERIFF'S OFFICE

WHEREAS, an Account Clerical III position, Job Group VI, at \$19.61 per hour, has become vacant as of March 29, 2014 due to retirement, and

WHEREAS, it has been determined that the Sheriff's Office would be better served with an additional Clerical III position, Job Group VI at \$19.61 per hour, and

WHEREAS, this change will not result in a cost increase to the County, now, therefore, be it

RESOLVED, that the vacant Account Clerical III position, Job Group VI at \$19.61 per hour, be abolished effective April 13, 2014, and be it further

RESOLVED, that a Clerical III position, Job Group VI at \$19.61 per hour, be created and filled effective April 13, 2014 and be it further

RESOLVED, that the following line item transfer be effectuated:

FROM:

A.17.3110.000 71010.00 3429	Account Clerical III	\$25,806
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TO:

A.17.3110.000 71010.00 xxxx	Clerical III	\$25,806
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COMMUNITY SAFETY & SECURITY  
COMMITTEE

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ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

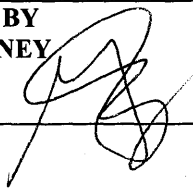
FROM: Community Safety & Security and

DATE: 04/08/14

RESOLUTION #: CSS-015-14

## Administration Committees

APPROVED BY  
CO. ATTORNEY



REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION

CSS - 4/7/14

AD - 4/7/14

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

## NIAGARA COUNTY SHERIFF'S OFFICE - BUDGET MODIFICATION NYS STRIKE FORCE

WHEREAS, New York State Department of Taxation and Finance has set up a task force, and

WHEREAS, the Niagara County Sheriff's Office will be participating by assigning a Deputy Sheriff to this task force, and

WHEREAS, this position was included in the 2014 budget, and

WHEREAS, NYS has agreed to reimburse the county for all other costs relating to this position, now, therefore, be it

RESOLVED, that the position be co-terminus with said agreement and that the following budget modification be made with no county cost:

### INCREASE REVENUE:

A.17.3110.000 43389.13	Crime Prevention	\$21,645
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### INCREASE APPROPRIATION:

A.17.3110.000 71050.00	Overtime	\$10,000
A.17.3110.000 72100.29	Leased Equipment	7,200
A.17.3110.000 78100.00	Retirement	3,320
A.17.3110.000 78200.00	FICA	765
A.17.3110.000 78300.00	Worker's Compensation	360

COMMUNITY SAFETY & SECURITY  
COMMITTEE

ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security and DATE: 04/08/14 RESOLUTION #: CSS-016-14

Administration Committees

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION

CSS - 4/7/14

AD - 4/7/14

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

## SHERIFF'S OFFICE – BUDGET MODIFICATION NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

WHEREAS, the Sheriff's Office receives funds through the New York State Office of Parks, Recreation and Historic Preservation for the Marine and Snowmobile Division, and

WHEREAS, in addition to the normal yearly reimbursement NYS has agreed to fund at 50% a pickup truck needed to tow our boats, and

WHEREAS, this new pickup truck will replace an existing 2005 Ford F250 pickup truck with over 145,000 miles, and

WHEREAS, the additional funds needed to purchase this truck exist in the Sheriff's Office 2014 budget, now, therefore, be it

RESOLVED, that the following budget modification be made to accept the additional funds from NYS Office of Parks, Recreation and Historic Preservation:

### INCREASE REVENUE

A.17.3110.000 43315.00	Marine Patrol	\$15,000
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### INCREASE APPROPRIATION

A.17.3110.000 72100.12	Car/Truck	\$15,000
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COMMUNITY SAFETY & SECURITY  
COMMITTEE

ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security & Administration Committees DATE: 04/08/2014 RESOLUTION # CSS-017-14

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CSS - 04/07/14</u> <u>AD - 04/07/14</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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*[Signature]*  
4/3/2014

## COUNTY WIDE COMMUNICATIONS NARROW BANDING P25 PHASE II BACK-UP DISPATCH CENTER

WHEREAS, by Resolution No. CSS-036-11, dated December 20, 2011, the Legislature authorized the County Manager to negotiate a contract with the Motorola Solutions to complete the countywide Communications Narrow Banding P25 Phase II project, and

WHEREAS, on December 29, 2011, the County and the Motorola Solutions entered into an agreement for completion of said project, with the exclusion of a backup dispatch center pending site selection and

WHEREAS, Niagara County has considered multiple locations countywide including the Niagara Falls Air Force Base to locate the back-up dispatch center, and have found that co-location with one of our new tower sites would prove to be a significant savings in funding for Niagara County, and

WHEREAS, additional funding is required to complete this work in the amount of \$650,000, and

WHEREAS, Niagara County entered into a contract with L.R. Kimball for project management services related to the foregoing project by Resolution No. CSS-012-11, dated March 15, 2011 and an additional \$65,000 will be needed to design and engineer the back-up center, now, therefore, be it

RESOLVED, that the \$65,000 increase in the Kimball contract from appropriated funds from the 2014 Homeland Security budget in SHSP-13, which will result in no cost to the County, and be it further

RESOLVED, that the following budget modification be effectuated:

### INCREASE APPROPRIATED FUND BALANCE:

A 40599.00	Appropriated Fund Balance	\$650,000.00
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### INCREASE APPROPRIATION:

A.07.9950.000.79010.00	Transfers to Capital Projects	\$650,000.00
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### INCREASE ESTIMATED REVENUE:

H581.17.3020.000.45031.00	Interfund Transfer from Operating	\$650,000.00
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INCREASE APPROPRIATION:

H581.17.3020.000.72400.00	Land Improvement	\$650,000.00
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COMMUNITY SAFETY & SECURITY  
COMMITTEE

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ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Economic Development and DATE: 04/08/14 RESOLUTION #: ED-001-14

Administration Committees

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
ED - 3/26/14  
AD - 4/7/14

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

## BUDGET MODIFICATION – REAPPROPRIATE GRANT FUNDS BROWNFIELD HAZARDOUS WASTE ASSESSMENT

WHEREAS, Resolution ED-009-11 authorized acceptance of a grant in the amount of Two Hundred Thousand Dollars (\$200,000) from the United States Environmental Protection Agency for a Brownfield Hazardous Waste Assessment Project, and

WHEREAS, Forty-Eight Thousand Two Hundred Twenty-Nine Dollars (\$48,229) was budgeted for the 2014 Budget, and

WHEREAS, work was ahead of schedule and more money was spent than anticipated from the 2013 Budget, in the amount of Thirty-One Thousand Six Hundred Forty-Three Dollars (\$31,643), now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

### DECREASE REVENUE:

CM.28.6989.609 44989.04	Other Home and Community Service EPA Brownfield Revenue	\$31,643
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### DECREASE APPROPRIATION:

CM.28.6989.609 74500.01	Contractual Expenses	\$31,643
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ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Economic Development and Administration      DATE: 04/08/14      RESOLUTION #: ED-003-14

## Committees

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
ED - 3/26/14  
AD - 4/7/14

LEGISLATIVE ACTION  
Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

## BUDGET MODIFICATION – REAPPROPRIATE GRANT FUNDS EPA BROWNFIELD PETROLEUM ASSESSMENT

WHEREAS, Resolution ED-010-11 authorized acceptance of a grant in the amount of Two Hundred Thousand Dollars (\$200,000) from the United States Environmental Protection Agency for a Brownfield Petroleum Assessment Project, and

WHEREAS, One Hundred Thirty-Five Thousand Seven Hundred Eighty-Four Dollars (\$135,784) was budgeted for the 2014 Budget, and

WHEREAS, work was ahead of schedule and more money was spent than anticipated from the 2013 Budget, in the amount of Nine Thousand Five Hundred Twenty-Two Dollars (\$9,522), now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

### DECREASE REVENUE:

CM.28.6989.610 44989.04	Other Home and Community Services	\$9,522
	EPA Brownfields Revenue	

### DECREASE APPROPRIATION:

CM.28.6989.610 74500.01	Contractual Expenses	\$9,522
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ECONOMIC DEVELOPMENT COMMITTEE

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ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Economic Development and Administration      DATE: 04/08/14      RESOLUTION #: ED-004-14

## Committees

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
ED - 3/26/14  
AD - 4/7/14

LEGISLATIVE ACTION  
Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

## BUDGET MODIFICATION – REAPPROPRIATE GRANT FUNDS FROM NATIONAL GRID’S BROWNFIELD REDEVELOPMENT PROGRAM FOR OLD MILITARY BASE DEMOLITION AND REHABILITATION PROJECT IN THE TOWN OF CAMBRIA

WHEREAS, Resolution ED-009-12 authorized acceptance of a grant in the amount of Three Hundred Thousand Dollars (\$300,000) to assist with the demolition and rehabilitation of the Old Military Base known as the Lockport Air Force Base on Unicorn and Eagle Drives in the Town of Cambria, and

WHEREAS, this grant is a reimbursement grant which requires up front funding by Niagara County and is 100% reimbursable by National Grid, and

WHEREAS, Seventy-Four Thousand Two Hundred Seventy-Two Dollars (\$74,272) was budgeted for the 2014 Budget, and

WHEREAS, work was ahead of schedule and more money was spent than anticipated from the 2013 Budget, in the amount of Seven Thousand Twenty Dollars (\$7,020), now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

### DECREASE REVENUE:

A.28.8020.808 41289.02	Other General Gov Income Misc. Reimbursement	\$7,020
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### DECREASE APPROPRIATION:

A.28.8020.808 74500.01	Contractual Expenses	\$7,020
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ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

**FROM:** Economic Development Committee      **DATE:** 04/08/14      **RESOLUTION #:** ED-005-14

**APPROVED BY  
CO. ATTORNEY**

**REVIEWED BY**  
**CO. MANAGER**

**COMMITTEE ACTION**  
ED - 3/26/14

## LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

**Rejected:** Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

**Referred:** \_\_\_\_\_

**RESOLUTION TO PUBLISH AND POST THE NOTICE OF THE REVIEW  
OF NIAGARA COUNTY AGRICULTURAL DISTRICT #2**

WHEREAS, Niagara County Agricultural District #2 with portions of the district in the towns of Hartland, Royalton, and Somerset has an 8-year anniversary of August 12, 2014 and a review period commencing 300 days prior to this date, and

WHEREAS, New York State Agriculture and Markets Law 25AA, Section 303-a(2)a states that the county legislative body shall provide for a 30-day comment period during which time requests for changes in the district may be submitted for consideration by the Niagara County Agriculture and Farmland Protection Board and the Legislative body, and

WHEREAS, the above legislation requires a notice of the review be published in a newspaper having general circulation within the district and posting of such notice in at least 5 conspicuous places within the district, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorizes the publishing and posting of said notice immediately following the action on this resolution.

ECONOMIC DEVELOPMENT COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee      DATE: 04/08/14      RESOLUTION #: ED-006-14

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
ED - 3/26/14

LEGISLATIVE ACTION  
Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

## RESOLUTION TO HOLD HEARING ON THE REVIEW OF NIAGARA COUNTY AGRICULTURAL DISTRICT #2

WHEREAS, Niagara County Agricultural District #2 with portions of the district in the towns of Hartland, Royalton, and Somerset has an 8-year anniversary and review date of August 12, 2014, and

WHEREAS, New York State Agriculture and Markets Law 25AA, Section 303-a states that a public hearing shall be held no greater than 180 days nor less than 120 days prior to the review date, and

WHEREAS, the above legislation requires a notice of the hearing be published in a newspaper having general circulation within the district, be provided to those municipalities in which the district lies and be given to landowners of parcels recommended for modification by the Niagara County Agriculture and Farmland Protection Board, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorizes the publishing and posting of said notice immediately following the action on this resolution and the conducting of a hearing on May 6, 2014.

ECONOMIC DEVELOPMENT COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Legislators David E. Godfrey and Jason A. Zona DATE: 04/8/14 RESOLUTION #: IL-020-14

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

## RESOLUTION OPPOSING NYS ASSEMBLY BILL 4113/ NYS SENATE BILL 3262 PROVIDING AUTHORITIES HAVING CONTROL OF A FIRE DEPARTMENT OR FIRE COMPANY WHICH PROVIDE EMERGENCY MEDICAL SERVICES TO ESTABLISH FEES AND CHARGES FOR EMERGENCY MEDICAL SERVICES

WHEREAS, in Niagara County, numerous emergency medical service providers and volunteer fire departments offer ambulance transport services and are unable by law to bill insurance companies for the costs of transport, and

WHEREAS, Assembly Bill 4113 and Senate Bill 3262 propose authorities having control of fire departments providing emergency medical services to establish fees and charges for these services, and

WHEREAS, authorities having control such as cities, towns and villages in Niagara County establishing fees and charges for emergency medical transport and services will deny agencies providing emergency transport from being reimbursed for the services provided, and

WHEREAS, with the costs of providing emergency medical transport to Niagara County residents draining emergency services budgets throughout all municipalities in the county, it is necessary for ambulance providers and fire departments to be able to bill for services and collect the fees for the services they provide, and

WHEREAS, on March 20, 2014, the Niagara County Fire Advisory Board voted unanimously to oppose Senate Bill 3262/Assembly Bill 4113, and are requesting the Niagara County Legislature to go on record opposing this legislation as well, now, therefore, be it

RESOLVED, that the Niagara County Legislature opposes NYS Assembly Bill 4113/ NYS Senate Bill 3262, and implores our local Niagara County State Senate and Assembly delegation to vote against this legislation, and be it further

RESOLVED, that the Niagara County Legislature asks that the New York State Legislature propose and pass legislation that allows emergency medical service transport agencies to bill and collect fees for the service provided, and be it further

RESOLVED that the County of Niagara forward copies of this resolution to Governor Andrew Cuomo, Senate Majority Leader Dean G. Skelos, Senator George Mazarz, Assembly Speaker Sheldon Silver, Member of the Assembly John D. Ceretto, Member of the Assembly Jane L. Corwin, Member of the Assembly Robin Schimminger, Member of the Assembly Ray Walter and all others deemed necessary and proper.

LEGISLATOR DAVID E. GODFREY

LEGISLATOR JASON A. ZONA

# NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee DATE: 04/08/14 RESOLUTION #: PW-043-14

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
PW - 3/24/14

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

## AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND THE PENDLETON LIONS CLUB

WHEREAS, the Pendleton Lions Club has requested that the County of Niagara grant them permission to use the West Canal Marina and Shelter #4, for the purpose of holding the 38th annual town children's fishing derby to be held on June 14, 2014, and

WHEREAS, the fishing derby has been successful for the past several years in attracting hundreds of adults and children from the area, and

WHEREAS, it is the wish of the organizers to hold the fishing derby on June 14, 2014, 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 Pendleton Lions Club, and

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

RESOLVED, that following the County Attorney's review, the Chairman of the County Legislature be, and hereby is, authorized to execute the license agreement between the County of Niagara and the Pendleton Lions Club.

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PUBLIC WORKS COMMITTEE

# NIAGARA COUNTY LEGISLATURE

**FROM:** Public Works Committee      **DATE:** 04/08/14      **RESOLUTION #:** PW-044-14

**APPROVED BY  
CO. ATTORNEY**

**REVIEWED BY**  
**CO. MANAGER**

**COMMITTEE ACTION**  
PW - 3/24/14

## LEGISLATIVE ACTION

**Approved: Ayes** \_\_\_\_\_ **Abs.** \_\_\_\_\_ **Noes** \_\_\_\_\_

**Rejected:** Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

**Referred:** \_\_\_\_\_

# AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND THE LIGHTHOUSE CLASSIC SOFTBALL LEAGUE

WHEREAS, Lighthouse Classic Softball League has requested that the County of Niagara grant them permission to use existing ball fields in an area situated in the eastern portion of Krull Park for the purpose of softball games, and

WHEREAS, this program benefits the residents of Niagara County as a whole, and

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

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

WHEREAS, it is the desire of Niagara to enter into a formal agreement with the Lighthouse Classic Softball League, and

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

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the Lighthouse Classic Softball League, 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 Lighthouse Classic Softball League.

PUBLIC WORKS COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee DATE: 04/08/14 RESOLUTION #: PW-045-14

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
PW - 3/24/14

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

Katherine D. Alexander

## BID AWARD FOR HIGHWAY MATERIALS

WHEREAS, specifications for the 2014 Highway Maintenance Program have been prepared by the Highways, Bridges & Structures Division of the Department of Public Works, and

WHEREAS, the Purchasing Department advertised for bids and publicly opened and read bids on February 25, 2014, and

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

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

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

WHEREAS, funds are available in the 2014 budget of the Department of Public Works, now, therefore, be it

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

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

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

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PUBLIC WORKS COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Public Works committee DATE: 04/08/14 RESOLUTION #: PW-046-14

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
<u>Katherine D. Alexander</u>		<u>PW - 3/24/14</u>	Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

## AWARD OF CONTRACT FOR CONTROL OF ROADSIDE VEGETATION

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

WHEREAS, funds are available in the 2014 budget of the Department of Public Works, and

WHEREAS, the Purchasing Department advertised for bids and publicly opened and read bids on February 25, 2014, and

	Guide Railing Vegetation Control	
	Per Side Mile	Per Gal. Mat. Applied
1. Allen Chase Enterprises, Inc. 24 County Route 1A Oswego, NY 13126	\$28.25	\$0.85
2. DeAngelo Brothers, Inc. 100 N. Conahan Drive Hazleton, PA 18201	\$29.50	\$1.03

WHEREAS, the Public Works Committee has examined the bids, now, therefore, be it

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

RESOLVED, that the contract for roadside vegetation control be awarded to Allen Chase Enterprises, Inc., 24 County Route 1A, Oswego, NY 13126, and be it further

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

PUBLIC WORKS COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee DATE: 04/08/14 RESOLUTION #: PW-047-14

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
PW - 3/24/14

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

Katherine D. Alexander

## AWARD OF CONTRACT - COUNTY ROAD PAINTING AND STRIPING

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

WHEREAS, funds are available in the 2014 budget of the Highways, Bridges & Structures Division of the Department of Public Works, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on February 25, 2014, and tabulated below:

<u>Waterborne Paint Application</u>	<u>Price Per Mile Of Centerline</u>	<u>Price Per Mile Of Edge Line</u>
Accent Stripe, Inc. 3275 N. Benzing Road Orchard Park, NY 14127	\$319.00	\$195.00

and

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

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

RESOLVED, that the contract for painting traffic lines on County roadways be awarded to the lowest responsible bidder, Accent Stripe, Inc., 3275 N. Benzing Road, Orchard Park, NY 14127, 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.

PUBLIC WORKS COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee and Administration Committee DATE: 04/08/14 RESOLUTION #: PW-048-14

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
<u>Katherine D. Alexander</u>		<u>PW - 3/24/14</u>	Approved: Ayes _____ Abs. _____ Noes _____
		<u>AD - 4/7/14</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

## STONE ROAD RECONSTRUCTION CONTRACT CHANGE ORDER NO. 1 - FINAL

WHEREAS, by Resolution No. PW-063-13, dated June 18, 2013, the Legislature awarded the contract for the reconstruction of Stone Road, between Lockport-Cambria Townline Road and Johnson Road, to Accadia Site Contracting, 5636 Transit Road, Depew, NY 14043, in the amount of \$1,599,907.20, and

WHEREAS, it is necessary to increase the contract due to adjustments in contract quantities, for an additional cost of \$45,666.09, for a revised contract price of \$1,645,573.29, and

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

RESOLVED, that Change Order No. 1 – Final, in the amount of \$45,666.09, be approved for a revised contract amount of \$1,645,573.29, and be it further

RESOLVED, that the Chairman of the Legislature be and hereby is, authorized to execute the required documents, subject to the review of the County Manager and approval of the County Attorney.

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PUBLIC WORKS COMMITTEE

\_\_\_\_\_  
ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Public Works and Administration DATE: 04/08/14 RESOLUTION #: PW-049-14

## Committees

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
<u>Katherine D. Alexander</u>		PW - 3/24/14	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 4/7/14	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

## BRIDGE SUPERSTRUCTURE, JOINTS AND SUBSTRUCTURES CHANGE ORDER NO. 2 - FINAL

WHEREAS, by Resolution No. PW-089-12, dated November 20, 2012, the Legislature awarded the contract for the repairs of Bridge Superstructures, Joints and Substructures to Yarussi Construction Inc., 5650 Simmons Avenue, Niagara Falls, NY 14304, in the amount of \$254,098.50, and

WHEREAS, by Resolution No. PW-087-13, dated October 15, 2013, Change Order No. 1 to extend the contract completion date to December 31, 2013, at no cost to the county, was approved, and

WHEREAS, it is necessary to approve Change Order No. 2 – Final, in the amount of \$7,635.85, due to adjustments in contract quantities, for a revised contract price of \$261,734.35, 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. 2 – Final, in the amount of \$7,635.85, due to adjustments in contract quantities be approved, for a revised contract amount of \$261,734.35, 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.

\_\_\_\_\_  
PUBLIC WORKS COMMITTEE

\_\_\_\_\_  
ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Public Works and Administration      DATE: 04/08/14      RESOLUTION #: PW-050-14

Committees

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
PW - 3/24/14  
AD - 4/7/14

LEGISLATIVE ACTION  
Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

Katherine D. Alexander

## AWARD GENERAL CONTRACT FOR NIAGARA COUNTY SHERIFF'S OFFICE VEHICLE AND PROPERTY STORAGE FACILITY

WHEREAS, the Niagara County Sheriff's Office has prepared specifications in conjunction with the Department of Public Works Engineering Division, to proceed with the construction of a new Niagara County Sheriff's Office Vehicle and Property Storage Facility, and

WHEREAS, sealed bids for the General Contract Work for the Niagara County Sheriff's Office Vehicle and Property Storage were received and publicly opened by the Purchasing Department on March 18, 2014, as tabulated below:

<u>Contractor</u>	<u>Bid Price</u>
1. R. B. Mac Construction Co., Inc. P.O. Box 424 Lockport, NY 14095	\$663,000
2. Resitarits Construction Corp. 115 Delaware Avenue Buffalo, NY 14209	\$682,000
3. Mulvey Construction 5583 Davison Road Lockport, NY 14094	\$711,121
4. Sicoli Construction Services 4800 Hyde Park Blvd. Niagara Falls, NY 14305	\$741,700
5. NewCal Construction, Inc. 10994 Tinkham Road Darien Center, NY 14040	\$785,081
6. D. R. Chamberlain Corp. 50 Simonds Street Lockport, NY 14094	\$796,100
7. Nichter Construction 30 Wildwood Drive Lancaster, NY 14086	\$883,000

8. Sicoli & Massaro, Inc. \$966,700  
8525 Porter Road  
Niagara Falls, NY 14304

and

WHEREAS, the bids have been examined and additional funds are required, 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, the additional funds required for this project be transferred from the Sheriff's Office general fund budget and the Unappropriated Fund Balance, and be it further

RESOLVED, the following budget modification be effectuated:

DECREASE APPROPRIATION:

A.17.3110.000.7 4800.03 Building Maint Supplies \$145,000

INCREASE APPROPRIATED FUND BALANCE:

A 40599.00 Appropriated fund Balance \$175,000

INCREASE APPROPRIATION:

A.07.9950.000.79010.00 Transfers to Capital Projects \$320,000

INCREASE ESTIMATED REVENUE:

H591.17.3997.000.45031.00 Interfund Transfer from Operating \$320,000

INCREASE ESTIMATED APPROPRIATION:

H591.17.3997.000.72200.00 Evidence Storage Building \$320,000

and be it further

RESOLVED, that the Niagara County Sheriff's Office Vehicle and Property Storage Building General Contract be awarded to the lowest responsible bidder, RB Mac Construction Co. Inc., PO Box 424, Lockport, NY 14095, in the amount of \$663,000.00, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby, is authorized to execute the required documents, subject to the review of the County Manager and the approval of the County Attorney.

# NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee DATE: 04/08/14 RESOLUTION #: PW-051-14

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
PW - 3/24/14

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

Katherine D. Alexander

## AWARD ELECTRICAL CONTRACT FOR NIAGARA COUNTY SHERIFF'S OFFICE VEHICLE AND PROPERTY STORAGE FACILITY

WHEREAS, the Niagara County Sheriff's Office has prepared specifications in conjunction with the Department of Public Works Engineering Division, to proceed with the construction of a new Niagara County Sheriff's Office Vehicle and Property Storage Facility, and

WHEREAS, sealed bids for the Electrical Contract Work for the Niagara County Sheriff's Office Vehicle and Property Storage were received and publicly opened by the Purchasing Department on March 18, 2014, as tabulated below:

<u>Contractor</u>	<u>Bid Price</u>
1. CIR Electrical Construction Corp. 400 Ingham Avenue Buffalo, NY 1218	\$118,880
2. Brown Electric, Inc. 6421 Campbell Blvd. Lockport, NY 14094	\$124,580
3. Mulvey Construction 5583 Davison Road Lockport, NY 14094	\$170,155
4. Goodwin Electric Corp. 201 S. Youngs Road Williamsville, NY 14221	\$177,700
5. Frey Electric 100 Pearce Avenue Tonawanda, NY 14150	\$188,000
6. Industrial Power & Lighting Corp. 701 Seneca Street Buffalo, NY 14210	\$197,000

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 Niagara County Sheriff's Office Vehicle and Property Storage Building Electrical Contract be awarded to the lowest responsible bidder, CIR Electrical Construction Corp., 400 Ingham Avenue, Buffalo, NY 14218, in the amount of \$118,880, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute the required documents, subject to the review of the County Manager and the approval of the County Attorney.

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PUBLIC WORKS COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee DATE: 04/08/14 RESOLUTION #: PW-052-14

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
PW - 3/24/14

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

Katherine D. Alexander

## AWARD MECHANICAL CONTRACT FOR NIAGARA COUNTY SHERIFF'S OFFICE VEHICLE AND PROPERTY STORAGE FACILITY

WHEREAS, the Niagara County Sheriff's Office has prepared specifications in conjunction with the Department of Public Works Engineering Division, to proceed with the construction of a new Niagara County Sheriff's Office Vehicle and Property Storage Facility, and

WHEREAS, sealed bids for the Mechanical Contract Work for the Niagara County Sheriff's Office Vehicle and Property Storage were received and publicly opened by the Purchasing Department on March 18, 2014, as tabulated below:

	<u>Contractor</u>	<u>Bid Price</u>
1.	Parise Mechanical, Inc. 1106 Sheridan Drive Tonawanda, NY 14150	\$59,300
2.	Hoot Mechanical & Electrical P.O. Box 428 Lockport, NY 14095	\$89,200
3.	Mulvey Construction 5583 Davison Road Lockport, NY 14094	\$119,912

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 Niagara County Sheriff's Office Vehicle and Property Storage Building Mechanical Contract be awarded to the lowest responsible bidder, Parise Mechanical, 1106 Sheridan Drive, Tonawanda, NY 14150, in the amount of \$59,300.00, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute the required documents, subject to the review of the County Manager and the approval of the County Attorney.

PUBLIC WORKS COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee DATE: 04/08/14 RESOLUTION #: PW-053-14

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
PW - 3/24/14

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

Katherine D. Alexander

## AWARD PLUMBING CONTRACT FOR NIAGARA COUNTY SHERIFF'S OFFICE VEHICLE AND PROPERTY STORAGE FACILITY

WHEREAS, the Niagara County Sheriff's Office has prepared specifications in conjunction with the Department of Public Works Engineering Division, to proceed with the construction of a new Niagara County Sheriff's Office Vehicle and Property Storage Facility, and

WHEREAS, sealed bids for the Plumbing Contract Work for the Niagara County Sheriff's Office Vehicle and Property Storage were received and publicly opened by the Purchasing Department on March 18, 2014, as tabulated below:

<u>Contractor</u>	<u>Bid Price</u>
1. Mulvey Construction 5583 Davison Road Lockport, NY 14094	\$80,142
2. Hoot Mechanical & Electrical P.O. Box 428 Lockport, NY 14095	\$131,500

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 Niagara County Sheriff's Office Vehicle and Property Storage Building Plumbing Contract be awarded to the lowest responsible bidder, Mulvey Construction, 5583 Davison Road, Lockport, NY 14094, in the amount of \$80,142, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is authorized to execute the required documents, subject to the review of the County Manager and the approval of the County Attorney.

PUBLIC WORKS COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee DATE: 04/08/14 RESOLUTION #: PW-054-14

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
<u>Katherine D. Alexander</u>		<u>PW - 3/24/14</u>	Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

## AWARD OF CONTRACT – COUNTY BRIDGE WASHING

WHEREAS, the Department of Public Works, Engineering Division has prepared specifications and the Niagara County Purchasing Department has advertised for bids for County Bridge Washing, and

WHEREAS, funds are available in the 2014 budget of the Highways, Bridges & Structures Division of the Department of Public Works, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on March 18, 2014 and tabulated below:

- |   |              |
|---|--------------|
| 1. Acme Powerwashing Inc.<br>15590 Powerline Road<br>Holley, NY 14470         | \$121,680.00 |
| 2. Hunting Valley Construction Inc.<br>825 Rein Road<br>Cheektowaga, NY 14225 | \$129,000.00 |
| 3. Erie Painting and Maintenance<br>999 Rein Road<br>Cheektowaga, NY 14225    | \$462,000.00 |

and

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

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

RESOLVED, that the contract for Bridge Washing be awarded to the lowest responsible bidder, Acme Powerwashing, Inc., 15590 Powerline Road, Holley, NY 14470, in the amount of \$121,680.00, 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.

# NIAGARA COUNTY LEGISLATURE

FROM: Public Works and Administration DATE: 04/08/14 RESOLUTION #: PW-055-14

Committees

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

PW - 3/24/14

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

AD - 4/7/14

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

Katherine D. Alexander

## APPOINTMENT OF ENGINEER – NIAGARA COUNTY SEWER DISTRICT #1

WHEREAS, the Administrative Board of the Niagara County Sewer District #1 (District) has reviewed the needs of the District, and

WHEREAS, the District met on January 22, 2014 and approved the appointment of Conestoga- Rovers & Associates (CRA) as an engineer for the District for the two-year period commencing January 1, 2014 and ending with the District's re-organizational meeting in 2016, and

WHEREAS, the District has agreed to pay the engineer a general retainer of nine thousand (\$9,000) per year to be paid on pro-rata monthly fee basis of seven hundred fifty (\$750) per month, and

WHEREAS, the district has agreed to pay an hourly fee based on the personnel support for projects requested by the district, now, therefore, be it

RESOLVED, that the contract be effectuated to carry out the Administrative Board direction

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PUBLIC WORKS COMMITTEE

\_\_\_\_\_  
ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Public Works and Administration DATE: 04/08/14 RESOLUTION #: PW-056-14

## Committees

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	PW - 3/24/14	Approved: Ayes _____ Abs. _____ Noes _____
<u>Katherine D. Alexander</u>		AD - 4/7/14	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

## APPOINTMENT OF ATTORNEY – NIAGARA COUNTY SEWER DISTRICT #1

WHEREAS, the Administrative Board of the Niagara County Sewer District #1 (District) has reviewed the needs of the District, and

WHEREAS, the District met on January 22, 2014 and approved the appointment of P. Andrew Vona as attorney for the District for the two-year period commencing January 1, 2014 and ending with the District's re-organizational meeting in 2016, and

WHEREAS, the District has agreed to pay the attorney a general retainer of thirty thousand (\$30,000) per year to be paid on pro-rata monthly fee basis of two thousand five hundred (\$2,500) per month, and

WHEREAS, the district has agreed to pay one hundred and twenty-five dollars (\$125.00) per hour for litigation, legal services in connection with increase in facilities and capital projects, easements or real property acquisitions if required with a capital project or increase of facilities and one percent for all services in connection with increase in facilities and capital projects, exclusive of litigation, now, therefore, be it

RESOLVED, that the contract be effectuated to carry out the Administrative Board direction

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PUBLIC WORKS COMMITTEE

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ADMINISTRATION COMMITTEE