



AGENDA
NIAGARA COUNTY LEGISLATURE
May 3, 2016 – 7:00 P.M.

Resolutions not on previous agenda:

- CW-008-16** Committee Of The Whole, re Resolution Concerning Project Labor Agreement for the Niagara County Refuse Disposal District Construction and Placement of the Cap on the C&D Landfill and Improvements to the District's Leachate Collection Systems Project
- CW-009-16** Committee Of The Whole, re Resolution Approving an Extension of the Memorandum of the Understanding Between Orleans County, Niagara County, Seneca Telecommunications LLC and Resolute Partners LLC for the Nora Rural Broadband Initiative

Regular Meeting – May 3, 2016

- *IF-047-16** Infrastructure & Facilities and Administration, re Bridge Asphalt Concrete Deck Overlays & Joint Repairs Towns of Hartland, Newfane, Niagara Pendleton, Royalton, Somerset, Wheatfield, and Wilson, Pin 5761.36, Project Agreement
- *IF-048-16** Infrastructure & Facilities, re Bridge Washing and Deck Sealing, Towns of Hartland, Lockport, Newfane, Niagara, Pendleton, Porter, Royalton, Somerset, Wheatfield, and Wilson Pin 5761.34, Project Agreement
- *IF-049-16** Infrastructure & Facilities and Administration, re Historic County Courthouse Masonry Repair Consultant Final Payment
- *IF-050-16** Infrastructure & Facilities and Administration, re Lockport Road Bridge Over Bergholz Creek Consultant Amendment No. 2-Final
- *IF-051-16** Infrastructure & Facilities and Administration, re Ransomville-Braley Road Intersection Project Consultant Amendment No. 1- Final
- *IF-052-16** Infrastructure & Facilities and Administration, re Krull/Oppenheim Park Drainage Project Consultant Amendment No. 1-Final
- *IF-053-16** Infrastructure & Facilities, re Award Contract – Jail Building #1 Improvements Project
- *IF-054-16** Infrastructure & Facilities and Administration, re Chestnut Road Bridge Over East Branch of Twelve Mile Creek Budget Modification

- *IF-055-16 Infrastructure & Facilities, re Mowing Agreement Between Niagara County and Town of Niagara
- *IF-056-16 Infrastructure & Facilities, re Overtime Budget Modification
- *IF-057-16 Infrastructure & Facilities, re Agreement Between the County of Niagara and the Lockport Exchange Club
- *IF-058-16 Infrastructure & Facilities, re Agreement Between the County of Niagara and Kaihatsu Field Hockey Clinic
- *IF-059-16 Infrastructure & Facilities, re Agreement Between the County of Niagara and the Lighthouse Optimist Club of Barker
- *IF-060-16 Infrastructure & Facilities, re Agreement Between the County of Niagara and Olcott Fire Company Softball League

- IL-032-16 Legislator Jason A. Zona, re Resolution in Support of Town of Niagara Business Veterans Memorial Park Through Use of Casino Funding
- IL-033-16 Legislator John Syracuse, re Interim Commissioner Of Public Works Appointment
- IL-034-16 Legislators Jason A. Zona, Owen T. Steed, Dennis F. Virtuoso and Mark J. Grozio, re Resolution Urging the Niagara Falls Water Board to Eliminate the Availability Fee it Charges Property Owners in Niagara Falls Who Do Not Have Water Service
- IL-035-16 Legislators Anthony J. Nemi, Wm. Keith McNall and William J. Collins, re Resolution In Support Of Outwater Park Baseball Diamond Improvements Through The Use Of Casino Funding
- IL-036-16 Legislators Anthony J. Nemi, Wm. Keith McNall, William J. Collins, Michael A. Hill, and John Syracuse, re Resolution In Support Of Community Development Funding For Niagara County Golf Program


Mary Jo Tamburini, 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 24, 2016.

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructures & Facilities DATE: 05/03/16 RESOLUTION # IF-047-16
Committee and Administration Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>IF - 4/19/16</u> <u>AD - 4/19/16</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
			

**BRIDGE ASPHALT CONCRETE DECK OVERLAYS & JOINT REPAIRS
TOWNS OF HARTLAND, NEWFANE, NIAGARA, PENDLETON, ROYALTON,
SOMERSET, WHEATFIELD, AND WILSON
PIN 5761.36, PROJECT AGREEMENT**

WHEREAS, the Bridge Asphalt Concrete Deck Overlays & Joint Repairs project, Towns of Hartland, Newfane, Niagara, Pendleton, Royalton, Somerset, Wheatfield, and Wilson, Niagara County, PIN 5761.36 (the "Project"), is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the County of Niagara desires to advance the Project by making a commitment of 100% of the non-federal share of the costs for the project's Construction and Construction Inspection phases, and

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

RESOLVED, that the Legislature of the County of Niagara hereby approves the above-subject project, and be it further

RESOLVED, that the Legislature of the County of Niagara hereby authorizes the County of Niagara to pay in the first instance 100% of the federal and non-federal shares of the cost of the project's Construction and Construction Inspection phases or portions thereof, and be it further

RESOLVED, that the following budget modification be effectuated to reflect the funding levels set forth by Schedule A in the agreement:

ESTIMATED REVENUE APPROPRIATIONS:

D.15.5120.000 43501.00	Consolidated Highway Aid	\$71,000
D.15.5120.000 44597.02	Federal Revenue	\$44,000

ESTIMATED EXPENSE APPROPRIATIONS:

D.15.5120.000 74800.06	Repairs and Maintenance	\$125,000
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and be it further

RESOLVED, that funds are available to cover the cost of participation in the above phases of the Project in account number D.15.5120.000 74800.06, Repairs and Maintenance, and be it further

RESOLVED, that in the event the amount required to pay the full federal and non-federal shares of the cost of the project's Construction and Construction Inspection phases exceeds the amount appropriated above,

the County of Niagara shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation, and be it further

RESOLVED, that the Chairman of the Legislature of the County of Niagara be, and hereby is, authorized to execute all necessary Agreements, certifications, or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Niagara with the New York State Department of Transportation, in connection with the advancement or approval of the Project providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

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

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

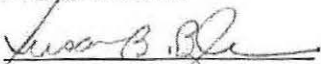
RESOLVED, that this Resolution shall take effect immediately.

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 05/03/16 RESOLUTION # IF-048-16
Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>IF - 4/19/16</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
			

**BRIDGE WASHING AND DECK SEALING, TOWNS OF
HARTLAND, LOCKPORT, NEWFANE, NIAGARA, PENDLETON,
PORTER, ROYALTON, SOMERSET, WHEATFIELD, AND WILSON
PIN 5761.34, PROJECT AGREEMENT**

WHEREAS, the Bridge Washing and Deck Sealing project, Towns of Hartland, Lockport, Newfane, Niagara, Pendleton, Porter, Royalton, Somerset, Wheatfield, and Wilson, Niagara County, PIN 5761.34 (the "Project"), is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% Non-Federal Funds, and

WHEREAS, the County of Niagara desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Construction/Construction Inspection phase of the project PIN 5761.34, and

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

RESOLVED, that the Legislature of the County of Niagara hereby approves the above-subject project, and be it further

RESOLVED, that the Legislature of the County of Niagara hereby authorizes the County of Niagara to pay in the first instance 100% of the federal and non-federal shares of the cost of the Construction/Construction Inspection phase of the Project or portions thereof, and be it further

RESOLVED, that the sum of \$205,000 will be made available to cover the cost of participation in the above phase of the Project in account number D.15.5120.000 74800.06, repairs and maintenance, and be it further

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

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

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

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

RESOLVED, that this Resolution shall take effect immediately.

INFRASTRUCTURE & FACILITIES
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities and Administration Committees DATE: 05/03/16 RESOLUTION # IF-049-16

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>AD - 4/19/16</u> <u>IF - 4/19/16</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**HISTORIC COUNTY COURTHOUSE MASONRY REPAIR
CONSULTANT FINAL PAYMENT**

WHEREAS, by Resolution No. PW-084-14, dated June 17, 2014, the Legislature awarded the contract for consultant services for the historical repairs of the Court House corner joints to Bernier Carr & Associates, 327 Mullin Street, Watertown, NY 13601, in the amount of \$12,000, and

WHEREAS, Resolution No. PW-102-14, dated August 5, 2014, authorized Amendment No. 1 for an additional \$5,000, for a revised contract amount of \$17,000, and

WHEREAS, Resolution No. PW-008-15, dated February 17, 2015, authorized Amendment No. 2 for an additional \$1,350 for an additional pre-bid meeting to be held, for a revised contract amount of \$18,350, 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 project is complete and on budget and final payment is authorized to be processed to Bernier Carr & Associates, 327 Mullin Street, Watertown, NY 13061, and be it further

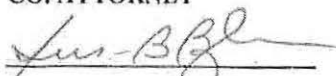
RESOLVED, that, following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the required documents.

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 05/03/16 RESOLUTION # IF-050-16
Committee and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	<u>IF - 4/19/16</u>	Approved: Ayes _____ Abs. _____ Noes _____
	_____	<u>AD - 4/19/16</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**LOCKPORT ROAD BRIDGE OVER BERGHOLZ CREEK
CONSULTANT AMENDMENT NO. 2-FINAL**

WHEREAS, Resolution No. PW-112-11, dated October 4, 2011, authorized the contract for consultant services for the reconstruction of Lockport Road Bridge over Bergholz Creek to Fisher Associates, 325 Delaware Avenue, Suite 200, Buffalo, NY 14202, for a fee not to exceed \$57,000, and

WHEREAS, Resolution No. PW-057-12, dated May 1, 2012, authorized Amendment No. 1 to allow for design services for an additional \$122,000, for a revised contract amount of \$179,000, and

WHEREAS, it is necessary to reduce the contract in the amount of \$1,669.01, for a revised contract amount of \$177,330.99, and

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

RESOLVED, that Amendment No. 2-Final to deduct \$1,669.01 from the contract for consultant services for the reconstruction of Lockport Road Bridge over Bergholz Creek, for a revised contract amount of \$177,330.99, to Fisher Associates, 325 Delaware Avenue, Suite 200, Buffalo, NY 14202, be approved, and be it further

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

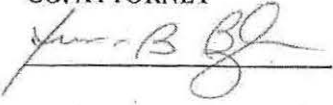
INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 05/03/16 RESOLUTION # IF-051-16
Committee and Administration Committee

APPROVED BY
CO. ATTORNEY



REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

IF - 4/19/16

AD - 4/19/16

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

**RANSOMVILLE-BRALEY ROAD INTERSECTION PROJECT
CONSULTANT AMENDMENT NO. 1-FINAL**

WHEREAS, Resolution No. PW-074-13, dated August 6, 2013, authorized the contract for consultant services for the survey and right-of-way issues for the Ransomville and Braley Road Intersection project to Clough, Harbour and Associates, LLP, 2200 Main Place Tower, Buffalo, NY 14202, for a fee not to exceed \$18,000, and

WHEREAS, it is necessary to reduce the contract in the amount of \$6,735.93, for a revised contract amount of \$11,264.07, and

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

RESOLVED, that Amendment No. 1-Final to deduct \$6,735.93 from the contract for the Ransomville and Braley Road Intersection project, for a revised contract amount of \$11,264.07, to Clough, Harbour and Associates, LLP, 2200 Main Place Tower, Buffalo, NY 14202, be approved, and be it further


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

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 05/03/16 RESOLUTION # IF-052-16
Committee and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	<u>IF - 4/19/16</u>	Approved: Ayes _____ Abs. _____ Noes _____
		<u>AD - 4/19/16</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**KRULL/OPPENHEIM PARK DRAINAGE PROJECT
CONSULTANT AMENDMENT NO. 1-FINAL**

WHEREAS, Resolution No. PW-090-07, dated July 24, 2007, authorized the contract for consultant services for improving the drainage situation at Krull and Oppenheim Parks to Foit-Albert Associates, 763 Main Street, Buffalo, NY 14203, for a fee not to exceed \$83,600, and

WHEREAS, it is necessary to reduce the contract in the amount of \$26,800, for a revised contract amount of \$56,800, and

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

RESOLVED, that Amendment No. 1-Final to deduct \$26,800 from the contract for the Krull/Oppenheim Park Drainage project, for a revised contract amount of \$56,800, to Foit-Albert Associates, 763 Main Street, Buffalo, NY 14203, be approved, and be it further

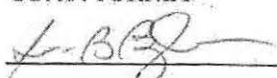
RESOLVED, that, following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the required documents.

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 05/03/16 RESOLUTION # IF-053-16
 Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER _____	COMMITTEE ACTION <u>IF - 4/19/16</u> _____	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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AWARD OF CONTRACT – JAIL BUILDING #1 IMPROVEMENTS PROJECT

WHEREAS, the Department of Public Works, Engineering Division has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Niagara County Jail Building #1 Improvements project, and

WHEREAS, funds are available in the 2016 capital budget, and

WHEREAS, the following bids were publicly opened for Jail Building #1 Improvements and Alternate #1 for security glazing and bullet resistant architectural panels, and read by our Purchasing Department on April 14, 2016 as tabulated below:

	Bid	Alternate #1	Total
1. Walter S. Johnson Building Co. P.O. Box 688 Niagara Falls, NY 14302	\$349,700	\$75,000	\$424,700
2. Sicoli Construction Services 4800 Hyde Park Blvd. Niagara Falls, NY 14305	\$417,600	\$69,900	\$487,500
3. R. B. Mac Construction Co. P.O. Box 424 Lockport, NY 14095	\$426,000	\$70,400	\$496,400
4. Sicoli and Massaro, Inc. 8525 Porter Road Niagara Falls, NY 14304	\$517,000	\$67,000	\$584,000

and

WHEREAS, the Infrastructure & Facilities Committee has examined the bid, and

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

RESOLVED, that the contract for the Niagara County Jail Building #1 Improvements project be awarded to the lowest responsible bidder, Walter S. Johnson Building Co., in the amount of \$349,700, plus alternate #1 in the amount of \$75,000, for a total of \$424,700.00, and be it further

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

INFRASTRUCTURE & FACILITIES
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE 05/03/16 RESOLUTION # IF-054-16
Committee and Administration Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
<u><i>[Signature]</i></u>	_____	<u>IF - 4/19/16</u>	Approved: Ayes _____ Abs. _____ Noes _____
		<u>AD - 4/19/16</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**CHESTNUT ROAD BRIDGE OVER EAST BRANCH OF TWELVE MILE CREEK
BUDGET MODIFICATION**

WHEREAS, Resolution No. PW-104-14, dated August 5, 2014, selected Hatch Mott MacDonald NY Inc., 438 Main Street, Suite 700, Buffalo, NY 14202, to assist the County with surveying, mapping, and hydraulic services for the Chestnut Road Bridge over the east branch of Twelve Mile Creek, in the amount of \$37,045, and

WHEREAS, Resolution No. PW-047-15, dated April 21, 2015, increased the contract by \$222,888.38, to allow for the preliminary design and final design phases of the project, for a revised contract amount of \$259,933.38, now, therefore, be it

RESOLVED, that the following budget modification be effectuated to allow the project to proceed:

INCREASE ANTICIPATED REVENUE:

H605.15.5197.000 43591.00 State Aid \$80,000

INCREASE ANTICIPATED APPROPRIATIONS:

H605.15.5197.000 72600.02 Infrastructure Bridges \$80,000

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 05/03/16 RESOLUTION # IF-055-16
Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>IF - 4/19/16</u>	LEGISLATIVE ACTION
<u><i>James B. Bell</i></u>			Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____

MOWING AGREEMENT BETWEEN NIAGARA COUNTY AND TOWN OF NIAGARA

WHEREAS, under Section 135-0 of the Highway Law, the County is empowered to enter into agreements with towns for the cutting of noxious weeds, briers and brush within the boundary of County roads, hereafter referred to as "mowing," and

WHEREAS, it is recommended by the Public Works Committee and the Department of Public Works that the County enter into an agreement with the town of Niagara for mowing, said town to receive an annual payment based upon the actual costs incurred upon presentation of certified cost records for equipment, rental of same, and labor by said town, and

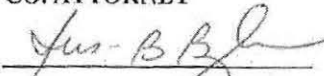
WHEREAS, prior to the execution of the required documents, the County Attorney will review the documents for approval as to legal form, language and compliance, now, therefore, be it

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

INFRASTRUCTURE & FACILITIES
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities _____ DATE: 05/03/16 _____ RESOLUTION # IF-056-16
 Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	<u>IF - 4/19/16</u>	Approved: Ayes _____ Abs. _____ Noes _____
	_____	_____	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

OVERTIME BUDGET MODIFICATION

WHEREAS, the County purchased the properties at 111 Main Street and 20-40 East Avenue, in Lockport, NY, and

WHEREAS, the offices, stairwells, hallways and entry ways are in need of painting, and

WHEREAS, the Department of Social Services has funds available to allow this work to be performed on weekends, allowing minimal disruption to services, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

INCREASE ANTICIPATED REVENUE:

A.25.1620.000.40999.41	Recovery of Shared Services – MILOR	\$15,313
A.25.7110.000.41289.09	Other General Govt Salary Reimb.	2,084
ER.26.7140.000.41289.09	Other General Govt Salary Reimb.	1,663

INCREASE ANTICIPATED APPROPRIATION:

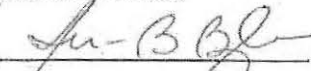
A.25.1620.000.71050.00	Overtime	\$12,071
A.25.1620.000.78200.00	FICA	924
A.25.1620.000.78100.00	Retirement	2,318
A.25.7110.000.71050.00	Overtime	1,642
A.25.7110.000.78200.00	FICA	126
A.25.7110.000.78100.00	Retirement	316
ER.26.7140.000.71050.00	Overtime	1,310
ER.26.7140.000.78200.00	FICA	101
ER.26.7140.000.78100.00	Retirement	252

 INFRASTRUCTURES & FACILITIES
 COMMITTEE

 ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 05/03/16 RESOLUTION # IF-057-16
Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>IF - 4/29/26</u>	LEGISLATIVE ACTION
			Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

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

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

WHEREAS, it is the wish of the Lockport Exchange Club to hold the Beef on Weck Sale on June 2, 2016, and

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

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

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

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

INFRASTRUCTURE & FACILITIES
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 05/03/16 RESOLUTION # IF-058-16
Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>IF - 4/19/16</u>	LEGISLATIVE ACTION
			Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

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

WHEREAS, the Kaihatsu Field Hockey Clinic has requested that the County of Niagara grant them rights to operate a Field Hockey clinic in an area situated in the County owned property on Lake Road, and

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

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

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

WHEREAS, prior to the execution of the License Agreement between the County of Niagara and the Kaihatsu Field Hockey Clinic, the County Attorney will review said agreement for approval as to legal form, language and compliance, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Kaihatsu Field Hockey Clinic, now, therefore, be it

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the Kaihatsu Field Hockey Clinic, as appears on the proposed agreement, is hereby approved in all respects, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the County Legislature be, and hereby is, authorized to execute the license agreement between the County of Niagara and the Kaihatsu Field Hockey Clinic.

INFRASTRUCTURE & FACILITIES
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee DATE: 05/03/16 RESOLUTION # IF-059-16

APPROVED BY CO. ATTORNEY [Signature: Susan B. Boyle] REVIEWED BY CO. MANAGER COMMITTEE ACTION IF - 4/19/16 LEGISLATIVE ACTION Approved: Ayes ___ Abs. ___ Noes ___ Rejected: Ayes ___ Abs. ___ Noes ___ Referred: _____

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

WHEREAS, the Lighthouse Optimist Club of Barker has requested that the County of Niagara grant them permission to use Krull Park, and the field East of the Softball diamonds, for the purpose of holding a Kite Flying Event, to be held on June 11, 2016, and

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

WHEREAS, it is the wish of the organizers to hold the kite event on June 11, 2016, and

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

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

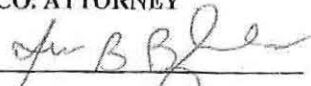
WHEREAS, prior to the execution of the license agreement between the County of Niagara and the Lighthouse Optimist Club of Barker, the County Attorney will review said Agreement for approval as to legal form, language, and compliance, now, therefore, be it

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

INFRASTRUCTURE AND FACILITIES COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 05/03/16 RESOLUTION # IF-060-16
Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>IF - 4/19/16</u>	LEGISLATIVE ACTION
			Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

AGREEMENT BETWEEN THE COUNTY OF NIAGARA
AND THE OLCOTT FIRE COMPANY SOFTBALL LEAGUE

WHEREAS, the Olcott Fire Company 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 Olcott Fire Company 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 Olcott Fire Company 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 Olcott Fire Company Softball League.

INFRASTRUCTURE & FACILITIES
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Legislator Jason A. Zona DATE: 05/03/16 RESOLUTION # IL-032-16

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

RESOLUTION IN SUPPORT OF TOWN OF NIAGARA BUSINESS VETERANS MEMORIAL PARK THROUGH USE OF CASINO FUNDING

WHEREAS, Niagara County is in receipt of funds generated from the Seneca Niagara Casino, as per NYS Finance Law 99h, and

WHEREAS, the legislature is committed to utilizing these funds for economic and community development efforts that will market our county to new businesses looking to expand or relocate, and

WHEREAS, the Town of Niagara hosts the largest producer of sales tax revenue in Niagara County with the Fashion Outlets of Niagara, and

WHEREAS, it is proven quality of life is a critical component of economic development strategies, which includes local parks and recreation areas, which influence a company's decision to relocate in a specific area, and

WHEREAS, the Town of Niagara Veterans Memorial Park is in need of benches for the walking path that runs from the Community Center, and through the remainder of the wooded walking area throughout the park, now, therefore, be it

RESOLVED, the Niagara County Legislature supports the Town of Niagara Veterans Memorial Park, with the purchase of (6) six park benches for the walking path through the use of casino revenues, and be it further

RESOLVED, that the sum of \$4,200 be allotted to the Town of Niagara for this worthwhile community development purchase, and be it further

RESOLVED, that the following budget modification be effectuated to the 2016 Niagara County economic development budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01 Appropriated Fund Balance - Committed Funds \$4,200.00

INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund \$4,200.00

LEGISLATOR JASON A. ZONA

NIAGARA COUNTY LEGISLATURE

FROM: Legislator John Syracuse DATE: 05/03/16 RESOLUTION # IL 033-16

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

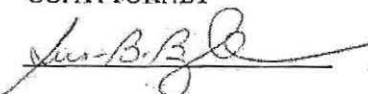
COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____



INTERIM COMMISSIONER OF PUBLIC WORKS APPOINTMENT

WHEREAS, pursuant to the retirement of Kevin O'Brien, Commissioner of Public Works, effective March 31, 2016, the County Manager has sought to fill the vacant position, and

WHEREAS, the Deputy Commissioner Public Works-Bridges, has also announced his retirement to be effective May 5, 2016, and

WHEREAS, these absences will leave a void in the leadership and management of the department, the County Manager is seeking to place an Interim Commissioner of Public Works until a successor is appointed, and

WHEREAS, the Civil Service Office has determined that Commissioner of Public Works is an unclassified position and said position may be staffed on an interim basis, and

WHEREAS, the Civil Service Office has determined that Jeffrey M. Glatz meets the qualifications to serve in a temporary capacity as Interim Commissioner, now, therefore, be it

RESOLVED, that Jeffrey M. Glatz be appointed as Interim Commissioner of Public Works for a period of 90 days, with an hourly rate of \$60.00, not to exceed 35 hrs/week, effective May 1, 2016, which shall include a continuation of all past benefits.

LEGISLATOR JOHN SYRACUSE

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Jason A. Zona, Owen T. Steed, Dennis F. Virtuoso and Mark J. Grozio DATE: 05/03/16 RESOLUTION # LL-034-16

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

RESOLUTION URGING THE NIAGARA FALLS WATER BOARD TO ELIMINATE THE AVAILABILITY FEE IT CHARGES PROPERTY OWNERS IN NIAGARA FALLS WHO DO NOT HAVE WATER SERVICE

WHEREAS, the Niagara Falls Water Board is an authority created to provide water and waste water treatment service to the businesses and residents of the City of Niagara Falls, New York, and

WHEREAS, the mission of the Niagara Falls Water Board is to provide safe and reliable water and wastewater management services in a safe and economical manner to the City of Niagara Falls, and

WHEREAS, one of the fees levied by the Niagara Falls Water Board is an "availability rate" charged to property owners of vacant property in Niagara Falls, at a rate of (\$60) sixty dollars a quarter that do not have water service, and

WHEREAS, the Niagara Falls Water Board currently charges roughly 625 properties an "availability rate", resulting in approximately \$150,000 in fees being generated to the Niagara Falls Water Board annually, and

WHEREAS, this "availability rate" is an unfair and excessive fee being levied for a service to vacant property owners that do not use water service, and

WHEREAS, to this point, the appointed members of the Niagara Falls Water Board have failed to bring a resolution to a vote to eliminate this unfair "availability rate", now, therefore, be it

RESOLVED, the Niagara County Legislature goes on record opposing and urging the Niagara Falls Water Board to eliminate this unfair "availability rate" to vacant property owners, and be it further

RESOLVED, that a copy of this resolution be forwarded to Gretchen Leffler, Niagara Falls Water Board Chairman, Paul Drof, Executive Director Niagara Falls Water Board, Paul Dyster, Mayor, City of Niagara Falls, Andrew Touma, Chairman, Niagara Falls City Council.

LEGISLATOR JASON A. ZONA


LEGISLATOR OWEN T. STEED

LEGISLATOR DENNIS F. VIRTUOSO

LEGISLATOR MARK J. GROZIO

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Anthony J. Nemi, DATE: 05/03/16 RESOLUTION # IL-035-16
Wm. Keith McNall and William J. Collins

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

RESOLUTION IN SUPPORT OF OUTWATER PARK BASEBALL DIAMOND IMPROVEMENTS THROUGH THE USE OF CASINO FUNDS

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

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

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

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

WHEREAS, the City and Town of Lockport have long served as a hub for tournament baseball, principally through the Anjo baseball fields located adjacent to county properties on Davison Road, and

WHEREAS, those baseball diamonds located at Anjo Field are not built to the specifications set out in the Official Baseball Rules, the legal guidelines governing Major League Baseball and most large-scale tournament play in the Eastern U.S., but rather are built to Little League Baseball standards, with 60 feet between bases, and

WHEREAS, the baseball diamond at Outwater Park, also located in the City of Lockport, and home to Lockport High School baseball as well as various Western New York tournament teams playing in large-scale tournaments throughout the Eastern U.S. and Southern Canada, is in fact constructed to the specifications set out in the Official Baseball Rules, and

WHEREAS, the refurbishment of said diamond at Outwater Park would provide additional incentive for scheduling tournament baseball games at that facility, and

WHEREAS, the cost to rebuild the home plate and pitcher's mound, widen the base paths, and laser groom the remainder of the field has been bid at \$17,088.00, and other entities including the City of Lockport Parks Department and the Lockport Board of Education have committed to partially funding the proposed upgrades, now, therefore, be it

RESOLVED, that Niagara County supports youth athletics and specifically wishes to see the baseball diamond at Outwater Park upgraded and improved so it might continue to provide a positive outlet for youth and adults that enhances quality of life for families residing in the Western New York region, and be it further

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

Outwater Park baseball diamond upgrades	\$10,000.00
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and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2016 budget:

INCREASE REVENUE:

A.28.8020.812 40599.01	Appropriated Fund Balance	\$10,000.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$10,000.00
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LEGISLATOR ANTHONY J. NEMI

LEGISLATOR WM. KEITH MCNALL

LEGISLATOR WILLIAM J. COLLINS

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Anthony J. Nemi, Wm. Keith McNall, William J. Collins, Michael A. Hill and John Syracuse DATE: 05/03/16 RESOLUTION # IL-036-16

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

RESOLUTION IN SUPPORT OF COMMUNITY DEVELOPMENT FUNDING FOR NIAGARA COUNTY GOLF PROGRAM

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

WHEREAS, 2016 marks the 55th Anniversary of the Niagara County Golf Course, and

WHEREAS, the Legislature wishes to honor this historic milestone, and to encourage the development of our youth in this sport, and

WHEREAS, Niagara County benefits from the additional participation of youth enjoying the Niagara County Golf Course, and

WHEREAS, it is the desire of the Legislature to attract youth and encourage greater participation in the Niagara County Golf Course by promoting a County Golf Program, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby agrees to dedicate funds to the Niagara County Golf budget to help with costs for events, clinics, advertising and national organization fees, and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Golf Course 2016 budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01 Appropriated Fund Balance-Committed Funds \$4,800

INCREASE APPROPRIATION:

A.07.9901.000 79010.00 Contribution to Other Funds \$4,800

INCREASE REVENUE:

ER.26.9901.000 45031.00 Interfund Transfer from Operating \$4,800

LEGISLATOR ANTHONY J. NEMI

LEGISLATOR WM. KEITH MCNALL

LEGISLATOR WILLIAM J COLLINS

LEGISLATOR MICHAEL A. HILL

LEGISLATOR JOHN SYRACUSE