



AGENDA
NIAGARA COUNTY LEGISLATURE
MAY 6, 2014 – 7:00 P.M.

Regular Meeting – May 6, 2014

- *AD-005-14** Administration, re Summer Hours – 2014 – Human Resources
- CS-017-14** Community Services & Administration, re Public Hearing for NCCC FY 2014-2015 Maintenance & Operating Budget – Management & Budget
- *CSS-017-14** Community Safety & Security & Administration, re Budget Modification NYS Canal Corp. Marine Patrol Program – Sheriff
- *CSS-018-14** Community Safety & Security & Administration, re Budget Modification Operation Green Monster – Sheriff
- *CSS-019-14** Community Safety & Security & Administration, re Niagara Regional Traffic Safety Program – Sheriff
- *ED-007-14** Economic Development & Administration, re Approval of Low Cost Power Benefit to New England Seafood, Inc. Under the Agreement for the Sale and Purchase of Niagara Project Power & Energy (ASPNPPE)
- *ED-008-14** Economic Development & Administration, re Budget Modification to Cover Empower Niagara Allocations to New England Seafood, Inc.
- IL-021-14** Legislators William L. Ross, Kathryn L. Lance, Anthony J. Nemi & David E. Godfrey, re Urging NYS Department of Environmental Conservation to Revoke Permits Granted to Quasar Energy Group Allowing 'Equate' to be Applied to Farmland within Niagara County
- IL-022-14** Legislator William L. Ross, Extension of Agreement with Niagara Tourism & Convention Corporation
- IL-023-14** Legislators Jason A. Zona, Mark J. Grozio, Owen T. Steed & Dennis F. Virtuoso, Supporting the Initiative for NYS to Gift the Nikola Tesla Statue to the City of Niagara Falls
- IL-024-14** Legislators Dennis F. Virtuoso, Jason A. Zona, Owen T. Steed & Mark J. Grozio, re Amending the Rules to Reduce County Expenses while Promoting Better Government
- *PW-057-14** Public Works & Administration, re Budget Modification for Landfill No. 1 – Refuse

- *PW-058-14 Public Works, re Agreement between the County of Niagara & the Lighthouse Optimist Club of Barker
- *PW-059-14 Public Works, re Agreement between the County of Niagara & the Newfane Women's Lacrosse Club
- *PW-060-14 Public Works, re Agreement between the County of Niagara & the Lockport Exchange Club
- *PW-061-14 Public Works, re Agreement between the County of Niagara & Niagara Frontier Search & Rescue
- *PW-062-14 Public Works, re Inter-Municipal Agreement for Construction, Maintenance & Care of Parking Lot at the Intersection of Portage Road & 11th Street, Niagara Falls, NY
- *PW-063-14 Public Works, re Niagara County Highway Weight Posting Policy
- *PW-064-14 Public Works, re Approval for NYS Department of Transportation Use of County Roadways for Detour Routes During Bridge Painting Project
- *PW-065-14 Public Works, re Town of Lockport Easement Lake Avenue Waterline
- *PW-066-14 Public Works & Administration, re Stone Road Reconstruction Consultant Amendment No. 3
- *PW-067-14 Public Works, re Award Lockport Road Bridge over Bull Creek Consultant Services
- *PW-068-14 Public Works & Administration, re Approval of Capital Projects
- *PW-069-14 Public Works & Administration, re 2014 Capital Improvement Projects Funding from Building Reserve, Committed Funds & Federal/State Aid
- *PW-070-14 Public Works & Administration, re Capital Project Close Out



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 20, 2014.

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 05/06/14 RESOLUTION #: AD-005-14

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
AD - 4/29/14

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

SUMMER HOURS – 2014

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

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

RESOLVED, that effective June 23, 2014 through August 29, 2014 the work schedule of the County employees mentioned above will be 8:30 a.m. to 4:30 p.m. with the following regulations:

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

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

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services and Administration **DATE:** 05/06/14 **RESOLUTION #:** CS-017-14

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CS - 5/6/14
AD - 4/29/14

LEGISLATIVE ACTION

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

PUBLIC HEARING FOR NCCC FY 2014-2015 MAINTENANCE AND OPERATING BUDGET

WHEREAS, the County Manager and Budget Director have filed with the Legislative Clerk the tentative budget for the Niagara County Community College for their fiscal year commencing September 1, 2014 and ending August 31, 2015, and

WHEREAS, pursuant to Section 359 of the County Law, a public hearing must be held, now, therefore, be it

RESOLVED, that a public hearing be held in the Legislative Chambers, Courthouse, Lockport, New York at 6:45 p.m. on the 20th day of May, 2014 to review the tentative budget, and be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to publish notice of same in the Union Sun & Journal, the Tonawanda News, and the Niagara Gazette.

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security and DATE: 05/06/14 RESOLUTION #: CSS-017-14

Administration Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CSS - 4/29/14
AD - 4/29/14

LEGISLATIVE ACTION

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

BUDGET MODIFICATION – SHERIFF’S OFFICE NYS CANAL CORP. MARINE PATROL PROGRAM

WHEREAS, the Niagara County Sheriff’s Office was awarded a grant from the New York State Canal Corporation in the amount of \$30,000 for the period April 1, 2014 through March 31, 2015, and

WHEREAS, this grant will be used to patrol the canal to help facilitate new and existing local canal public safety patrols, and

WHEREAS, the Sheriff’s Office will provide additional patrols on an overtime basis to meet the requirements of this grant, now, therefore, be it

RESOLVED, that the following budget modification be made:

INCREASE APPROPRIATIONS:

A.17.3110.000.71050.00	Overtime	\$16,685
A.17.3110.000.74750.21	Gas/Oil	6,000
A.17.3110.000.78100.00	Retirement	5,439
A.17.3110.000.78200.00	FICA	1,276
A.17.3110.000.78300.00	Workers Compensation	600

INCREASE REVENUE:

A.17.3110.000.43315	Marine Patrol	\$30,000
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COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security and DATE: 05/06/14 RESOLUTION #: CSS-018-14

Administration Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CSS - 4/29/14
AD - 4/29/14

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

BUDGET MODIFICATION – SHERIFF’S OFFICE OPERATION GREEN MONSTER

WHEREAS, the Niagara County Sheriff’s Office wishes to enter into an agreement with the U.S. Department of Justice, Drug Enforcement Administration for the 2014 year, and

WHEREAS, this agreement will allow the Sheriff’s Office to work in conjunction with the local DEA Office to curtail illegal trafficking in eradicating illicit cannabis plants throughout Niagara County, and

WHEREAS, the DEA will reimburse Niagara County for costs incurred with this project, now, therefore, be it

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

RESOLVED, that the following budget modification be made:

INCREASE REVENUE:

A.17.3110.000.44380.04	Federal Gov’t. Reimbursement	\$24,000
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INCREASE APPROPRIATIONS:

A.17.3110.000.71050.00	Overtime	\$17,800
A.17.3110.000.74750.05	Law Enforcement Supplies	1,200
A.17.3110.000.74600.03	Training/Education	1,500
A.17.3110.000.74800.11	Vehicle Maint. (Helicopter)	3,500

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security and **DATE:** 05/06/14 **RESOLUTION #:** CSS-019-14

Administration Committees

**APPROVED BY
CO. ATTORNEY**

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CSS - 4/29/14
AD - 4/29/14

LEGISLATIVE ACTION

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

NIAGARA REGIONAL TRAFFIC SAFETY PROGRAM

WHEREAS, the Niagara Regional Traffic Safety Program will be held in the month of May, 2014, and

WHEREAS, young men and women need to know that the choices they make every day affect their lives and the lives of the people around them, and

WHEREAS, high school junior and seniors from Niagara County schools will participate in the above at the Cornell Cooperation Extension, and

WHEREAS, Erie County will be invited to send students during this time, along with Orleans, Cattaraugus and Alleghany Counties, and

WHEREAS, each County will be responsible for their own expenses incurred throughout the program,
now, therefore, be it

RESOLVED, that the nineteenth annual Niagara Regional Traffic Safety Program will be held in May, 2014.

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development and Administration DATE: 05/06/14 RESOLUTION #: ED-007-14

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
ED - 4/8/14
AD - 4/29/14

LEGISLATIVE ACTION

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

APPROVAL OF LOW COST POWER BENEFIT TO NEW ENGLAND SEAFOOD UNDER THE AGREEMENT FOR THE SALE & PURCHASE OF NIAGARA PROJECT POWER & ENERGY (ASPNPPE)

WHEREAS, the County of Niagara entered into the Host Community Relicensing and Settlement Agreement ("HCRSA") on June 25, 2005, and

WHEREAS, the HCRSA entitles the County of Niagara to 9 megawatts of low cost power allocation (at 70% load) from the New York Power Authority, and

WHEREAS, the County of Niagara has made the use of this low cost power allocation for economic development purposes as the top priority for that allocation, and

WHEREAS, there is presently an Agreement for the Sale and Purchase of Niagara Project Power and Energy ("ASPNPPE") that has been approved by the County of Niagara and NYPA and the Governor of the State of New York, and

WHEREAS, the ASPNPPE specifically provides that the County of Niagara could use its low cost power allocation for economic development purposes, and

WHEREAS, the County of Niagara has taken the necessary actions to fully implement the benefits contained in the HCRSA and the ASPNPPE, and

WHEREAS, the County of Niagara established the Empower Niagara Board by Resolution ED-021-07 to review applications for the use of low cost power for economic development by reviewing applications and to make recommendation to Legislature of Niagara County, and

WHEREAS, the Empower Niagara Board has reviewed the formal application of New England Seafood for the use of low cost power for developing, renovating and retaining its business in Niagara County, and

WHEREAS, the application of New England Seafood originally met and does now meet all the criteria qualifying its project for consideration and the Empower Niagara Board is recommending approval of this application with Legislative approval under Resolution ED-002-09, and

WHEREAS, New England Seafood was sold to new owners in October, 2011, and the Empower Program was not explained by the previous owners and New England Seafood did not get the advantage of the remaining low cost power agreement, and

WHEREAS, New England Seafood now plans on fulfilling the projects as originally planned, plus upgrading existing coolers and freezers and has expanded its retail products, and

WHEREAS, the renewal of the original application is for 75kw and the retention of full-time and part-time positions and expansion of cooler and refrigeration storage over the next two (2) years, and will continue the original need for the 75kw load of electricity for two (2) phases of upgrading new wholesale storage and distribution with a substantial capital investment by New England Seafood, and

WHEREAS, the approval of the New England Seafood application will not only maintain and continue economic development of small business in Niagara County; but also assist New England Seafood to remain competitive in its manufacturing of whole sale/retail/repackaging outlet for food industry, and

WHEREAS, the Empower Niagara Board will be recommending the original low cost power allocations application approval be continued for a period of three (3) years beginning May 1, 2014, with payments beginning June 1, 2014 until May 1, 2017, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby approves New England Seafood's application for low cost power benefits from Niagara County, pursuant to low cost power allocation to be received through the June 25, 2005 HCRSA and ASPNPPE, 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 Low Cost Power Agreement with New England Seafood.


ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development and Administration DATE: 05/06/14 RESOLUTION #: ED-008-14

Committees

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER 	COMMITTEE ACTION <u>ED - 4/8/14</u> <u>AD - 4/29/14</u> 	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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BUDGET MODIFICATION – TO COVER EMPOWER NIAGARA ALLOCATIONS TO NEW ENGLAND SEAFOOD, INC.

WHEREAS, New England Seafood, Inc. is a Niagara County business that has been approved to receive low cost hydropower allocations through the Empower Niagara Program, and

WHEREAS, these benefits will be transferred to New England Seafood, Inc. as stipulated in the Empower Niagara Program agreement, through the Niagara County Economic Development 2014-2017 budget, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated to the Niagara County Economic Development 2014 budget, and annually thereafter until 2017 as set forth below:

		<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
INCREASE REVENUE:					
A.15.1620.108 42655.03	Sale of Excess Power	\$11,195	Value of 75 kw	Value of 75 kw	Value of 37.5 kw
INCREASE APPROPRIATION:					
A.15.1620.108 74500.01	Contractual	\$11,195	Value of 75 kw	Value of 75 kw	Value of 37.5 kw
INCREASE REVENUE:					
A.28.8020.813 42189.01	Activities – Eco Dev	\$11,195	Value of 75 kw	Value of 75 kw	Value of 37.5 kw
INCREASE APPROPRIATION:					
A.28.8020.813 74550.30	Empower Niagara	\$11,195	Value of 75 kw	Value of 75 kw	Value of 37.5 kw

ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Legislators William L. Ross, Kathryn L. Lance, Anthony J. Nemi & David E. Godfrey

DATE: 05/06/2014

RESOLUTION # IL-021-14

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

RESOLUTION URGING NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO REVOKE PERMITS GRANTED TO QUASAR ENERGY GROUP ALLOWING 'EQUATE' TO BE APPLIED TO FARMLAND WITHIN NIAGARA COUNTY

WHEREAS the New York State Department of Environmental Conservation has granted at least 10 permits to allow Quasar Energy Group to spread "Equate," a material derived from sewage, on farmland within Niagara County, and

WHEREAS various town governments have expressed concerns about Equate being used within their jurisdictions, and

WHEREAS many members of the agricultural community have expressed concerns about the impact of Equate on their ability to bring produce to market, and

WHEREAS many residents have expressed concerns about the impact of this product on the health of children, pets, and themselves, and

WHEREAS the Honorable George D. Maziarz and the Honorable John D. Ceretto did, on April 8 of this year, jointly request that the DEC revoke any permits issued to Quasar Energy Group and its subsidiaries allowing for the spreading of Equate at sites in Western New York, and

WHEREAS the Legislature of the County of Niagara shares the concerns expressed by a great number of residents and believes the more prudent course vis-à-vis Equate is to allow further investigation of claims made by Quasar regarding the safety of this product, now, therefore, be it

RESOLVED the Legislature of the County of Niagara hereby adds its endorsement to the April 8, 2014 letter from Senator Maziarz and Member of the Assembly Ceretto to Commissioner Joseph Martens of the DEC, and be it further

RESOLVED, that the County of Niagara shall forward copies of this Resolution to Governor Andrew M. Cuomo, Senate Vice President Pro Tem George D. Maziarz, Senate Temporary President Dean G. Skelos, Senate Deputy Majority Leader Thomas W. Libous, Senator Mark Grisanti, Member of the Assembly Jane L. Corwin, Member of the Assembly Ray Walter, Member of the Assembly John D. Ceretto, Member of the Assembly Robin Schimminger, Member of the Assembly Robert K. Sweeney, Speaker of the Assembly Sheldon Silver, Assembly Majority Leader Joseph Morelle, Assembly Minority Leader Brian M. Kolb and all others deemed necessary and proper.

LEGISLATOR WILLIAM L. ROSS

LEGISLATOR KATHRYN L. LANCE

LEGISLATOR ANTHONY J. NEMI

LEGISLATOR DAVID E. GODFREY

NIAGARA COUNTY LEGISLATURE

FROM: Legislator William L. Ross DATE: 05/06/14 RESOLUTION #: IL-022-14

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

EXTENSION OF AGREEMENT WITH NIAGARA TOURISM & CONVENTION CORPORATION

WHEREAS, an agreement exists between the County of Niagara and the Niagara Tourism and Convention Corporation (NTCC) dated February 20, 2003, wherein the NTCC services were acquired to promote convention conferences, trade shows and the growth of tourist activities within the County, and

WHEREAS, the County has enacted Bed Tax ordinances whereby a bed tax has been imposed on the business of lodging in the County, which is in part designated for the purposes of advertising, publishing and promoting convention and tourist activities within the County of Niagara, and

WHEREAS, pursuant to the New York State Tax Law §1202-T, as amended, the County under the agreement is paying NTCC for their services from the Bed Tax revenues it collects in accordance with the Niagara County Hotel Room Occupancy Tax Law, and

WHEREAS, NTCC, in consideration of the bed tax funds to be received from the County, has agreed to provide advertising, publishing and promoting of convention and tourist activities as set forth in the agreement, and

WHEREAS, to date negotiations between the NTCC and the County of Niagara have not resulted in a long-term agreement as requested by the NTCC, and

WHEREAS, prior to the execution of a long-term agreement, Niagara County demands transparency from the NTCC and the production of all necessary financial records to evaluate its performance, and

WHEREAS, to evaluate the performance of the NTCC, it is necessary to review all expenditures including, but not limited to, disbursements to vendors, contractual payments, employee salaries, employee benefits, bonuses and any reimbursed expenses for employees or those with whom the NTCC contracts for services, and

WHEREAS, to evaluate the performance of the NTCC, it is necessary to review all income which is received by the NTCC or otherwise created as a result of its promotional activities, and

WHEREAS, the best and fairest way is to have an independent consultant selected and hired by the County of Niagara and paid for by NTCC; to perform this evaluation, set benchmarks and recommend goals and objectives for the future, now, therefore, be it

RESOLVED, that to avoid an interruption of the services presently provided by the NTCC, the County of Niagara Legislature does hereby approve an extension of the existing agreement between the County of Niagara and NTCC until December 31, 2014 and the Chairman be, and hereby is, authorized to execute all documents necessary to implement the extension of said agreement, and be it further

RESOLVED, that the NTCC during this extension shall provide all requested financial records or contracts to Niagara County or any of the stakeholders of the NTCC and the independent consultant selected and hired by Niagara County, to allow a transparent review of the performance of the NTCC since the execution of the February 20, 2003 agreement, and be it further

RESOLVED, that the NTCC shall in the extension granted by Niagara County agree to pay for the consultant and in providing all requested financial records or contracts to Niagara County's consultant allow for appropriate review and evaluation in setting benchmarks and then goals and objectives for a long term agreement requested by the NTCC, and be it further

RESOLVED, that any and all line item transfers be approved, and be effectuate in order to provide funding to NTCC upon the signing of the extension of the agreement by all of the parties.

LEGISLATOR WILLIAM L. ROSS

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Jason A. Zona, Mark J. Grozio, DATE: 05/06/14 RESOLUTION #: IL-023-14

Owen T. Steed and Dennis F. Virtuoso

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

RESOLUTION SUPPORTING THE INITIATIVE FOR NEW YORK STATE TO GIFT THE NIKOLA TESLA STATUE TO THE CITY OF NIAGARA FALLS

WHEREAS, the Niagara River Greenway Plan calls for a world-class corridor of places, parks and landscapes that celebrate and interpret the area's unique natural, cultural, recreational, scenic and heritage resources, and is designed to establish a clear sense of "place" and identity that reflects the traditional spirit and heritage of the city and region, through projects that have a connection to our character, culture and history, and

WHEREAS, the City of Niagara Falls Comprehensive Plan is focused on the "core city", and calls for the improvement of the community through actions intended to enhance the physical and visual quality of the urban environment and experience by means of "catalyst projects" to ignite renewal efforts and encourage private sector interest and reinvestment, and

WHEREAS, Nikola Tesla is credited with developing and patenting the alternating current system process which resulted in the creation of generators for the long distance transmission of power by electricity, and

WHEREAS, Nikola Tesla designed and supervised the construction of the world's premiere hydroelectric power plant on Buffalo Avenue in the City of Niagara Falls, New York, USA in 1895, the first-ever system for the generation, transmission, distribution and use of electrical power, and

WHEREAS, this power plant and others like it are credited with starting "the electrification of the world", and

WHEREAS, on the occasion of the bicentennial of the United States of America, the People of the nation of Yugoslavia did present a statue of Nikola Tesla, created by sculptor Frano Krsinic, as a gift to the People of the United States, which was installed on Goat Island in the Niagara Falls State Park in the year 1976, and

WHEREAS, there are currently efforts underway to have the statue of Nikola Tesla moved to its rightful, public location within the City of Niagara Falls, NY, the actual site of his historic hydroelectric facility, as a gift from the State of New York, and

WHEREAS, on March 31, 2014, the Niagara Falls City Council voted unanimously to support New York State gifting the statue of Nikola Tesla to the City of Niagara Falls, for movement from the Niagara Falls State Park to a location within the City of Niagara Falls, now, therefore, be it

RESOLVED, that the Niagara County Legislature supports the initiative to have the Nikola Tesla statue gifted to the City of Niagara Falls, to rightfully and justly be sited at a dignified and public location within the City of Niagara Falls, the actual site of his historic hydroelectric facility, and be it further

RESOLVED, that copies of this resolution be forwarded to the Honorable Governor Andrew Cuomo,

Mayor Paul Dyster, City of Niagara Falls Chairman, Charles Walker, Niagara Falls City Council, NYS Assembly Member John Ceretto, and NYS Senator George Maziarz.

LEGISLATOR JASON A. ZONA

LEGISLATOR MARK J. GROZIO

LEGISLATOR OWEN T. STEED

LEGISLATOR DENNIS F. VIRTUOSO

NIAGARA COUNTY LEGISLATURE

FROM: Legislator Dennis F. Virtuoso, Jason A. DATE: 05/06/14 RESOLUTION #: IL-024-14

Zona, Owen T. Steed and Mark J. Grozio

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

RESOLUTION AMENDING THE RULES TO REDUCE COUNTY EXPENSES WHILE PROMOTING BETTER GOVERNMENT

WHEREAS, in Niagara County, the legislature has two political caucuses, a majority and minority caucus, that oversees county government, and

WHEREAS, during regular and special legislative meetings, both the majority and minority caucuses have the option of meeting with their respective caucus to discuss political business, and

WHEREAS, during meetings of the county legislature, numerous supervisory and support staff of Niagara County are paid at an overtime rate of pay to attend these meetings, and

WHEREAS, during meetings of the Niagara County Legislature, citizens and the media attend these sessions and are afforded the opportunity to address this body, and report on its actions, and

WHEREAS, it is becoming increasingly more frequent that the majority caucus is engaging in lengthy, and unnecessary caucus sessions during the county legislative meetings, even celebrating with a party during a legislative caucus on March 18, 2014 that lasted approximately two hours costing taxpayer dollars by paying overtime to staff in attendance, and

WHEREAS, the lengthy and unnecessary caucuses discourage the public from attending meetings of the county legislature, which leads to a less transparent government, and

WHEREAS, during these majority legislative caucuses, non elected officials such as the county attorney, county manager, legislature clerk, and public information officer that are employees of the entire county legislature participate in majority caucus sessions preparing press releases, and speeches that delay regular meetings, and add cost to county government, now, therefore, be it

RESOLVED, that the Niagara County Legislature institutes a time limit of thirty minutes for majority and minority caucuses that will help in reducing overtime costs while offering consideration to the public that wishes to attend legislative meetings to conclusion, with the exception of special circumstances that both the majority and minority leader deem necessary to extend past thirty minutes, and be it further,

RESOLVED, that only members of the respective caucuses sit in on caucus sessions, with the exception of the county attorney or his designee at the request of the caucus leadership for legal opinion.

LEGISLATOR DENNIS F. VIRTUOSO

LEGISLATOR JASON A. ZONA

LEGISLATOR OWEN T. STEED

LEGISLATOR MARK J. GROZIO

NIAGARA COUNTY LEGISLATURE

FROM: Public Works and Administration

DATE: 05/06/14

RESOLUTION #: PW-057-14

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 4/29/14
AD - 4/28/14

LEGISLATIVE ACTION

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

BUDGET MODIFICATION FOR LANDFILL NO. 1

WHEREAS, RFQ-2012-41 "Landfill Groundwater Impact Assessment and Corrective Actions Feasibility Study Project for Niagara County Refuse Disposal District, entered into contract on December 13, 2012, with CHA, 2200 Main Street, Buffalo, NY 14203, to perform preliminary landfill ground water impact assessment for Landfill No. 1, and

WHEREAS, an additional meeting was held with the NYSDEC on February 26, 2014, and the scope of work for Landfill No. 1 now requires additional wells, and downhole geophysical analysis to carry out the approved DEC scope of work, and

WHEREAS, additional funds are required to meet these new requirements, and

WHEREAS, funds are available from the disposal of surplus equipment, 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 following budget modification be approved:

INCREASE ANTICIPATED REVENUE:

EL.30.8160.807.42655.00	Sale of Equipment	\$50,000
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INCREASE ANTICIPATED EXPENSES:

EL.30.8161.803.74650.08	Professional Consultant	\$50,000
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and be it further

RESOLVED, that the budgeted value for contract services, \$97,500 be amended by \$50,000 to allow for the additional wells and downhole geophysical analysis, 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 Committee DATE: 05/06/14 RESOLUTION #: PW-058-14

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 4/28/14

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 7, 2014, 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 7, 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 Lighthouse Optimist Club of Barker, 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 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

DATE: 05/06/14 RESOLUTION #: PW-059-14

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 4/28/14

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND THE NEWFANE WOMEN'S LACROSSE CLUB

WHEREAS, the Newfane Women's Lacrosse Club has requested that the County of Niagara grant them rights to operate a lacrosse program in an area situated in the County owned property on Lake Road, and

WHEREAS, this program benefits the residents of 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, it is the desire of Niagara County to enter into a formal agreement with the Newfane Women's Lacrosse Club, and

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

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the Newfane Women's Lacrosse Club, as appears in the proposed agreement, is hereby approved in all respects, and be it further

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

PUBLIC WORKS COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee DATE: 05/06/14 RESOLUTION #: PW-060-14

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 4/28/14

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 5, 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 Lockport Exchange Club, 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 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 **DATE:** 05/06/14 **RESOLUTION #:** PW-061-14

Referred: _____

AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND NIAGARA FRONTIER SEARCH & RESCUE

WHEREAS, Niagara Frontier Search & Rescue has requested that the County of Niagara grant them permission to use the Royalton Ravine Park for the purpose of holding a search and rescue training event, and

WHEREAS, it is the wish of Niagara Frontier Search & Rescue to hold the event on May 17, 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 Niagara Frontier Search & Rescue, 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 Niagara Frontier Search & Rescue, as appears in the proposed agreement, is hereby approved in all respects, and be it further

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

PUBLIC WORKS COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee DATE: 05/06/14 RESOLUTION #: PW-062-14

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
pW - 4/28/14

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

INTER-MUNICIPAL AGREEMENT FOR CONSTRUCTION, MAINTENANCE AND CARE OF PARKING LOT AT THE INTERSECTION OF PORTAGE ROAD AND 11TH STREET, NIAGARA FALLS, NY

WHEREAS, the County of Niagara currently owns 80% of An unimproved parking area located at the intersection of Portage Road and 11th Street, across from the County's Trott ACCESS Center, and adjacent to the Legends Court, and

WHEREAS, the City of Niagara Falls owns the remaining 20% of the parking area, which is adjacent to the Legends Court, and

WHEREAS, it is mutually beneficial for construction, maintenance and care of an improved parking lot to be completed using shared services of both the County and City, and

WHEREAS, the County and City both agree to this approach and recommend a shared payment plan as set forth in the attached agreement, 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 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 DATE: 05/06/14 RESOLUTION #: PW-063-14

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 4/28/14

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

NIAGARA COUNTY HIGHWAY WEIGHT POSTING POLICY

WHEREAS, the New York State Vehicle and Traffic law provides parameters to local counties and municipalities in regards to the posting of weight limit signs along county roads, and

WHEREAS, pursuant to the aforementioned state laws, the County of Niagara sets forth the below procedural policy for posting signs along County roads:

- (1) Should a local municipality, county resident or county property owner be interested in the postage of a weight limit sign on a County road, the County must first receive notification, *in writing*, that the local municipality, in which the road is located, supports the weight limit posting of the road in question.
 - a. The County would prefer notification in the form of a resolution
 - b. Notification of support shall be sent to the Niagara County Commissioner of Public Works
 - c. Pursuant to NYS Vehicle and Traffic Law §1660(1) it shall be the discretion of each town to establish the system of truck routes upon which those vehicles may travel throughout their municipality, including the routes which shall by their support, contain weight limit restrictions. The County strongly recommends each Town establish this system prior to the posting of signs in their municipality.
- (2) Upon notification of support from the local municipality, the County Department of Public Works shall put forth a resolution to the County Legislature for the postage of said sign. Once passed through the Legislature, the County Highway Superintendent shall place such sign in a reasonable amount of time.
- (3) At any time should the local municipality withdraw support for the sign, or need to do so for truck route purposes, or other reasons deemed necessary by the local municipality, they shall request removal from the County Department of Public Works in writing.
- (4) Emergency Situations
 - a. In an emergency situation-where a local municipality, county resident or property owner sees an immediate need for a weight limit sign on a county road-they may directly contact the County Department of Public Works Commissioner or the County Highway Superintendent requesting a sign for emergency purposes.
 - b. The County shall investigate the situation and if deemed necessary, a sign shall be temporarily placed. The County may require a written request from the local municipality, showing support for the emergency postage either before or after the sign is posted.
 - c. Upon the termination of the emergency situation or fixation of the problem causing the emergency situation (such as reconstruction of the road), the temporary sign shall be taken down. Should the local municipality wish to keep said postage on the County Road, they may request as such through the procedure set forth in this policy.

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 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 DATE: 05/06/14 RESOLUTION #: PW-064-14

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 4/28/14

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

APPROVAL FOR NEW YORK STATE DEPARTMENT OF TRANSPORTATION USE OF COUNTY ROADWAYS FOR DETOUR ROUTES DURING BRIDGE PAINTING PROJECT

WHEREAS, the New York State Department of Transportation proposes to paint the following bridges in Niagara County: Main Street over the Erie Barge Canal in the Village of Middleport; Gasport Road over the Erie Barge Canal in the Town of Royalton; and the Canal Road over the Erie Barge Canal in the Town of Lockport, and

WHEREAS, the New York State Department of Transportation proposes to utilize the following roads and streets as parts of detours during the period of construction: Carmen Road, Gasport Road, Orangeport Road, Slayton Settlement Road, North Canal Road and Canal Road, and

WHEREAS, the New York State Department of Transportation will provide traffic control devices and the Department's maintenance responsibility will be limited to those devices, 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 Niagara County does hereby authorize the New York State Department of Transportation to utilize the above mentioned roads and streets as detours during the period of construction, and be it further

RESOLVED, that the County of Niagara will continue to provide routine maintenance on the above mentioned roads and streets, including snow and ice control, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to transmit five (5) certified copies of this resolution to the New York State Department of Transportation, 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 DATE: 05/06/14 RESOLUTION #: PW-065-14

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 4/28/14

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

TOWN OF LOCKPORT EASEMENT LAKE AVENUE WATERLINE

WHEREAS, the Town of Lockport is preparing to install a new waterline connection from the existing pressure reducing valve pit on Lake Avenue to the Heather Drive subdivision, and

WHEREAS, the installation will allow for increased pressures within the Heather Drive Subdivision, and

WHEREAS, the subject property is currently owned by Niagara County, and

WHEREAS, there are previously existing easements on the design plans from the original waterline installation 30 years ago, however the easements were not filed, 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 Legislature approves the Easement be re-granted by Niagara County to the Town of Lockport for the Lake Avenue property, and be it further

RESOLVED, following the Niagara County Attorney's review the Chairman of the Niagara County Legislature be and hereby is, authorized to execute the easement between the property owner and Niagara County, and any agreements that are necessary to implement the Easement.

PUBLIC WORKS COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Public Works and Administration **DATE:** 05/06/14 **RESOLUTION #:** PW-066-14

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 4/28/14
AD - 4/29/14

LEGISLATIVE ACTION

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

STONE ROAD RECONSTRUCTION CONSULTANT AMENDMENT NO. 3

WHEREAS, Resolution No. PW-096-09, dated July 28, 2009, awarded the contract for consulting services to Clough Harbour & Associates, LLP, 2200 Main Place Tower, Buffalo, NY 14202-3722, for a contract amount of \$214,000, and

WHEREAS, Resolution No. PW-102-12, dated December 4, 2012, approved the amendment for additional construction services, additional survey for right-of-way and right-of-way acquisition services, in the amount of \$289,500, for a revised contract amount of \$503,500, and

WHEREAS, Resolution No. PW-026-13, dated February 19, 2013, approved the extension of the contract to December 31, 2013, at no additional cost, and

WHEREAS, it is necessary to extend the contract to December 31, 2014, at no additional cost, 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 to Clough Harbour & Associates, LLP, 2200 Main Place Tower, Buffalo, NY 14202-3722, be extended to December 31, 2014, at no additional cost, and be it further

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

PUBLIC WORKS COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee

DATE: 05/06/14

RESOLUTION #: PW-067-14

**APPROVED BY
CO. ATTORNEY**

**REVIEWED BY
CO. MANAGER**

COMMITTEE ACTION
PW - 4/28/14

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

AWARD LOCKPORT ROAD BRIDGE OVER BULL CREEK CONSULTANT SERVICES

WHEREAS, the Department of Public Works, in accordance with Federal/State guidelines, evaluated proposals from pre-qualified consulting engineering firms to assist the county with the survey and hydraulics analysis for the Lockport Road Bridge over Bull Creek, and

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

RESOLVED, that the consultant services to assist the County with the survey and hydraulics analysis, be awarded to Bergmann Associates, Waterfront Village Center, 40 LaRiviere Dr, Suite 150, Buffalo, NY 14202, for a contract amount of \$29,100, 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 and Administration DATE: 05/06/14 RESOLUTION #: PW-068-14

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

PW - 4/28/14

AD - 4/29/14

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

APPROVAL OF CAPITAL PROJECTS

WHEREAS, Niagara County Departments have submitted various Capital Project Requests, such projects to be funded by Federal, State, Local and other revenue sources, and a 2014 Bonding program with the first principal and interest payment due in 2015, and

WHEREAS, the Niagara County Legislature, has established the strengthening of Public Works and Country Infrastructure as a priority, and

WHEREAS, the Niagara County Legislature as part of its efforts to strengthen Public Works and County infrastructure supports: continuing to pursue road and bridge development and maintenance in accordance with limited resources, continuing to pursue building and park structure development and maintenance in accordance with limited resources, the purchase or replacement of sheriff/jail equipment and highway heavy equipment, now, therefore, be it

RESOLVED, that the Capital Projects, are hereby reviewed and approved in the 2014 Bonding Program.


PUBLIC WORKS COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Public Works and Administration **DATE:** 05/06/14 **RESOLUTION #:** PW-069-14

Committees

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>PW - 4/28/14</u> <u>AD - 4/29/14</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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2014 CAPITAL IMPROVEMENT PROJECTS FUNDING FROM BUILDING RESERVE, COMMITTED FUNDS, AND FEDERAL/STATE AID

WHEREAS, the County Manager and Budget Director recommend that the following capital improvement projects be funded using funds from the Building Reserve account, NYPA Energy Credits, and Federal/State Aid: Salt Storage Building, Transport Bus, Jail Equipment Replacement, Jail Roof Replacement, Jail Building #1 Rail and Rooftop Unit Replacement, IT/Communications UPS Backup, Crime Scene/Accident Laser Scanner, Youngstown Road Bridge Rehabilitation, Lockport Road over Bull Creek, Minnick Road Bridge Deck, Highway Heavy Equipment, Chestnut Street Bridge Rehabilitation, Niagara Road Bridge Rehabilitation, Park Facilities Improvements, and Guidrail Safety Improvements, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE APPROPRIATED FUND BALANCE:

A 40599.00	Appropriated Fund Balance	\$1,232,545
D 40599.01	Appropriated Fund Balance	200,000
DM 40599.00	Appropriated Fund Balance	425,000

INCREASE APPROPRIATIONS:

A.07.9901.000.79010.10	Transfer to Capital Reserve	\$1,232,545
D.15.9901.000 79010.10	Transfer to Capital Reserve	200,000
DM.15.9901.000 79010.10	Transfer to Capital Reserve	425,000

INCREASE APPROPRIATED CAPITAL RESERVE:

AH40511.00	Appropriated Capital Reserve	\$1,857,545
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INCREASE CAPITAL CONSTRUCTION:

AH.07.9950.000.79010.00	Transfer to Capital Construction	\$1,857,545
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INCREASE APPROPRIATED FUND BALANCE:

H607 40599.01	Appropriated Fund Balance – Committed Funds	\$850,000
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INCREASE ESTIMATED REVENUE:

H582.15.5197.000 44597.01	Highway Planning & Construction	\$720,000
H582.15.5197.000 45031.10	Interfund Transfers – From Capital Reserve	117,545
H596.15.5112.000 44597.01	Highway Planning & Construction	1,051,200

H600.15.7110.000 45031.10	Interfund Transfers – From Capital Reserve	100,000
H601.15.5112.000 45031.10	Interfund Transfers – From Capital Reserve	200,000
H602.15.2497.000 45031.10	Interfund Transfers – From Capital Reserve	150,000
H603.15.5197.000 43591.00	State Aid Highway Capital Construction	1,050,000
H604.15.5197.000 45031.10	Interfund Transfers – From Capital Reserve	200,000
H605.15.5197.000 45031.10	Interfund Transfers – From Capital Reserve	200,000
H606.15.5130.000 45031.10	Interfund Transfers – From Capital Reserve	425,000
H607.17.3197.000 45031.10	Interfund Transfers – From Capital Reserve	150,000
H608.17.3197.000 45031.10	Interfund Transfers – From Capital Reserve	315,000

INCREASE ESTIMATED REVENUE/APPROPRIATED FUND BALANCE TOTALS: \$5,528,745

INCREASE ESTIMATED APPROPRIATIONS:

H582.15.5197.000 72600.02	Youngstown Road Bridge Construction	\$837,545
H596.15.5112.000 72600.01	Upper Mountain Road Pavement Rehab	1,051,200
H600.15.7110.000 72200.01	Park Facilities Improvements	100,000
H601.15.5197.000 72600.02	Guiderail Safety Improvements	200,000
H602.15.2497.000 72200.02	Salt Storage Building	150,000
H603.15.5197.000 72600.02	Lockport Road Bridge over Bull Creek	1,050,000
H604.15.5197.000 72600.02	Niagara Road Bridge over Bergholz Creek	200,000
H605.15.5197.000 72600.02	Chestnut St Bridge over E Brnch 12 Mile Creek	200,000
H606.15.5130.000 72100.10	Highway Heavy Equipment	425,000
H607.17.3197.000 72200.01	Sheriff's Building Improvements	1,000,000
H608.17.3197.000 72100.XX	Jail Equipment/Vehicle Replacement	315,000

INCREASE ESTIMATED APPROPRIATIONS TOTAL: \$5,528,745

PUBLIC WORKS COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Public Works and Administration **DATE:** 05/06/14 **RESOLUTION #:** PW-070-14

Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
PW - 4/28/14
AD - 4/29/14

LEGISLATIVE ACTION

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

[Handwritten Signature]
5/11/2014

CAPITAL PROJECT CLOSE OUT

WHEREAS, the County Manager, Budget Office and Public Works Department have reviewed all capital projects to be closed and have determined that account balances, where applicable, should be transferred to an existing capital project within the same asset class, or transferred to the original funding source, now, therefore, be it

RESOLVED, that the following capital project remaining account balances be transferred to the original funding source or existing capital project within the same asset class (useful life):

DECREASE ESTIMATED REVENUE:

H516.15.1620.000.45710.07 Serial Bonds – 2007 \$1,431,575.14

DECREASE APPROPRIATION:

H516.15.1620.000.72200.00 Building Equipment \$1,431,575.14

and be it further

RESOLVED, that the following Capital Projects be closed:

H516 County Services Campus

and be it further

RESOLVED, that the cash balances for these accounts in the amount of \$1,431,575.14, and is to be returned to the original funding sources as follows:

Debt Reserve: \$1,431,575.14

PUBLIC WORKS COMMITTEE

ADMINISTRATION COMMITTEE