

AGENDA
NIAGARA COUNTY LEGISLATURE
SEPTEMBER 17, 2013 – 7:00 P.M.

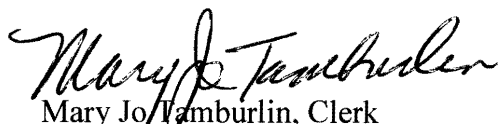
Resolutions not on previous agenda:

- IL-043-13** Legislator Chereé J. Copelin, re Urging Niagara Falls City Council to Support Hamister Group Economic Development Proposal for Economically Distressed Downtown Niagara Falls - Approved

Regular Meeting – September 17, 2013

- *AD-021-13** Administration, re Budget Modification Human Resources Department Labor Relations Costs – Human Resources
- *AD-022-13** Administration, re Execution of Quit Claim Deeds – Treasurer
- *AD-023-13** Administration, re Purchase of In Rem Property – Treasurer
- *CS-020-13** Community Services & Administration, re Budget Modification Re-appropriation Emergency Preparedness Grant Funds Emergency Planning Program – Public Health
- *CS-021-13** Community Services & Administration, re Create & Fill Temporary Position Public Health Administration Division – Public Health
- *CS-022-13** Community Services & Administration, re Budget Modification Healthy Families NY Program – Social Services
- *CS-023-13** Community Services & Administration, re Budget Modification Flexible Fund for Family Services – Social Services
- *CS-024-13** Community Services & Administration, re Audit Firm Contract Medicaid Provider Fraud – Social Services
- *CS-025-13** Community Services & Administration, re Abolish & Create – Social Services
- *CS-026-13** Community Services & Administration, re Acceptance of Historic Marker Grant – County Clerk
- *CS-027-13** Community Services & Administration, re Approval of Filing Notice of Claim Certificate with Secretary of State – County Clerk

- *CSS-028-13** Community Safety & Security & Administration, re Budget Modification Operation Green Monster – Sheriff
- *CSS-029-13** Community Safety & Security & Administration, re Law Enforcement Academy MOU with Niagara University – Sheriff
- *ED-014-13** Economic Development, re Approval of Low Cost Power Benefit to Vishay Thin Film Under the Agreement for the Sale & Purchase of Niagara Project Power & Energy (ASPNPPE)
- IL-044-13** Legislators David E. Godfrey, Clyde L. Burmaster, John Syracuse & Michael A. Hill, re In Support of NYS Assembly Bill A-07588 know as the Rural Broadband Deployment Act which Promotes Rural Broadband Deployment by Providing Residents & Small Businesses with Tax Credits for Broadband Deployment
- *PW-077-13** Public Works, re Award Consultant Services for Evidence Storage Building
- *PW-078-13** Public Works, re Agreement between the County of Niagara & the Greater Niagara Frontier Council, Boy Scouts of America


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 October 15, 2013.

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 09/17/2013 RESOLUTION # AD-021-13

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>AD - 09/11/13</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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BUDGET MODIFICATION HUMAN RESOURCES DEPARTMENT LABOR RELATIONS COSTS

WHEREAS, the Niagara County Human Resources Department is responsible for administering and the payment of associated fees for the Labor Relations budget line which deals with costs of arbitrations, and

WHEREAS, as a result of an unanticipated volume and duration of arbitrations, outstanding expenses currently exist, and

WHEREAS, based on current outstanding arbitrations for pending cases, it is known that expenses to the end of the year will exceed budget, and

WHEREAS, the County is responsible for 50% of the costs of the arbitrators' fees, and

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

RESOLVED, the following budget modification be effectuated:

FROM:

A.08.1990.000 74500.01	Contingency	\$35,500
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TO:

A.12.1430.000 74650.13	Labor Relations	\$35,500
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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 09/17/2013 RESOLUTION # AD-022-13

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
 J. J. Kelly K 9/13/13		AD - 09/11/13	Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____

EXECUTION OF QUIT CLAIM DEEDS

WHEREAS, on or about September 13, 2013, Niagara County acquired title to various properties through its In Rem Proceeding, and

WHEREAS, prior to the public sale, several owners of various parcels redeemed their property by agreeing to pay the taxes owed, penalties, and interest in full, and

WHEREAS, the County of Niagara has determined that in the best interest of the County, several remnant unmarketable parcels be deeded to adjacent property owners, and

WHEREAS, the County Treasurer recommends that the attached listed parcels be deeded back to its respective owners, now, therefore, be it

RESOLVED, that the Niagara County Legislature ratifies the action of the County Treasurer and the Chairman of the Legislature be, and hereby is, authorized to execute a quit claim deed to the owners shown on the attached list for the respective amounts shown thereon.

ADMINISTRATION COMMITTEE

NC IN REM 2011

REMNANT /UNMARKETABLE PARCELS

SBL #	Owners Name	Amount
132.19-1-14.1	William J. Davis	\$1,000.00

PRIOR OWNERS BUY BACKS

SBL #	Owners Name	Amount
79.00-1-27	Lyle K. Evans	\$18,605.00
87.18-2-44	E/O Thaddeus Fita	\$15,953.00
130.06-1-10	John E. Hagerman & John E. Lozinsky	\$385.00
130.06-1-36	John E. Hagerman	\$15,492.00
133.08-2-35	Daniel C. Davidhazy	\$22,152.00
124.03-1-2	Thomas J. Sparks & Michael R. O'Neil	\$44,210.00
5.82-1-35	Scott Hedley & Tina Hedley	\$19,186.00
26.00-1-58	Mark Barnett & Yvette Buzard	\$9,664.00
38.00-2-58.1	David Brant	\$4,692.00
53.00-3-54.11	Richard C. Wasik & Judy A. Wasik	\$21,973.00
146.17-5-79	E/O Betty Roundtree & E/O Ernest Roundtree	\$314.00
151.02-1-5	Donald P. Bergum	\$2,591.00
166.01-2-49	Clay B. Schroeder & Janet F. Schroeder	\$11,469.00
61.00-1-23.2	Christine A. Reed	\$23,181.00
85.16-3-5	Stacy L. Kleitz & David S. Uschold	\$15,299.00
111.00-2-43.12	Clay B. Schroeder	\$15,711.00
111.00-2-80	Clay B. Schroeder & Janet F. Schroeder	\$3,448.00
162.00-4-29	Michael Allen Electric etal	\$5,731.00
162.06-1-17	Christopher Rosky	\$14,537.00
162.19-1-37	Michael Allen Electric etal	\$2,355.00
163.04-3-3.1	Anthony Pulli	\$2,336.00
23.10-1-15	Jimmy Goode & Glenda Goode	\$15,005.00
12.17-1-22	Leonard A. Zientara & Sandra A. Zeintara	\$17,564.00
22.33-3-1	Roy Francis Warner	\$5,495.00
TOTAL		\$308,348.00

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 09/17/2013 RESOLUTION # AD-023-13

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
AD - 09/11/13

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

PURCHASE OF IN REM PROPERTY

WHEREAS, on Saturday, August 17, 2013, a public auction was held for the sale of properties acquired by the County of Niagara by its In Rem Action, and

WHEREAS, as a result of said auction, the attached list of properties was struck down to each of the named individuals for the price indicated for each parcel, said price being the highest bid price received, now, therefore, be it

RESOLVED, that the purchase offers set forth in the attached list be, and the same hereby are, accepted and the Chairman of the Legislature is hereby authorized and directed to execute suitable quit-claim deeds, subject to the approval of the County Attorney, upon the receipt by the County Treasurer of the entire balance due on the purchase price of said properties, at which time said deeds, as provided in the terms of sale shall be recorded in the Niagara County Clerk's Office in the name of the respective purchaser.

ADMINISTRATION COMMITTEE

NC IN REM 2011 AUCTION

LOT#	SERIAL#	SBL#	PURCHASOR	BID PRICE
2	2011-016	41.00-1-52	Johnathan Eckborg	\$33,000.00
3	2011-019	42.00-1-19.1	Fred Kulikowski	\$5,000.00
5	2011-024	43.00-1-19.1	Michael Corraine	\$25,000.00
6	2011-025	43.00-1-20	Sold with Lot #5	
7	2011-028	54.00-3-5.22	James Kalynycz	\$2,300.00
9	2011-043	70.02-1-15	Kegan, LLC	\$23,000.00
10	2011-044	71.00-2-42	Michael A Shepard	\$18,000.00
11	2011-049	101.15-2-19	James J. Faso	\$450.00
12	2011-059	74.00-1-47	Heather A Giambra	\$6,500.00
13	2011-061	87.00-1-23.2	Thomas A Cumbo	\$12,000.00
15	2011-065	89.03-1-45	James J. Faso	\$1,500.00
16	2011-069	101.20-3-52	Mark D. Grossman	\$90,000.00
17	2011-074	104.00-2-74	James J Faso	\$5,700.00
20	2011-083	131.06-1-35	Jill L Boland	\$50,000.00
22	2011-088	80.03-1-45	Bobby Horton	\$500.00
23	2011-091	95.02-2-8.11	Parcel did not Sell	
24	2011-092	95.02-2-28.112	Bobby Horton	\$100.00
25	2011-093	95.02-2-71	Paul R Kriz	\$10.00
26	2011-100	110.02-2-15	Kegan, LLC	\$49,000.00
27	2010-070	110.02-2-4	Anthony A Maisano	\$1,100.00
28	2011-101	122.00-1-23.1	Douglas & Donna Bailey	\$24,500.00
29	2011-103	122.04-2-19	Robert Miller Const., Inc.	\$1,400.00
30	2011-106	123.14-1-40	Bobby Horton	\$10.00
31	2010-079	123.18-2-6	Mark D. Grossman	\$87,000.00
33	2011-109	124.03-4-58	Lighthouse Management	\$50.00
35	2011-114	138.02-1-41	David Meisenburg	\$2,100.00
36	2011-117	167.01-3-59	Patrick F. Murray	\$50.00
38	2011-125	14.08-1-29	James W. Hedley	\$33,000.00
42	2011-142	38.16-2-50	Michael Florio	\$25,000.00
44	2010-115	40.00-1-60.122	Felicia Ann Horton	\$300.00
46	2011-153	53.09-1-31	KKBM Properties, LLC	\$425.00
47	2011-159	130.15-3-19	Raymond Campbell	\$1,200.00
48	2011-160	130.15-3-20.1	Alan Roath	\$2,300.00
49	2011-161	130.83-1-13	Sahota International Ltd	\$6,700.00
50	2011-162	130.83-1-23	Wallace J Rowell	\$12,500.00
52	2011-177	132.11-1-4	Parcel did not Sell	
53	2011-179	132.17-2-11	Keith & Cynthia Baker	\$29,500.00
56	2011-187	144.26-3-49	Raymond Campbell	\$7,000.00

LOT#	SERIAL#	SBL#	PURCHASOR	BID PRICE
57	2011-190	144.26-4-37	Olcott Properties	\$14,000.00
59	2011-198	145.06-4-19	Daniel McGovern	\$4,000.00
62	2011-207	146.13-1-5	Sharief A Isa	\$36,000.00
63	2011-208	146.13-2-33	Tien My Tran	\$100.00
64	2011-209	146.13-2-40	Marcia A Richner	\$1,400.00
65	2011-210	146.13-2-41	Sold with Lot #64	
67	2011-212	146.17-4-46	Tien My Tran	\$100.00
68	2011-213	146.17-4-77	Tien My Tran	\$100.00
69	2011-214	146.17-4-79	Felicia Ann Horton	\$75.00
70	2011-215	146.17-5-58	Paul William Garabedian	\$350.00
73	2011-220	164.00-3-29.1	Stephen & Karen Bateman	\$70.00
74	2011-221	164.03-3-28	Conrad J Janik	\$5,000.00
77	2011-232	59.00-1-1	William E Joseph Jr	\$35,000.00
79	2011-235	61.00-1-60	James J. Faso	\$2,600.00
80	2011-238	62.10-2-9.12	Kristine R Gedeon & Karl R Blair	\$1,700.00
81	2011-240	62.14-1-46	Kristine R Gedeon & Karl R Blair	\$7,500.00
83	2011-249	86.13-1-30	Carrie A Tag	\$12,500.00
86	2011-258	97.00-2-61	Sahota International Ltd	\$2,000.00
87	2011-259	97.00-2-62	Sahota International Ltd	\$2,000.00
88	2011-260	97.00-2-63	Sahota International Ltd	\$2,000.00
89	2010-295	97.03-1-42	McCollum Farm Partnership	\$6,500.00
90	2011-261	97.03-2-1.1	David M. Belfield	\$38,000.00
91	2011-262	97.03-2-14	Julie A Diel	\$85,000.00
92	2011-263	97.11-1-2.1	Alan Roath	\$19,000.00
93	2011-264	97.12-1-2	Olcott Properties	\$18,000.00
94	2011-266	97.12-1-35	Olcott Properties	\$9,000.00
95	2011-267	97.12-1-69	McCollum Farm Partnership	\$40,000.00
96	2011-270	98.00-1-34	Paul R Kriz	\$4,100.00
97	2011-274	100.00-1-6.11	Matthew Karlak	\$26,000.00
100	2011-279	111.01-1-79	Michael Skomski	\$38,000.00
101	2011-280	112.00-1-13	David J. Platt	\$5,500.00
102	2011-283	140.00-1-62	Brian T. Hy	\$6,500.00
103	2011-285	154.00-1-43	Frank Krisnosky	\$3,750.00
106	2011-291	18.06-1-43	Michael W. Skomsky	\$6,500.00
107	2011-297	17.09-1-2	James M. Buckner, Sr	\$3,000.00
108	2011-301	30.00-1-5.4	Paula A Cramer	\$8,000.00
110	2011-308	132.04-1-33	Kyle Thomas Pfeffer	\$500.00
112	2011-318	147.18-1-23.2	Paul R Kriz	\$16,000.00
113	2011-319	147.18-1-24	Sharief A Isa	\$22,500.00
114	2011-323	161.19-5-27	Socko Development, LLC	\$4,500.00
116	2011-329	162.12-1-19	Shauna L. Amato	\$26,000.00
117	2011-330	162.12-1-20	Sold with Lot #116	
118	2011-331	162.12-1-43	Sold with Lot #116	

LOT#	SERIAL#	SBL#	PURCHASOR	BID PRICE
119	2009-314	163.00-1-51.3	Hui Jin	\$25.00
121	2011-336	176.05-1-20.1	Keith & Christy Specht	\$10.00
122	2011-338	12.17-3-46.2	Timothy A. White	\$250.00
123	2011-339	12.17-3-47.2	Sold with Lot #122	
127	2011-350	22.41-1-29	Timothy A. White	\$7,500.00
128	2011-351	22.41-1-30	Sold with Lot #127	
129	2011-352	22.41-1-31	Sold with Lot #127	
130	2011-355	22.41-1-51	Frank & Tamara Vekich	\$19,000.00
131	2011-356	22.41-1-53	Andrew H. Skavinsky	\$2,500.00
132	2011-357	22.48-1-35	Timothy A. White	\$100.00

Total	\$1,098,425.00
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NIAGARA COUNTY LEGISLATURE

FROM: Community Services & Administration DATE: 09/17/2013 RESOLUTION # CS-020-13
Committees

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION		
CO. ATTORNEY	CO. MANAGER	CS - 09/09/13	Approved: Ayes	Abs.	Noes
		AD - 09/11/13	Rejected: Ayes	Abs.	Noes
			Referred:		

**BUDGET MODIFICATION-REAPPROPRIATION EMERGENCY PREPAREDNESS GRANT
FUNDS-EMERGENCY PLANNING PROGRAM
DEPARTMENT OF HEALTH**

WHEREAS, the Emergency Planning Program of the Niagara County Department of Health provides services, information and training to protect the health and safety of the citizens of Niagara County through 100% grant funding, and

WHEREAS, the New York State Department of Health Public Health Emergency Preparedness Program awarded Niagara County Emergency Planning Program funding for the period of July 1, 2012 through June 30, 2013, renewing the grant through June 30, 2014, and

WHEREAS, the Emergency Planning Program wishes to re appropriate the unused balance forward into the 2013 budget, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.406 43960.01 Emergency Disaster Assistance P H Preparedness \$1,700.00

INCREASE APPROPRIATIONS:

CM.20.4189.406 74300.03	Travel Mileage	\$ 800.00
CM.20.4189.406 74750.02	General Supplies	\$ 400.00
CM.20.4189.406 74800.10	Misc Equipment under \$500	\$ 500.00

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services & Administration DATE: 09/17/2013 RESOLUTION # CS-021-13
Committees

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CS - 09/09/13</u> <u>AD - 09/11/13</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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9/18/13

CREATE AND FILL TEMPORARY POSITION PUBLIC HEALTH ADMINISTRATION DIVISION, DEPARTMENT OF HEALTH

WHEREAS, the Niagara County Department of Health's Public Health Administration division provides a wide array of essential & critical support services, and

WHEREAS, the duties of Account Clerical II represent the duties necessary for the daily operations of the Department of Health, and

WHEREAS, the employee in the Account Clerical II position has been granted medical leave under the Family Medical Leave Act for an undetermined amount of time, a temporary position is requested for the period of September 30, 2013 through March 28, 2014 to fulfill these essential duties, now, therefore, be it

RESOLVED, that effective immediately the temporary Account Clerical II position, CSEA Job Group V \$16.42 per hour, be created and filled for the duration of the aforementioned leave of absence not to exceed 6 months, and be it further

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATION:

A.20.4189.401 71010.00 2049	Positions	\$8,891
A.20.4189.401 78100.00	Retirement	886
A.20.4189.401 78200.00	FICA	590
A.20.4189.401 78300.00	Worker's Compensation	301
A.20.4189.401 78400.01	Health Insurance	1,001
A.20.4189.401 78700.00	NYS Disability	23

INCREASE APPROPRIATION:

A.20.4010.000 71010.00 xxxx	Positions	\$7,701
A.20.4010.000 78100.00	Retirement	886
A.20.4010.000 78200.00	FICA	590
A.20.4010.000 78300.00	Worker's Compensation	301
A.20.4010.000 78400.01	Health Insurance	1,001
A.20.4010.000 78400.05	HRA	850
A.20.4010.000 78700.00	NYS Disability	23
A.20.4010.000 78800.00	Flex 125	340

NIAGARA COUNTY LEGISLATURE

FROM: Community Services & Administration DATE: 09/17/2013 RESOLUTION # CS-022-13
Committees

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION		
CO. ATTORNEY	CO. MANAGER	CS - 09/09/13	Approved: Ayes	Abs.	Noes
		AD - 09/11/13	Rejected: Ayes	Abs.	Noes
			Referred:		

[Signature]
9/18/13

BUDGET MODIFICATION HEALTHY FAMILIES NEW YORK PROGRAM

WHEREAS, the New York State Office of Children & Family Services, in conjunction with the New York State Department of Health, did make state-wide funds available for the provision and expansion of Healthy Families New York Home Visiting Programs, and

WHEREAS, these resources are directed toward expectant and new parents in an effort to promote positive growth and development to improve health and social outcomes for families at high risk of abuse and neglect, and

WHEREAS, Niagara County has received an allocation of \$481,710, which is 100% state funded, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services will continue to contract with Family & Children's Services of Niagara, Inc. to provide the necessary services as outlined in the Healthy Families New York Program requirements, and be it further

RESOLVED, that the following budget modification be effectuated to the Social Services 2013 budget:

INCREASE REVENUE:

A.22.6010.000 43610.01	DSS Admin General	\$ 481,710
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INCREASE APPROPRIATION:

A.22.6010.000 74500.01	Contractual Exp-Contractual	\$ 481,710
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services & Administration DATE: 09/17/2013 RESOLUTION # CS-023-13
Committees

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION		
CO. ATTORNEY	CO. MANAGER	CS - 09/09/13	Approved: Ayes	Abs.	Noes
		AD - 09/11/13	Rejected: Ayes	Abs.	Noes
			Referred:		

BUDGET MODIFICATION FLEXIBLE FUND FOR FAMILY SERVICES

WHEREAS, the Executive Budget did make Federal funds available to local districts to provide a comprehensive array of services to meet the needs of eligible Temporary Assistance for Needy Families (TANF) and individuals, and

WHEREAS, these funds enable Niagara County to direct resources toward a number of areas of program needs, including, but not limited to Employment related activities, Child Welfare Services, PINS Detention Diversion Services, Substance Abuse Assessments, Domestic Violence Screenings, Title XX Services, JD/PINS Fostercare Costs, Child Care & Development, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services will continue to contract with various agencies that will provide the necessary services in accordance with the Niagara County Flexible Fund for Family Services Plan submitted to NYS Office of Temporary and Disability Assistance (OTDA) and NYS Office of Children and Family Services (OCFS) at no additional cost to the County, and be it further

RESOLVED, that the following budget modification be effectuated to the Social Services 2013 budget:

INCREASE REVENUE:

A.22.6010.000 44610.00	DSS Admin Revenue	\$ 130,000
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INCREASE APPROPRIATION:

A.22.6010.000 74500.01	Contractual Exp-Contractual	\$ 130,000
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services & Administration DATE: 09/17/2013 RESOLUTION # CS-024-13
Committees

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CS - 09/09/13</u> <u>AD - 09/11/13</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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AUDIT FIRM CONTRACT – MEDICAID PROVIDER FRAUD

WHEREAS, Niagara County is one of 11 counties in New York State, along with New York City, that are actively engaged in the Medicaid Provider Fraud Demonstration Project, and

WHEREAS, a Request for Proposal (RFP) was issued for Medicaid Auditing and Data Analysis Services on June 21, 2013 by the Niagara County Purchasing Department, and

WHEREAS, the RFP was sent to 12 vendors along with being advertised as a normal course of business, and

WHEREAS, bids were opened on Tuesday July 23, 2013 where it was found that the only bid was submitted by The Bonadio Group, 171 Sully's Trail, Pittsford, New York, and

WHEREAS, The Bonadio Group has satisfactorily served in this capacity for Niagara County since 2009 and it is being recommended that they be awarded the contract for Medicaid Auditing and Data Analysis Services, now, therefore, be it

RESOLVED, that The Bonadio Group is awarded the contract to provide Medicaid Auditing and Data Analysis Services for Niagara County's Medicaid Provider Fraud Project, and be it further

RESOLVED, that the Chairman of the Legislature be and hereby is authorized to execute said contract, subject to approval of the County Attorney's Office.

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services & Administration DATE: 09/17/2013 RESOLUTION # CS-025-13
Committees

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	<u>CS - 09/09/13</u>	Approved: Ayes _____ Abs. _____ Noes _____
		<u>AD - 09/11/13</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

ABOLISH & CREATE – SOCIAL SERVICES

WHEREAS, in the Social Services Department the position of Director for Support Enforcement/Financial Recovery, at a salary of \$55,325 - \$71,628 per year is vacant, and

WHEREAS, the Department has reviewed the need to refill the position and has determined that a reorganization was appropriate resulting in areas of the department being re-assigned to the Director of Administrative Services and the Director of Program Eligibility, and

WHEREAS, upon review it has been determined that a Chief Social Services Worker, Job Group XII at \$26.21 - \$30.72 per hour, would be necessary to provide additional supervision in Program Eligibility, and

WHEREAS, said reorganization will provide better coordination of efforts which will provide better service to the public and better utilization of staff, and

WHEREAS, in order to facilitate said reorganization it would be in the department's best interest to abolish the vacant Director for Support Enforcement/Financial Recovery position and create and fill a Chief Social Services Worker position, now, therefore, be it

RESOLVED, that the vacant Director for Support Enforcement/Financial Recovery position at a salary of \$68,441 per year be abolished effective September 30, 2013, and be it further

RESOLVED, that a Chief Social Services Worker position, Job Group XII , Step 1, at \$26.21 per hour be created and filled effective September 30, 2013, and be it further

RESOLVED, that the following line item transfer be effectuated to the Social Services 2013 budget:

FROM:

A.22.6010.000 71010.00 1176	Dir SupportEnfrcmnt&FnclRcvry	\$ 7,187
A.22.6010.000 71010.00 876	Clerical I	5,106

TO:


A.22.6010.000 71010.00 xxxx	Chief Social Services Worker	\$12,293
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services & Administration DATE: 09/17/2013 RESOLUTION # CS-026-13
Committees

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
 9/12/13		<u>CS - 09/09/13</u>	Approved: Ayes _____ Abs. _____ Noes _____
		<u>AD - 09/11/13</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

ACCEPTANCE OF HISTORIC MARKER GRANT

WHEREAS, the mission of the Niagara County Historian's Office includes organizing and directing the commemoration of historical anniversaries, and

WHEREAS, the Niagara County Historian's Office chose exploring the life of Betsy Doyle as their contribution to the Bicentennial of the War of 1812, and

WHEREAS, they were able to discover and document the here- to- for incomplete and compelling story of this nationally important local heroine, and

WHEREAS, in an effort to make Betsy Doyle better known to the citizens and visitors of Niagara County, application was made to the William G. Pomeroy Foundation for the purpose of obtaining and erecting an historic marker outlining her heroic deeds, and

WHEREAS, the grant has been approved in the amount of \$1,050.00, and

WHEREAS, the funds will be appropriated this year in 2013, and

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

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

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

INCREASE REVENUE:

A.10.1410.000 41255.01	County Clerk Fees	\$1,050.00
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INCREASE APPROPRIATIONS:

A.10.1410.000 74400.07	Burial Headstones And Markers	\$1,050.00
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services & Administration DATE: 09/17/2013 RESOLUTION # CS-027-13
Committees

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CS - 09/09/13</u> <u>AD - 09/11/13</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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1/10/13

APPROVAL OF FILING NOTICE OF CLAIM CERTIFICATE WITH SECRETARY OF STATE

WHEREAS, Article 4 of the General Municipal Law of New York requires that prior to commencing any lawsuit against the County of Niagara, a notice of claim must be served, and

WHEREAS, effective June 15, 2013, Article 4 of the General Municipal Law of the State of New York has been amended to add the Secretary of State as an agent to receive service of a Notice of Claim against the County of Niagara, and

WHEREAS, the County of Niagara was required to file a certificate designating an official to receive service from the Secretary of State within 30 days of the amendment becoming effective, and

WHEREAS, the Niagara County Attorney is the Chief Legal Officer of the County and is the official with the duty of defending the County of Niagara against claims initiated by the notice of claim, and

WHEREAS, to ensure that said certificate be filed within the short 30 day time period, allowing the County to receive its proper share of the filing charges, the certificate was filed within the 30 day window with the Secretary of State, now, therefore, be it

RESOLVED, that the Niagara County Attorney is hereby designated as the official to receive a Notice of Claim from the Secretary of State; and be it further

RESOLVED, that the Legislature approves the filing of said certificate and authorizes the County Clerk or County Attorney to execute any forms necessary to complete this process and/or execute any amendments to the certificate should they be needed in the future.

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security & Administration DATE: 09/17/2013 RESOLUTION # CSS-028-13
Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CSS - 09/11/13
AD - 09/11/13

LEGISLATIVE ACTION

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

BUDGET MODIFICATION -SHERIFF'S OFFICE OPERATION GREEN MONSTER

WHEREAS, Resolution CSS-016-13 adopted on June 18, 2013 awarded the Niagara County Sheriff's Office \$12,000 from the US Department of Justice, Drug Enforcement Administration, and

WHEREAS, the DEA wishes to increase this award to \$24,000 to continue working with the local DEA Office to curtail illegal trafficking in eradicating illicit cannabis plants throughout Niagara County, 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 modify the agreement with the U.S. Department of Justice for a total grant award of \$24,000, and be it further

RESOLVED, that the following budget modification be made:

INCREASE REVENUE:

A.17.3110.000.44389.04	Federal Gov't. Reimbursement	\$12,000
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INCREASE APPROPRIATION:

A.17.3110.000.71050.00	Overtime	\$ 7,432
A.17.3110.000.78200.00	FICA	\$ 568
A.17.3110.000.7400.09	Payments to Other Agencies	\$ 4,000

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security & Administration DATE: 09/17/2013 RESOLUTION # CSS-029-13
Committees

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CSS - 09/11/13
AD - 09/11/13

LEGISLATIVE ACTION

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

**NIAGARA COUNTY SHERIFF'S OFFICE LAW ENFORCEMENT ACADEMY
MOU WITH NIAGARA UNIVERSITY**

WHEREAS, the Niagara County Sheriff's Office has formed a partnership with Niagara University as well as the Niagara Falls Police Department to house the Niagara County Law Enforcement Academy on the campus of Niagara University, and

WHEREAS, Niagara University has agreed to provide needed physical space, educational resources and logistical support for the operation of the academy with no cost to the county or city, and

WHEREAS, under the direction of members of the Sheriff's Office and Niagara Falls Police Department the Basic Course for Police will be offered for sworn officers and the New York State Division of Criminal Justice Services approved pre-employment course to approved students, as well as specialized training programs, and

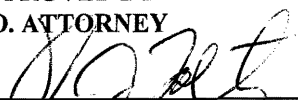
WHEREAS, this partnership will benefit all law enforcement agencies financially as well as providing increased opportunities for needed training, now, therefore, be it

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature and the Sheriff of Niagara County be authorized to execute the Memorandum of Understanding.

COMMUNITY SAFETY & SECURITY
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee DATE: 09/17/2013 RESOLUTION # ED-014-13

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
 9/11/13		ED - 08/06/13	Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____

**APPROVAL OF LOW COST POWER BENEFIT TO VISHAY THIN FILM 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 requested an audit of low cost power usage by Empower Users and modification accordingly on their agreements, and

WHEREAS, the application of Vishay Thin Film has met and exceeded all the criteria qualifying its project for consideration and the Empower Niagara Board is recommending approval of extension of this agreement, and

WHEREAS, the application was for 100kw (.10mw) of low cost power and the creation of new jobs required new load of electricity for expansion and establishing their facility, and

WHEREAS, the approval of the Vishay Thin Film's original application maintained and improved economic development in Niagara County, and

WHEREAS, the Empower Niagara Board will be recommending the low cost power allocation to Vishay Thin Film be maintained at 100kw (.10mw), and

WHEREAS, this is based upon the audit of low cost power usage and newly refined method of providing low cost power benefits to an Empower User and the Board's decision any decrease would negatively impact Vishay Thin Film, and

WHEREAS, the Empower Niagara Board has met with and the Board recommends; in consideration of the project and keeping of the company's plating line from leaving the Country, adding a second plating line, a clean room and a separate production area for screen print operation line and four instead of two new lines for wrap resistors; to maintain of the amount of low cost power to Vishay Thin Film and have the agreement be extended three years for a total of 39 months until November, 2016, now, therefore, be it

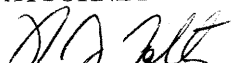
RESOLVED, that the Niagara County Legislature hereby approves Vishay Thin Film's agreement extension for low cost power benefits from Niagara County, pursuant to low cost power allocation received through the June 25, 2005 HCRSA and ASPNPPE, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute an agreement with Vishay Thin Film under Resolution ED-010-08.

ECONOMIC DEVELOPMENT COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Legislators David E. Godfrey, Clyde L. Burmaster, John Syracuse & Michael A. Hill DATE: 09/17/2013 RESOLUTION # IL-044-13

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
 9/18/13			Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____

RESOLUTION IN SUPPORT OF NEW YORK STATE ASSEMBLY BILL A-07588 KNOW AS THE RURAL BROADBAND DEPLOYMENT ACT WHICH PROMOTES RURAL BROADBAND DEPLOYMENT BY PROVIDING RESIDENTS AND SMALL BUSINESSES WITH TAX CREDITS FOR BROADBAND DEPLOYMENT

WHEREAS, high-speed Internet service is essential for commercial economic growth, for our education systems, and the overall well-being of our citizens, and

WHEREAS, the Internet Innovation Alliance has published the following statistics relative to broadband access and jobs:

- More than 62% of American workers, including our farmers, rely on the Internet to do their jobs
- Among U.S. workers, 14% telecommute or work from home at least one day a week
- Jobs that depend upon broadband availability are projected to increase 25% by 2018
- 37% of employees say the ability to telecommute would cause them to choose one job over another
- Job seekers had a 27% increase in success by using social networks to generate referrals
- Nearly 75% of public libraries offer computer resources for job seekers
- Nearly 18% of new jobs in North Carolina were created as a direct result of broadband
- In Minnesota, 60% of unemployed adults, 30% of homemakers, and 17% of retirees say they would likely join the workforce if empowered by teleworking
- A \$10 billion investment in broadband would produce nearly 500,000 new jobs
- Local economic growth and secondary investment enabled by broadband expansion is 10 times the initial investment, and

WHEREAS, there are significant areas of the County without access to high speed broadband services because of geographic isolation, topographic conditions, and low population density, and

WHEREAS, the County has made broadband deployment a priority as evidenced by their commitment to having a broadband study performed (under the umbrella of the Niagara-Orleans Regional Alliance (NORA)) which will identify broadband deficiencies and potential solutions to address the deficiency, and

WHEREAS, broadband providers have not found it economically feasible to provide broadband services to many of the remote areas of the County, and

WHEREAS, New York State Assembly bill A07588, known as the Rural Broadband Deployment Act, would promote rural broadband deployment by providing residents, and small business with tax credits for broadband deployment, and

WHEREAS, the bill would allow for residents, municipalities, and small business in un-served areas to come together, pool their economic power, and select a broadband provider to deploy services to their area, and

WHEREAS, any eligible out of pocket expenses the resident, municipalities, or small business incurs for the construction of the network, would be eligible for a 100% refundable tax credit over 5 years, and

WHEREAS, the New York State Senate has passed companion bill S05481 in support of the Rural Broadband Deployment Act, now, therefore, be it

RESOLVED, that the Niagara County Legislature supports New York State Assembly bill A07588, known as the Rural Broadband Deployment Act, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor Andrew M. Cuomo, State Majority Leader Dean Skelos, State Senator George D. Maziarz, State Assembly Speaker Sheldon Silver, State Assemblywoman Jane Corwin, State Assemblyman John Ceretto, and all others deemed necessary and proper.

LEGISLATOR DAVID E. GODFREY

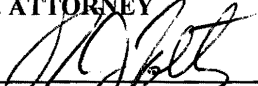
LEGISLATOR CLYDE L. BURMASTER

LEGISLATOR JOHN SYRACUSE

LEGISLATOR MICHAEL A. HILL

NIAGARA COUNTY LEGISLATURE

FROM: Public Works Committee DATE: 09/17/2013 RESOLUTION # PW-077-13

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
 9/11/13		<u>PW - 08/19/13</u>	Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____

AWARD CONSULTANT SERVICES FOR EVIDENCE STORAGE BUILDING

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the design of the new evidence storage facility, and

WHEREAS, funds are available in account H591.17.3997.000.72200.00, Building Expense, and

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

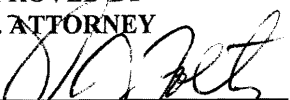
RESOLVED, that the consultant services to assist the County with design services for the New Evidence Storage Facility be awarded to EI Team, 2060 Sheridan Drive, Buffalo, NY 14223, for a fee not to exceed \$107,500, and be it further

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: 09/17/2013 RESOLUTION # PW-078-13

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
 9/11/13		<u>PW - 08/19/13</u>	Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____

AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND THE GREATER NIAGARA FRONTIER COUNCIL, BOY SCOUTS OF AMERICA

WHEREAS, the Greater Niagara Frontier Council, Boy Scouts of America has requested that the County of Niagara grant them permission to use Oppenheim Park for the purpose of holding the Rough Rider Camporee, and

WHEREAS, it is the wish of the Greater Niagara Frontier Council, Boy Scouts of America to hold the Rough Rider Camporee on October 18, 2013 to October 20, 2013, and

WHEREAS, the event coordinator will provide all insurances required by the Risk Management Office, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Greater Niagara Frontier Council, Boy Scouts of America, and

WHEREAS, prior to the execution of the license agreement between the County of Niagara and the Greater Niagara Frontier Council, Boy Scouts of America, the County Attorney will said agreement for approval as to legal form, language and compliance, now, therefore, be it

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 the Greater Niagara Frontier Council, Boy Scouts of America.

PUBLIC WORKS COMMITTEE