

OFFICIAL RECORD

Lockport, New York
December 1, 2015

A public hearing was held pursuant to resolution CW-016-15, adopted by the Legislature on November 17, 2015, for the purpose of considering proposed modifications to the increase and improvement of facilities project of the Niagara County Refuse District in the County of Niagara, New York. Legislator opened the hearing at 5:45 p.m. and closed it at approximately 5: p.m.

A public hearing was held pursuant to resolution AD-022-15, adopted by the Legislature on November 17, 2015, to review the assessment tax roll for the Niagara County Water District. Chairman Ross opened the hearing at 6:00 p.m. and closed it at approximately 6:02 p.m.

A public hearing was held pursuant to resolution AD-023-15, adopted by the Legislature on November 17, 2015, to review the assessment tax roll for the Niagara County Sewer District No. 1. Chairman Ross opened the hearing at 6:10 p.m. and closed it at approximately 6:12 p.m.

A public hearing was held pursuant to resolution AD-024-15, adopted by the Legislature on November 17, 2015, to review the assessment tax roll for the Niagara County Refuse District. Chairman Ross opened the hearing at 6:20 p.m. and closed it at approximately 6:22 p.m.

A public hearing was held pursuant to resolution AD-025-15, adopted by the Legislature on November 17, 2015, to review the tentative budget for the year 2016. Chairman Ross opened the hearing at 6:30 p.m. and closed it at approximately 6:32 p.m.

A public hearing was held pursuant to resolution IL-120-15, adopted by the Legislature on November 17, 2015, related to a local law prohibiting the sale of personal cosmetic products containing microbeads in Niagara County. Chairman Ross opened the hearing at 6:45 p.m. and closed it at approximately 6:55 p.m.

The meeting was called to order by Chairman Ross at 7:01 p.m.

Clerk Tamburlin called the roll. All Legislators were present.

Niagara County Sheriff's Office Honor Guard was present.

Pete Robinson sang God Bless America.

A moment of silence was held for Niagara Falls Councilman Robert Anderson who passed away on November 25, 2015.

Legislator Syracuse introduced his intern.

PRESENTATION:

1. Pete Robinson discussed the current Peanut Butter and Jelly Drive which is in its sixth year. Legislator Updegrave presented a donation on behalf of the Niagara County Legislature. Legislator Updegrave thanked Mr. Robinson and his team for all of their efforts to help feed the neediest in Niagara County.

Three citizens spoke at this time.

Recess.

Moved by Updegrove, seconded by Virtuoso to accept the preferred agenda.

Carried.

RESOLUTIONS:

Resolution No. AD-029-15

From: Administration Committee

Dated: December 1, 2015

DISTRIBUTION OF MORTGAGE TAX

WHEREAS, Niagara County has received mortgage tax monies for the period April, 2015 through September, 2015 in the amount of \$2,915,414.09, and

WHEREAS, the Recording Officer has previously distributed \$668,138.05 to the Niagara Frontier Transportation Authority, \$660,260.84 to the State Mortgage Tax Agency, and retained \$131,963.28 for approved county administrative expenses, and

WHEREAS, that Recording Officer has remitted the remaining monies collected to the County Treasurer for distribution to various Niagara County towns, villages and cities, now, therefore, be it

RESOLVED, that the sum of \$1,455,051.92 reflects mortgage tax monies for the period April 1, 2015 through September 30, 2015 to be distributed, and the same be and hereby is, apportioned as follows among the various towns, villages and cities of the County of Niagara:

TOWNS	Cambria	\$ 83,104.03
	Hartland	20,076.89
	Lewiston	139,185.38
	Lockport	183,124.75
	Newfane	76,334.94
	Niagara	23,307.09
	Pendleton	81,970.35
	Porter	52,285.50
	Royalton	53,491.53
	Somerset	11,794.60
	Wheatfield	207,848.67
	Wilson	38,830.08

VILLAGES	Middleport (Hartland)	\$ 316.98
	Middleport (Royalton)	4,270.17
	Lewiston	16,748.48
	Youngstown	10,045.04
	Barker	977.55
	Wilson	4,273.24

CITIES	Lockport	\$ 101,435.66
	Niagara Falls	159,550.70
	North Tonawanda	<u>186,080.29</u>
	TOTAL:	\$1,455,051.92

and be it further

RESOLVED, that the County Treasurer be, and hereby is, directed to pay the Supervisors of the various towns, village treasurers, and city treasurers the amounts recorded above and that this document shall be sufficient authorization to the County Treasurer to make the payments in accordance with the above direction.

Moved by Updegrove, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. AD-030-15

From: Administration Committee

Dated: December 1, 2015

**DISTRIBUTION OF APRIL THROUGH JUNE 2015 CASINO REVENUE
TO VARIOUS MUNICIPALITIES**

WHEREAS, a Seneca Nation gambling casino governed by the Tribal-State Class III Gaming Compact and disbursing monies according to provisions of Subdivision 3-a of the Upstate New York Gaming and Economic Development Act continues to operate Class III gaming activities within the County of Niagara, and

WHEREAS, said casino is operated and owned by the Seneca Nation of Indians, a sovereign and foreign nation which is not subject to any taxation by the County of Niagara, and

WHEREAS, the Tribal-State Class III Gaming Compact and its authorizing legislation, provide for compensation for the "host municipalities" of the Seneca Niagara Casino and said Compact was submitted to and approved by the Secretary of the Interior of the United States as required, and

WHEREAS, pursuant to the Upstate New York Gaming and Economic Development Act, a special separate revenue account denominated "Tribal-State Compact Revenue Account" was established in the joint custody of the State Comptroller and the State Commissioner to receive the gaming revenues payable to the State and the host municipalities, and

WHEREAS, per the provisions of Subdivision 3 of the Upstate New York Gaming and Economic Development Act, 25% of revenues arising from the Seneca Niagara Casino are disbursed to the City of Niagara Falls, and

WHEREAS, per the provisions of the Update New York Gaming and Economic Development Act Subdivision 3-a, "Ten Percent of any of the funds actually received by the state pursuant to the tribal-state compacts and agreements described in [subdivision 2 of the Upstate New York Gaming and Economic Development Act] prior to the transfer of moneys to the general fund required by such subdivision, shall be distributed to counties in each respective exclusivity zone provided they do not otherwise receive a share of said revenues pursuant to [the Upstate New York Gaming and Economic Development Act]. Such distribution shall be made among such counties on a per capita basis, excluding the population of

any municipality that receives a distribution pursuant to [Subdivision 3 of the Upstate New York Gaming and Economic Development Act],” and

WHEREAS, per the Upstate New York Gaming and Economic Development Act Subdivision 3-a, revenues arising from the Seneca Niagara Casino that are disbursed to the County of Niagara are to be apportioned by population for such purposes as shall benefit the residents of the Towns of Cambria, Hartland, Lewiston, Lockport, Newfane, Niagara, Pendleton, Porter, Royalton, Somerset, Wheatfield and Wilson, and the Cities of Lockport and North Tonawanda, and

WHEREAS, the Niagara County Treasurer’s Office and the Niagara County Office of Management and Budget jointly established two interest-bearing revenue accounts, which shall be designated “Niagara County Community Development Fund 1” and “Niagara County Tax Relief Fund,” with all revenues appropriated to the county under Upstate New York Gaming and Economic Development Act Subdivision 3-a divided and deposited into said accounts, with 25% of said monies being deposited in Niagara County Community Development Fund 1 and 75% of said monies being deposited in Niagara County Tax Relief Fund, with these percentages of distribution remaining in force until December 31, 2015, and

WHEREAS, in December of 2014, this body did vote on a resolution creating both the Niagara County Community Development Fund and the Niagara County Tax Relief Fund, and

WHEREAS, Niagara County has received \$222,350.06 for the period of April 1, 2015 through June 30, 2015 towards the Niagara County Tax Relief Fund, and will distribute the funds to the respective municipalities per the aforementioned formula, and

WHEREAS, Niagara County anticipates receiving additional funds for both the third and fourth quarters of 2015, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby approve the disbursement of the balance in the Niagara County Tax Relief Fund of \$222,350.06 for the period of April 1, 2015 through June 30, 2015 to the following municipalities within the County of Niagara:

TOWNS	Cambria	\$ 7,808.11
	Hartland	\$ 5,505.40
	Lewiston	\$23,286.61
	Lockport	\$27,452.09
	Newfane	\$12,925.71
	Niagara	\$11,203.35
	Pendleton	\$ 8,554.29
	Porter	\$ 9,054.42
	Royalton	\$10,243.22
	Somerset	\$ 3,559.72
	Wheatfield	\$24,226.68
	Wilson	\$ 8,014.05
CITIES	Lockport	\$28,302.58
	North Tonawanda	\$42,213.83

and be it further

RESOLVED, that the County Treasurer be, and hereby is, directed to pay the Supervisors of the various towns and city Treasurers the amounts recorded above and that this document shall be sufficient authorization to the County Treasurer to make the payments in accordance with the above direction, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.07.1987.000 43014.00	State Aid/VLT Tribal Compact Revenue	\$835,000
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INCREASE ANTICIPATED APPROPRIATION:

A.07.1987.000 74400.16	Distribution of Casino Money	\$835,000
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Moved by Updegrave, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. AD-031-15

From: Administration Committee

Dated: December 1, 2015

**RESOLUTION APPROVING ENGAGEMENT OF OUTSIDE AUDITING FIRM
FOR PROFESSIONAL AUDITING SERVICES TO NIAGARA COUNTY**

WHEREAS, the County of Niagara issued a Request for Proposal for auditing services for the years ending December 31, 2015, 2016, 2017, and 2018 relating to all reasonable and necessary outside auditing services to the County of Niagara, including all departments thereof except Niagara County Community College, and

WHEREAS, five accounting organizations filed bids on or about mid-September 2015, of which all bids have been reviewed by the Department of Purchasing, Office of Treasurer, and the Department of Audit, and

WHEREAS, in accordance with the bidding procedures applicable to bids sought from professional organizations and further based on the current, general and specific auditing needs of the County of Niagara, the Department of Audit has recommended acceptance of the bid of Drescher & Malecki LLP, CPA in the amount of \$67,500.00 for year ending December 31, 2015, with the option to renewal at \$ 67,500.00 for year ending December 31, 2016, with the option to renewal at \$ 68,500.00 for year ending December 31, 2017, with the option to renewal at \$ 69,500.00 for year ending December 31 2018, and

WHEREAS, Drescher & Malecki LLP, CPA is experienced in performing government audits and consulting services in New York State. Their reputation, knowledge, and experience in auditing numerous counties, schools and local municipalities are an advantage in the selection of this firm; Drescher & Malecki LLP, CPA was founded on the principle of providing their clients with the same high quality level of service expected from a national firm yet with the dedicated involvement that can only be developed by personal attention, and they are dedicated to the pursuit of imaginative, intelligent and proactive solutions to all of our accounting and consulting service needs, all are positive factors in the Department of Audit's recommendation, and

WHEREAS, prior to the execution of the engagement agreement, the County Attorney will review the engagement 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 Legislature be, and hereby is, authorized to sign and deliver an engagement agreement engaging Drescher & Malecki LLP., CPAs for all reasonable and necessary outside auditing services as may be required by the County of Niagara in the amount of \$67,500.00 for year ending December 31, 2015, with the option to renewal at \$ 67,500.00 for year ending December 31, 2016, with the option to renewal at \$ 68,500.00 for year ending December 31, 2017, with the option to renewal at \$ 69,500.00 for year ending December 31 2018.

Moved by Updegrove, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. ED-022-15

From: Economic Development & Administration Committees

Dated: December 1, 2015

**PUBLIC HEARING FOR THE AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO
THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR SMALL CITIES
FUNDING**

WHEREAS, Borderworx Logistics, LLC ("Borderworx"), plans to construct, equip, and furnish a 50,000 square foot warehouse/light industrial building on a vacant 31-acre site in the Vantage International Business Park in Sanborn, NY for warehousing, distribution, consolidations, customs brokerage, and trade consulting for companies in Canada and the United States seeking to reduce finished product storage costs and expedite cross border transportation of their products, and

WHEREAS, The Company has requested that the County apply for funding on its behalf from the New York State Office of Community Renewal (the "OCR") to finance a portion of the machinery and equipment and working capital costs for the project, and

WHEREAS, The Project will result in substantial benefit to the County in the form of an estimated 53 new permanent full-time employment positions within three years, now, therefore, be it

RESOLVED, that the Legislature hereby calls for a public hearing to allow citizen input regarding the community development and housing needs in the County and to comment on the County's potential submission of a grant application to assist in the construction of a logistics and assembly facility in the Town of Wheatfield to the New York State Office of Community Renewal, such public hearing to be held at 6:45 PM on December 8, 2015 in the Niagara County Legislative Chambers, Niagara County Courthouse, 175 Hawley Street, Lockport, NY 14094, and be it further

RESOLVED, that the Clerk of the Legislature, at least six days advance of such hearing, shall post a notice upon the bulletin boards in the Courthouse at Lockport, the Civic Building at Niagara Falls and shall publish such Notice in the Lockport Union Sun and Journal and the Niagara Gazette.

Moved by Updegrove, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. IF-138-15

From: Infrastructure & Facilities & Administration Committees

Dated: December 1, 2015

MECHANICAL CONTRACT FOR THE NIAGARA COUNTY SHERIFF'S OFFICE

**BUILDING #2 JAIL ROOF SYSTEM/HVAC SYSTEM REPLACEMENTS
CHANGE ORDER NO. 1**

WHEREAS, by Resolution No. IF-124-15, dated October 20, 2015, the Legislature awarded the mechanical contract for the Niagara County Sheriff's Office Building #2 Jail Roof System/HVAC System Replacements to D.V. Brown & Associates, Inc., 567 Vickers Street, Tonawanda, NY 14150, for a contract amount of \$2,096,000.00, and

WHEREAS, it is necessary to increase the contract in the amount of \$138,855.00 for plumbing work, for a revised contract amount of \$2,234,855.00, 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 effectuated:

FROM:

A.17.3110.000 74675.06	Services, Central Maintenance in Lieu of Rent	\$18,000
A.17.3110.000 72100.21	Machinery and Equipment Law Enforcement Equipment	\$6,000

TO:

H609.15.3197.000 72200.01	Jail Roof/HVAC Upgrade	\$24,000
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and be it further

RESOLVED, that Change Order No. 1 to increase the mechanical contract by \$138,855.00 for the Niagara County Sheriff's Office Building #2 Jail Roof System/HVAC System Replacements for plumbing work, for a revised contract amount of \$2,234,855.00, to D.V. Brown & Associates, Inc., 567 Vickers Street, Tonawanda, NY 14150, be approved, and be it further

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

Moved by Updegrove, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. IF-139-15

From: Infrastructure & Facilities & Administration Committees

Dated: December 1, 2015

**YOUNGSTOWN ROAD BRIDGE RECONSTRUCTION CONTRACT
CHANGE ORDER NO. 1**

WHEREAS, by Resolution No. PW-016-15, dated March 3, 2015, the Legislature awarded the contract for the reconstruction of Youngstown Road Bridge, to Mark Cerrone, Inc., 2358 Maryland Ave., Niagara Falls, NY 14304, in the amount of \$782,340.50, and

WHEREAS, Youngstown Road will be open to traffic on or before December 15, 2015, and it is necessary to extend the contract to May 31, 2016, at no additional cost,

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

RESOLVED, that Change Order No. 1 to the contract with Mark Cerrone Inc., 2358 Maryland Ave., Niagara Falls, NY 14304, to allow for Youngstown Road to be open to traffic on or before December 15, 2015 and to extend the contract to May 31, 2016, at no additional cost, be approved, and be it further

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

Moved by Updegrove, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. IF-140-15

From: Infrastructure & Facilities Committee

Dated: December 1, 2015

SALE OF SURPLUS PROPERTY AT 50 MAIN STREET, LOCKPORT, NY

WHEREAS, the Buildings and Grounds Department is recommending that the surplus property situated at 50 Main Street, Lockport, NY be marketed through a land broker to obtain purchase offers, and

WHEREAS, the proposals were publicly opened and read by our Purchasing Department on October 27, 2015, and

WHEREAS, one proposal was received from Realty USA.com Commercial, 344 Delaware Avenue, Buffalo, NY 14202, and

WHEREAS, the proposal submitted is well organized and viable, the submittal documents/forms have been completely appropriately, and

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

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute the required documents necessary with Realty USA.com Commercial, 344 Delaware Avenue, Lockport, NY, for the listing rights of 50 Main Street, Lockport, NY, subject to the review of the County Manager and the approval of the County Attorney.

Moved by Updegrove, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. IF-141-15

From: Infrastructure & Facilities & Administration Committees

Dated: December 1, 2015

OVERTIME BUDGET MODIFICATION

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

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

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

RESOLVED, that the following budget modifications be effectuated:

INCREASE ANTICIPATED REVENUE:

A.15.1620.000.40999.41	Recovery of Shared Services – MILOR	\$12,000
A.15.7110.000.41289.09	Other General Govt Salary Reimb.	\$4,750
ER.26.7140.000.41289.09	Other General Govt Salary Reimb.	\$1,750

INCREASE ANTICIPATED APPROPRIATION:

A.15.1620.000.71050.00	Overtime	\$12,000
A.15.7110.000.71050.00	Overtime	\$4,750
ER.26.7140.000.71050.00	Overtime	\$1,750

Moved by Updegrove, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. IL-108-15

From: Legislator Michael A. Hill & Economic Development Committee

Dated: December 1, 2015

**IN SUPPORT OF THE TOWN OF ROYALTON BICENTENNIAL CELEBRATION
THROUGH THE USE OF CASINO FUNDING**

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

WHEREAS, the Town of Royalton will be celebrating its bicentennial in 2017, and

WHEREAS, this much anticipated event will provide the opportunity to celebrate the history of the Town of Royalton and to showcase all of the wonderful aspects of its area and residents, and

WHEREAS, the Town of Royalton Bicentennial Committee is planning many different events and activities which will draw thousands of visitors and provide an economic boost for the businesses within the Town of Royalton, as well as the surrounding areas in Niagara County, and

WHEREAS, the Niagara County Legislature is committed to supporting efforts that create a sense of pride throughout the community and generate economic opportunities for area businesses, now, therefore, be it

RESOLVED, that Niagara County supports the Town of Royalton Bicentennial Celebration as follows:

Town of Royalton Bicentennial Committee	\$5,000.00
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and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2015 budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01 Appropriated Fund Balance - Committed Funds \$5,000.00

INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund \$5,000.00

Moved by Hill, seconded by Syracuse.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. IL-109-15

From: Legislator John Syracuse & Economic Development Committee

Dated: December 1, 2015

**RESOLUTION IN SUPPORT OF THE MERMAID PARADE
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the second annual Mermaid Parade will take place on June 18, 2016 as part of the Olcott Lakeview Village Fair in picturesque Olcott, New York, and

WHEREAS, the Mermaid Parade is a family-oriented event which will include awards for best costume, best parade participate and best children's costume, and parade goers will enjoy live music and activities for the whole family on the Lakeview Village Boardwalk, and

WHEREAS, local shops and businesses will be decorated in honor of this event, and

WHEREAS, this free, family-friendly event brings many visitors to the Olcott area and creates a positive economic benefit for local restaurants, shops and various other business owners, and

WHEREAS, funds are being sought to help offset the costs associated with hosting this annual event, now, therefore, be it

RESOLVED, that Niagara County supports the initiatives of the Mermaid Parade as follows:

Town of Newfane – Mermaid Parade \$1,000.00
and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2015 budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01 Appropriated Fund Balance - Committed Funds \$1,000.00

INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund \$1,000.00

Moved by Syracuse, seconded by Hill.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. IL-112-15

From: Legislator Michael A. Hill & Economic Development Committee

Dated: December 1, 2015

**IN SUPPORT OF THE GASPORT BEAUTIFICATION COMMITTEE
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the hamlet of Gasport has benefited from the Gasport Beautification Committee and the community pride which its members inspire throughout the region, and

WHEREAS, the efforts of the Gasport Beautification Committee generate a positive economic impact on the local businesses in the Gasport area and surrounding communities, and

WHEREAS, the Gasport Beautification Committee is dedicated to enhancing the community of Gasport and to hosting several family friendly events throughout the year, and

WHEREAS, the Gasport Beautification Committee's signature event is the Annual Gasport Community Christmas Party which includes, horse-drawn wagons, crafts and games, a visit from Santa, toys for the children and refreshments for the families to enjoy, now, therefore, be it

RESOLVED, that the Niagara County Legislature wishes to support the efforts of the Gasport Beautification Committee as they continue to enhance Gasport's beauty and community pride as follows:

Gasport Beautification Committee Annual Community Christmas Party	\$1,500.00
and be it further	

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2015 budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$1,500.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$1,500.00
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Moved by Hill, seconded by Syracuse.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. IL-113-15

From: Legislator Jason A. Zona & Economic Development Committee

Dated: December 1, 2015

**IN SUPPORT OF TOWN OF NIAGARA ACTIVE HOSE FIRE COMPANY
THROUGH USE OF CASINO FUNDING**

WHEREAS, the Town of Niagara Active Hose Fire Company has been serving the people of the Town of Niagara for seventy five years, and

WHEREAS, the Town of Niagara Active Hose Fire Company members are committed to providing service to the people of Niagara County, while improving lives through many community efforts, and

WHEREAS, the Town of Niagara Active Hose Fire Company is looking to update their outdated lifesaving defibrillators to ensure the life and safety of those they serve, and

WHEREAS, a defibrillator can mean the difference between life and death for a patient having a life threatening emergency, and

WHEREAS, the Niagara County Legislature supports the efforts of the Town of Niagara Active Hose Fire Company as it works to protect the citizens of Town of Niagara and Niagara County, now, therefore, be it

RESOLVED, the Niagara County Legislature supports the Town of Niagara Active Hose Fire Company and that the above initiative be funded with monies as follows:

Town of Niagara Active Hose Defibrillator Upgrades	\$4,000.00
and, be it further	

RESOLVED, that the following budget modification be effectuated to the 2015 Niagara County economic development budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$4,000.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$4,000.00
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Moved by Zona, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. IL-117-15

From: Legislators Richard L. Andres, Kathryn L. Lance & Economic Development Committee

Dated: December 1, 2015

**IN SUPPORT OF GRATWICK HOSE COMPANY, INC.
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, Gratwick Hose Company, Inc. was founded in 1890 to serve the community and residents of North Tonawanda, New York, and

WHEREAS, Gratwick Hose Company No. 6 is a volunteer fire company with members that are committed to improving the lives of the residents of North Tonawanda both through fire service, as well as, many other community service efforts, and

WHEREAS, Gratwick Hose Company No. 6 is in the process of renovating and restoring the fire hall's auxiliary ballroom to better accommodate requests from the community regarding a venue for birthday parties, showers and bereavement functions, and

WHEREAS, through this restoration project Gratwick Hose Company No. 6 will be able to continue to provide first class banquet facilities to the citizens of North Tonawanda and Niagara County, and

WHEREAS, the Niagara County Legislature recognizes the significant contribution that volunteer fire companies make towards ensuring public safety and creating a sense of community pride throughout the county, now, therefore, be it

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

Gratwick Hose Company, Inc.	Auxiliary Ballroom Restoration	\$4,000.00
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and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2015 budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$4,000.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$4,000.00
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Moved by Andres, seconded by Lance.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. IL-118-15

From: Legislators William L. Ross & Economic Development Committee

Dated: December 1, 2015

**IN SUPPORT OF FUNDING FOR NIAGARA USA CHAMBER
FOR MARKETING NEW BUSINESSES THROUGH THE USE OF CASINO FUNDING**

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

WHEREAS, Niagara USA Chamber is one of the leading business advocacy organizations in the Niagara Region, and

WHEREAS, the Niagara USA Chamber requests funding to be used in their continued effort to market Niagara County to potential new businesses, and

WHEREAS, the funding request will also update software, create new marketing materials and will continue Niagara USA Chamber advocacy for new businesses, now, therefore, be it

RESOLVED, that Niagara County supports the request of funding for Niagara USA Chambers marketing campaign for potential new businesses as follows:

Niagara USA Chamber	\$6,500.00
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and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2015 budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01 Appropriated Fund Balance - Committed Funds \$6,500.00

INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund \$6,500.00

Moved by Ross, seconded by Burmaster.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. IL-121-15

From: Legislators Richard L. Andres, Kathryn L. Lance & Economic Development Committee

Dated: December 1, 2015

**RESOLUTION IN SUPPORT OF FUNDING THE GATEWAY HARBOR BALL DROP
THROUGH THE USE OF CASINO FUNDING**

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

WHEREAS, the 8th Annual Gateway Harbor Ball Drop will take place on December 31, 2015 in North Tonawanda, New York, and

WHEREAS, this event offers a variety of activities for all ages including a kids zone, a pub crawl and a fireworks display immediately following the ball drop at midnight, and

WHEREAS, this event consistently draws thousands of people and local businesses in and around the area benefit tremendously from the additional foot traffic, and

WHEREAS, Niagara County is in support of events that benefit local businesses and foster community pride, now, therefore, be it

RESOLVED, that Niagara County supports the Gateway Harbor Ball Drop as follows:

Gateway Harbor Ball Drop	\$5,000.00
and be it further	

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2015 budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$5,000.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$5,000.00
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Moved by Andres, seconded by Lance.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Resolution No. IL-123-15

From: Legislator Anthony J. Nemi

Dated: December 1, 2015

**SUPPORTING MEDICAL SOCIETY OF THE STATE NEW YORK IN THE CALL FOR
COMPREHENSIVE IMPACT ASSESSMENT FOR NATURAL GAS INFRASTRUCTURE
PROPOSALS INCLUDING NORTHERN ACCESS PROJECT**

WHEREAS, after a thorough investigation by Health Commissioner Howard Zucker, MD, JD, and DEC Commissioner Joseph Martens, concerning the potential adverse public health and environmental outcomes associated with exposure to chemical and radioactive emissions and waste products from High Volume, Horizontal Hydraulic Fracturing (HVHF), Governor Andrew Cuomo determined that this energy technology posed too great a threat to the long-term health and quality of life for New Yorkers, and ultimately banned the process within the State of New York on December 17, 2014, and

WHEREAS, the chemical and radioactive emissions associated with HVHF are not limited to the drilling and extraction technologies at wellpads, but are also detected all along the extensive, intersecting network of natural gas pipelines, compressor stations, metering stations and other facilities associated with the entire natural gas infrastructure, and

WHEREAS, this extensive infrastructure extends into regions of New York State and other Northeastern states that are located far away from the Marcellus Shale region and from the actual drilling sites or wellpads, and

WHEREAS, the pipeline infrastructure exposes humans and animals to the same chemical and radioactive emissions as those released at drilling sites, which include dangerous mixtures of contaminants such as carcinogens, mutagens, endocrine disruptors, neurotoxins, respiratory irritants, mucocutaneous irritants and toxins, and hematological, and cardiovascular toxins, and which are especially damaging to the development of embryos, fetuses, and children, as well as reproduction and survival of livestock, poultry and wild animals, and

WHEREAS, The Medical Society of the State of New York already has a policy which expresses the concern of physicians for adverse health effects related to HVHF, which states that "The Medical Society of the State of New York supports a moratorium on natural gas extraction using high volume hydraulic fracturing in New York State until valid information is available to evaluate the process for its potential effects on human health and the environment"(Council Action, December 9, 2010, which was reaffirmed in 2013), and

WHEREAS, transmission and distribution of natural gas through the extensive, far-reaching infrastructure can cause adverse health effects similar to those seen near drilling sites for HVHF, and

WHEREAS, there is documented evidence of frequent "accidents" involving infrastructure components, due to faulty construction, and general breakdown including, but not limited to internal and external corrosion, stress corrosion, welding failure at pipeline seams, damage to existing pipelines during construction of nearby new pipe lines, damage to existing pipelines during agricultural activities, leading to chemical leaks, explosions, and fires, and

WHEREAS these "accidents" can result in injury and death to humans, as well as damage to the homes, farms, and businesses of local residents, and

WHEREAS, pipelines and Compressor Stations have been documented to sustain damage during natural extreme weather events such as floods, tornados, hurricanes, landslides, and lightning storms, and result in explosions, fires and other life-threatening events, and

WHEREAS, the pipeline infrastructure in New York State involves between 53,542 -89,705 miles of natural gas pipelines, with Compressor Stations located every 50-100 miles along these pipelines, and

WHEREAS, the compressor stations are powered by exceedingly strong engines varying from 2,250 Hp up to more than 70,000 Hp, which operate continuously, 24 hours a day, 7 days a week, 365 days per year, and routinely "vent" methane gas into the environment, and

WHEREAS, the permitting process to proceed with proposed expansions of various infrastructure segments depends upon the environmental risk assessment conducted by the Federal Energy Regulatory Commission (FERC), and

WHEREAS, FERC is considering proposals by multiple natural gas pipeline companies to expand the system of pipelines and compressor stations throughout New York State, including Rockland, Westchester, and Putnam counties (Spectra Algonguin), Orange county (Millenium/Minisink), Delaware county (Millenium/Hancock), Schoharie county (Constitution/Wright Interconnect Project), and Chemung, Madison, Montgomery (Dominion/New Market Project), and Niagara counties (Northern Access), now, therefore, be it

RESOLVED, that the Medical Society of the State of New York (MSSNY) recognizes the potential impact on human health and the environment associated with natural gas infrastructure, and be it further

RESOLVED, that MSSNY support governmental assessment of the health and environmental risks that are associated with natural gas pipelines, and be it further

RESOLVED, that Niagara County Legislature supports the above mention Counties and accepts their invitation as a co-host to their December 9th 2015 press conference at Albany State Capital regarding MSSNY research, and be it further,

RESOLVED, that upon passage, a copy of this resolution shall be forward to the following recipients: the FERC, USDOT, PHMSA, US Department of Homeland Security, NYDEC, Honorable Andrew Cuomo, Governor, State of New York; Hon. Charles E. Schumer, U.S. Senator; Hon. Kirsten E. Gillibrand, U.S. Senator; Hon. Chris Collins, Congressman; Hon. Rob Ortt, NYS Senator; Hon. Ray Walter, NYS Assemblyman; Chair Stan Brownell, Rensselaer County; Chair Alden Wolfe, Rockland County; Chair Carl Albano, Putnam County ; Chair Martin Kelly, Montgomery County; Chair Michael Lane, Tompkins County; Chair Michael Kaplowitz, Westchester County.

Moved by Nemi, seconded by Lance, to implement the portion of Rule 15 that pertains to voting on a resolution as opposed to referring it to committee.

Carried.

Moved by Nemi, seconded by Lance.

Adopted. 15 Ayes, 0 Noes, 0 Absent

Moved by Andres, seconded by Steed that the Board adjourn.

The Chairman declared the Board adjourned at 7:28 p.m., subject to the call of the Clerk.

No citizen spoke at this time on the General Welfare of the County.

Mary Jo Tamburline

Mary Jo Tamburlin, Clerk

Chairman Ross was recognized by current and past Legislators, Department Heads, State and Federal Government Officials and fellow government colleagues for his years of service to the citizens of Niagara County.