

OFFICIAL RECORD

Lockport, New York
May 24, 2016

The meeting was called to order by Chairman McNall at 7:00 p.m.

A Special Presentation for Military Appreciation Month; Presenting of Colors was the American Legion B. Leo Dolan Post 410 Color Guard. Legislator Randy R. Bradt read the Prayer for Veterans and the Pledge of Allegiance was led by Dennis F. Virtuoso followed by the Star Spangled Banner Sang by Mr. Robinson. Chairman called County Clerk Joseph Jastrzemski to the podium, he recognized all the legislators and department heads that served our county and thanked them for their service. Chairman McNall called Veterans Service Director Nina Cabrera thanked the Niagara County Legislatures and Niagara County Clerk for their support and spoke of all services they offer and what they have done for the Veterans in our Community. American Legion Post 410 ended the presentation with TAPS being played and the colors retired.

Clerk Tamburlin called the roll. All Legislators were present with the exception of Legislators Godfrey and Steed.

PRESENTATIONS:

1. Legislator Andres invited Social Services Commissioner Anthony Restaino, members of his staff and Steve and Jennifer Lore and their two foster children to the lectern and read a proclamation declaring May, 2016 as Foster Parent Recognition Month in Niagara County.

2. Legislator Andres invited Office for the Aging Director Kenneth Genewick to the lectern, Ken and also Jane Schroeder and presented Jane Schroeder with a proclamation in recognition of being named the 2016 Niagara County Senior Citizen of the Year.

Chairman Bill Ross read a proclamation on behalf of Senator Robert Ortt and the NYS Senate thanking Jane Schroder for her service in her community.

3. Legislator Hill invited Sheriff Voutour and some staff and Peter Kehoe to the lectern and presented them with two proclamations in recognition to the Sheriffs PASP and Sheriffs reaccreditation.

No citizens spoke at this time.

Recess.

4. Legislator Lance gave a slide show presentation on Economic Development Address for 2016.

Moved by Bradt seconded by Virtuoso to accept the preferred agenda.

Carried

Resolution No. AD-013-16

From: Administration Committee

Dated: May 24, 2016

DISTRIBUTION OF OCTOBER THROUGH DECEMBER 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 \$164,728.37 for the period of October 1, 2015 through December 31, 2015 towards the Niagara County Tax Relief Fund, and will distribute the funds to the respective municipalities per the aforementioned formula, 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 \$114,638.27 for the period of October 1, 2015 through December 31, 2015, inclusive of necessary prior period adjustments, to the following municipalities within the County of Niagara:

TOWNS	Cambria	\$ 4,025.67
	Hartland	\$ 2,838.45
	Lewiston	\$12,006.01
	Lockport	\$14,153.63
	Newfane	\$ 6,664.18
	Niagara	\$ 5,776.17
	Pendleton	\$ 4,410.38
	Porter	\$ 4,668.24
	Royalton	\$ 5,281.15
	Somerset	\$ 1,835.30
	Wheatfield	\$12,490.68
	Wilson	\$ 4,131.85
CITIES	Lockport	\$14,592.11
	North Tonawanda	\$21,764.45

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.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No. AD-014-16

From: Administration Committee

Dated: May 24, 2016

NIAGARA COUNTY COMMUNITY COLLEGE LEARNING COMMONS PROJECT

WHEREAS, by resolution dated June 16, 2015 and numbered IL-078-15 of the Niagara County Legislature, the Legislature formally committed to fund its matching share of \$10,000,000 to the cost of the Niagara County Community College “Learning Commons” project, and

WHEREAS, resolution AD-008-16 approved the issuance of debt up to \$10,000,000 to finance the County’s portion of the cost of the improvements to Niagara County Community College “Learning Commons” project, and

WHEREAS, Niagara County Community College has already begun the planning of this construction using the College’s share of the funding and has agreed to complete all requests for proposals and bids necessary and oversee the administration and completion of the project, and

WHEREAS, the College has agreed to submit monthly progress reports to the County Deputy Commissioner of Engineering, and

WHEREAS, a capital project is necessary to track payments made to the College, and verify the total project cost to the County does not exceed the \$10,000,000 authorized by this Legislature, now, therefore, be it

RESOLVED, that the Niagara County Treasurer is authorized to remit payments to NCCC during the life of the project as deemed appropriate by the County Treasurer as percentage of completion milestones are met, as reviewed and approved by the County Deputy Commissioner of Engineering for the construction of the Learning Commons, and be it further

RESOLVED, that the following capital project be created with funding from the bonds previously authorized, and that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

H634.15.2497.000 45710.16	Serial Bonds Year 2016	\$10,000,000
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INCREASE ANTICIPATED APPROPRIATION:

H634.15.2497.000 72200.02	NCCC Buildings	\$10,000,000
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Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No. AD-015-16

From: Administration Committee

Dated: May 24, 2016

**CONVERSION OF REFUSE DISPOSAL DISTRICT FROM A PROPRIETARY ENTERPRISE
TYPE FUND TO A GOVERNMENTAL FUND**

WHEREAS, the Refuse Disposal District was created by Legislative Order dated January 21, 1969, and

WHEREAS, the Refuse Disposal District has historically been treated as a proprietary, enterprise type fund due to the original nature of its business as an operating landfill site, and

WHEREAS, Generally Accepted Accounting Principles (GAAP) and the Governmental Accounting Standards Board (GASB) state that proprietary funds are used to account for a government's activities that are similar to businesses found in the private sector, are considered self-supporting in that the services rendered are by them are generally financed through user charges or on a cost reimbursement basis. Proprietary enterprise type funds are used to account for any activity for which a fee is charged to external users for good or services, in the context of the activity's principal revenue sources, and

WHEREAS, the District discontinued operations as an active landfill in June of 2013 by resolution PW-071-13 and has since been primarily funded by property taxes, and

WHEREAS, the County's independent auditors recommended via the 2014 audit management letter to establish a governmental, special district fund in which to account for the transactions of the Refuse Disposal District, therefore be it

RESOLVED, that the Niagara County Legislature does hereby approve the conversion of the Refuse Disposal District from a proprietary enterprise type fund to a governmental fund.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No. AD-016-16

From: Administration Committee

Dated: May 24, 2016

**A LOCAL LAW INCREASING THE SALARY OF
NIAGARA COUNTY DEPUTY DISTRICT ATTORNEY**

WHEREAS, the Administration Committee presents in writing the following proposed Local Law:

A Local Law of the County of Niagara, New York for the year 2016 increasing the salary of the Niagara County Deputy District Attorney;

Be enacted by the County Legislature of the County of Niagara, as follows:

1. During the term of a vacancy in the office of the Niagara County District Attorney, the attorney designated to perform the functions and duties of the Niagara County District Attorney during such vacancy shall receive the same compensation as the elected Niagara County District Attorney would have been entitled to receive.
2. On March 22, 2016, the date of the resignation of the Niagara County District Attorney, the salary established for the Niagara County District Attorney was \$152,500.00; effective April 1, 2016 the salary of the Niagara County District Attorney was increased to \$183,400.00 by operation of law due to the increases in salaries of the County Court Judges of the State of New York. [See Judiciary Law 183-a];
3. Prior to his resignation, the elected Niagara County District Attorney designated a particular Niagara County Deputy District Attorney to perform the functions and duties of the Niagara County District Attorney during his absence and/or a vacancy in such office, therefore, such designated Niagara County Deputy District Attorney shall receive a salary of \$152,500.00, effective March 22, 2016; and effective April 1, 2016 the salary of the Niagara County District Attorney shall be increased to \$183,400.00 during the period of a vacancy in the office of the Niagara County District Attorney.

This Local Law shall become effective in accordance with the statutes of the State of New York.

RESOLVED, that the Niagara County Legislature shall conduct a public hearing upon said proposed Local law at the Legislative Chambers, Courthouse, Lockport, New York on the 21st day of June, 2016 at 6:30 p.m., and be it further

RESOLVED, that the Clerk of the Legislature, at least six (6) days in advance of such hearing, shall post a notice upon the bulletin boards in the Courthouse in Lockport, the Civic Building in Niagara Falls shall publish such notice once in the Union Sun & Journal, and the Niagara Gazette; such notice shall contain the title of the Local Law and an abstract of the text to be prepared by the Clerk of the Legislature, with the assistance of the County Attorney's Office

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No. AD-017-16

From: Administration Committee

Dated: May 24, 2016

SUMMER HOURS – 2016

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 26, 2016 through September 3, 2016 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.
5. Any deviation from the above must be cleared with the Human Resources Department.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No. CS-023-16

From: Community Services and Administration Committees

Dated: May 24, 2016

**PUBLIC HEARING FOR
NCCC FY 2016-2017 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, 2016 and ending August 31, 2017, 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 21st day of June, 2016 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 and the Niagara Gazette.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No. CS-024-16

From: Community Service and Administration Committee

Dated: May 24, 2016

PISTOL PERMIT FEE SCHEDULE

WHEREAS, the County Clerk acts as issuing agent for the State of New York and is responsible for the administration of over 31,000 Pistol Permits issued to Niagara County residents, and

WHEREAS, the County Clerk collects and pays associated Pistol Permit fees into the county treasury, now, therefore, be it

RESOLVED, that pursuant to Section 400 of New York State Penal Law the following updated fee schedule be adopted effective June 1, 2016:

Permit Application	\$10.00
Amendment	\$3.00
Permit Re-Issue	\$5.00
Permit Duplicate	\$5.00
Gunsmith License	\$10.00
Dealer License	\$10.00
Pistol Permit Photo (Per Photo)	\$5.00
Transfer Out	\$5.00
Transfer In	\$5.00
Plastic Card	*\$2.00

*Applies to all plastic card transactions

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No. CS-025-16

From: Administration Committee

Dated: May 24, 2016

US PASSPORT PHOTO INCREASE

WHEREAS, the Niagara County Clerk acts as the US Passport Acceptance Agent for the United States Department of State, and

WHEREAS, the Clerk's office provides the convenience of taking passport photos for customers who are applying for or renewing their US Passport, and

WHEREAS, all trained staff have successfully completed the annual certification necessary to maintain our certification in service to our residents, and

WHEREAS, the cost of consumables necessary to process and provide photos has increased, and

WHEREAS, the fee for US Passport photos has remained the same for over a decade, now, therefore, be it

RESOLVED, that the Niagara County Clerk increase the fee charged for passport photos from the current fee of \$8.00 to \$10.00, effective June 1, 2016.

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No. CSS-033-16

From: Community Safety & Security and Administration Committees

Dated: May 24, 2016

ACCEPTANCE OF GUN INVOLVED VIOLENCE ELIMINATION

INITIATIVE GRANT & BUDGET MODIFICATION

WHEREAS, in 2014 the Division of Criminal Justice Services initiated a gun violence eradication initiative to target the rising incidents of gun involved violence across the State of New York and specifically the seventeen counties that account for the vast majority of crime outside of the City of New York which includes the County of Niagara, and

WHEREAS, the GIVE (Gun Involved Violence Elimination) Initiative is a statewide comprehensive strategy which was built on the successes of Operation IMPACT but now focuses exclusively on reducing shootings and homicides by promoting integrated, evidence based strategies, and

WHEREAS, the Niagara County District Attorney's Office, the Niagara County Sheriff's Office and the Niagara County Probation Department, in conjunction with the Niagara Falls Police Department, applied for the renewal of funding under the 2016-2017 GIVE Initiative, and

WHEREAS, the Niagara County District Attorney's Office, the Niagara County Sheriff's Office and the Niagara County Probation Department have received notification that funding has been awarded in the amounts of \$189,280, \$101,065 and \$56,907 respectively, for the period of July 1, 2016 through June 30, 2017, with no required match from Niagara County, and

WHEREAS, the Sheriff's Office has a Correction Officer position #10442 which is currently funded under this program and will remain coterminous with grant funding, and

WHEREAS, the District Attorney's Office has an Assistant District Attorney position #4771 which is currently funded under this program and will remain coterminous with grant funding, and

WHEREAS, it is necessary to modify revenue and appropriations in the District Attorney's Office, the Sheriff's Office and Probation Department's budgets for fiscal year 2016, now, therefore, be it

RESOLVED, that the County of Niagara does hereby accept this award, and be it further

RESOLVED, that prior to the execution of the grant award contract, the County Attorney will review the grant award contract for approval as to legal form, language and compliance, and be it further

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

RESOLVED, that effective immediately, the following budget modifications be effectuated:

INCREASE REVENUE:

CM.02.1989.115.43389.13	Crime Prevention	\$40,678
A.18.3140.000.43310.04	NYSDCJS	7,000
A.17.3110.000.43389.13	Crime Prevention	1,000

INCREASE APPROPRIATIONS:

CM.02.1989.115.74300.01	Travel Conference	\$1,500
CM.02.1989.115.74650.08	Consultants/Expert Svcs.	39,178
A.18.3140.000.71050.00	Overtime	6,500
A.18.3140.000.74600.03	Training/Education	500
A.17.3110.000.74600.03	Training/Education	1,000

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No. CSS-034-16

From: Community Safety & Security and Administration Committees
Dated: May 24, 2016

**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 \$40,000 for the period April 1, 2016 through March 31, 2017, 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, and

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

RESOLVED, that the following budget modification be made:

INCREASE APPROPRIATIONS:

A.17.3110.000.71050.00	Overtime	\$25,326
A.17.3110.000.74750.21	Gas/Oil	6,000
A.17.3110.000.78100.00	Retirement	6,610
A.17.3110.000.78200.00	FICA	1,937
A.17.3110.000.78300.00	Workers Compensation	127

INCREASE REVENUE:

A.17.3110.000.43315.00	Marine Patrol	\$40,000
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Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No.CSS-035-16

From: Community Safety & Security & Administration Committees
Dated: May 24, 2016

**NIAGARA COUNTY SHERIFF’S OFFICE
TACTICAL TEAM TARGETED GRANT**

WHEREAS, Resolution CSS-014-16 accepted the Tactical Team Targeted grant in the amount of \$100,000 as awarded by the New York State Department of Homeland Security and Emergency Services, and

WHEREAS, the funds are to be used to enhance the skills of the Sheriff’s Office Emergency Response Team by providing additional skills and abilities to remain safe and successful in their mission, and

WHEREAS, grant funds were originally appropriated for personnel overtime for training of the ERT team, however, after review of the cost and the logistics of sending employees for training, it would be beneficial to have the training done at the Sheriff’s Office saving time and travel, now, therefore, be it

RESOLVED, that the following budget modification be made to pay for the trainer to train the ERT Team at the Niagara County Sheriff’s Office:

FROM:

A.17.3110.71050.00 Overtime \$7,100

TO:

A.17.3110.74600.03 Training and Education \$7,100

Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No.ED-005-16

From: Legislator Kathryn L. Lance, Economic Development and Administration Committees

Dated: May 24, 2016

RESOLUTION AUTHORIZING NIAGARA COUNTY TO PROVIDE THE NIAGARA FALLS INTERNATIONAL AIRPORT STAKEHOLDERS GROUP, INC. REIMBURSEMENT FUNDS TO COMPLETE NFIA BUSINESS DISTRICT FIBER-OPTIC NETWORK IMPLEMENTATION PLAN

WHEREAS, the Niagara Falls International Airport Stakeholders Group Inc. (NFIASG) received \$250,000 in grant funds to complete the Niagara County Broadband Assessment and Fiber-Optic Network Development Plan for the Niagara Falls International Airport Focus Area in 2015, and

WHEREAS, the NFIASG will seek \$90,000 in grant funding to conduct Phase II of the above-referenced project, the NFIA Business District Fiber-Optic Network Implementation Plan, from the New York Power Authority's (NYPA) Western New York Economic Development Fund, and

WHEREAS, the NFIASG will also seek to use \$90,000 in remaining funds it was awarded by National Grid through their Strategic Economic Development Outreach Program, for completion of the same NFIA Business District Fiber-Optic Network Implementation Plan, and

WHEREAS, the NFIASG will seek to retain the services of Magellan Advisors LLC to complete the NFIA Business District Fiber-Optic Network Implementation Plan at a cost of \$180,000, and

WHEREAS, the National Grid grant is a reimbursement only grant program, as stipulated in the grant agreement executed between National Grid and the NFIASG, whereby funding is reimbursed only upon completion of the project and payment of all project expenses, and

WHEREAS, grant funding through the Western New York Economic Development Fund may be disbursed directly upon encumbrance of project expenses or reimbursed upon payment of project expenses at the sole discretion of the NYPA, which will be stipulated in the grant agreement executed between the NFIASG and NYPA, and

WHEREAS, the NFIASG requires funding to pay for project expenses in advance of receiving reimbursement from grantors and is seeking an amount not to exceed \$180,000 in advanced funding from Niagara County, which would be the maximum amount requested if NYPA requires a reimbursement process for grant proceeds to pay for Phase II work to be completed by Magellan Advisors LLC, now, therefore, be it

RESOLVED, that authorization is hereby granted to provide the NFIASG an amount not to exceed \$180,000 in reimbursement funding, the actual amount of which will be stipulated in an invoice provided by the NFIASG, to pay for Phase II work to be completed by Magellan Advisors LLC, and be it further,

RESOLVED, that the NFIASG agrees to reimburse Niagara County the amount of funding it receives from the County upon the NFIASG receiving grant reimbursement funds from the NYPA and/or National Grid to ensure there is no cost incurred by the County, and be it further

RESOLVED, that the funds to be provided to the NFIASG be taken from and reimbursed to the following budget line:

INCREASE REVENUE:

A.28.8020.000 42189.01	Other Home & Comm Svc Income Activities - Economic Dev	\$180,000 (maximum)
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INCREASE APPROPRIATION:

A.28.8020.000 74500.01	Contractual Expenses	\$180,000 (maximum)
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Moved by Bradt, seconded by Virtuoso.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No.IL-026-16

From: Legislator Richard L. Andres and Economic Development

Dated: May 24, 2016

RESOLUTION IN SUPPORT OF THE RAILROAD MUSEUM OF THE NIAGARA FRONTIER

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

WHEREAS, communities in Niagara County are always looking for ways to attract visitors whose monies are needed to sustain the economy, and it bears noting that the tourism sector is now ranked as the 4th largest employer in New York State, and

WHEREAS, as a component of New York State's \$100 billion tourism industry, history tourism is a vital tool for economic development, serving to draw visitors to historic business districts of our communities, and

WHEREAS, tourism centered on the western terminus of the Erie Canal drew more than 1 million visitors in 2014, with a substantial portion drawn by the canal's role in transportation history, and

WHEREAS, the Niagara Frontier Chapter of the National Railway Historical Society has established the Railroad Museum of the Niagara Frontier at the Erie Railroad freight station in North Tonawanda to convey the rich history of railroads in our area, and

WHEREAS, the Railroad Museum of the Niagara Frontier has sought to establish adequate signage to draw railroad history enthusiasts to their location, but is in need of funds to support that effort, now, therefore, be it

RESOLVED, that Niagara County disburses § 99-h funding as follows:

Niagara Frontier Chapter, National Railway Historical Society	\$3,000.00
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and be it further

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

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$3,000.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund \$3,000.00

Moved by Andres, seconded by Syracuse.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No.IL-027-16

From: Legislator Richard L. Andres and Economic Development

Dated: May 24, 2016

**RESOLUTION IN SUPPORT OF CARNEGIE ART CENTER GALLERY HANGING SYSTEM
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the Carnegie Art Center, has served the Community of North Tonawanda for over 100 years, initially as North Tonawanda's First Library, the Carnegie Library, beginning in 1904 and continuing until 1976, and

WHEREAS, the Carnegie Art Center promotes and encourages the development of the arts through exhibits, events and classes, including Student Spotlight – North Tonawanda City School District's Art Show, and

WHEREAS, funding support, membership and donations are key to the continuation of public access for over 31,000 people each year to the building and the creation of revenue generating programming that will support the future of the organization, and

WHEREAS, the Carnegie Art Center, operated by the Tonawandas' Council on the Arts, is in need of a gallery hanging system to accommodate future showcase world class art exhibits, now, therefore, be it

RESOLVED, that Niagara County Casino Funds help support some of the cost incurred by the purchase of a new gallery hanging system, and be it further

RESOLVED, that Niagara County supports the Carnegie Arts Center as follows:

The Carnegie Arts Center \$3,000.00
and be it further

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

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01 Appropriated Fund Balance - Committed Funds \$3,000.00

INCREASED APPROPRIATION:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund \$3,000.00

Moved by Andres, seconded by Hill.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No.IL-028-16

From: Legislator John Syracuse and Economic Development

Dated: May 24, 2016

**RESOLUTION IN SUPPORT OF THE OLCOTT PIRATE'S FESTIVAL
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the Pirates Festival was established in 1998 by the Olcott Fire Department, and

WHEREAS, the Pirates Festival has been a mainstay in Niagara County's tourism offerings in the Town of Newfane and Eastern Niagara County, increasing the foot traffic in Olcott by nearly 16,000 people during the festival and bringing significant economic impact to the community, and

WHEREAS, the 2016 Pirate's Festival is scheduled to take place from July 8th through July 10th at Krull Park in picturesque Olcott, New York, and

WHEREAS, the festival offers pirate-themed rides, food vendors, music and live entertainment for the whole family to enjoy, and is well known for its premiere events; the Pirate's Parade and the Car Show, and

WHEREAS, this free, family-friendly event brings thousands of visitors to the area and creates a positive benefit for local restaurants, shops and various other business owners and has a positive impact on all of Niagara County in the form of sales tax revenues, and

WHEREAS, funds are being sought to help offset the costs associated with hosting a festival of this magnitude, now, therefore, be it

RESOLVED, that Niagara County supports the economic initiatives of the Pirate's Festival as follows:

Pirate's Festival – Rental Fees \$3,500.00

and be it further

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

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01 Appropriated Fund Balance - Committed Funds \$3,500.00

INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund \$3,500.00

Moved by Syracuse, seconded by Wydysh.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No.IL-029-16

From: Legislator Rebecca J. Wydysh and Economic Development

Dated: May 24, 2016

RESOLUTION IN SUPPORT OF THE HISTORICAL SOCIETY OF "DAS HAUS" NORTH GERMAN SETTLEMENTS THROUGH THE USE OF CASINO FUNDING

WHEREAS, the Historical Society of North German Settlements has maintained the "Das Haus" museum in the community of Bergholz, located in the Town of Wheatfield, and

WHEREAS, the Historical Society of North German Settlements is very excited for the grand opening of the latest building addition, the "EinHaus", and

WHEREAS, the Historical Society has this and other positive things happening at the museum, it has been found they need to re-do all their marketing materials, and

WHEREAS, the partial funding would be of help towards the update of new marketing materials, such as tri-fold brochures, business cards, letterhead, signage and other materials, now, therefore, be it

RESOLVED, that Niagara County Casino Funds help support some of the cost incurred to update marketing materials, and be it further

RESOLVED, that Niagara County supports the Historical Society of North German Settlements as follows:

The Historical Society of North German Settlements	\$2,000.00
and be it further	

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

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$2,000.00
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INCREASED APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$2,000.00
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Moved by Wydysh seconded by Nemi.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No.IL-030-16

From: Legislators Randy R. Bradt, Richard L. Andres, Kathryn L. Lance, David E. Godfrey, Rebecca J. Wydysh and Economic Development

Dated: May 24, 2016

**RESOLUTION IN SUPPORT OF FUNDING NIAGARA ERIE YOUTH SPORTS ASSOCIATION
AED PROVISION THROUGH THE USE OF CASINO FUNDS**

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

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

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

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

WHEREAS, the Niagara Erie Youth Sports Association administers a 16-club, four weight-division youth football league in Niagara and Erie counties, and is responsible for the health and safety of youth athletes aged 6 to 14, as well as spectators and support personnel at NEYSA football games, and

WHEREAS, according to information provided by the American Heart Association, 56% of cardiac-arrest deaths in athletes were attributable to cardiovascular disease, with 82% of those deaths occurring as a result of physical exertion during competition or training, and a National Collegiate Athletic Association study of high

school and college-aged athletes found an incidence of cardiac arrest of 1 per 22,903 athlete participant years, and that the survival rate among children with non-traumatic cardiac arrest is just 7.8%, and

WHEREAS, a Harvard study indicated that utilization of an Automated External Defibrillator (AED) in combination with cardiopulmonary resuscitation increased the survival rate to 23%, and

WHEREAS, adequate safety equipment is essential to the management of youth athletics and to lower liabilities, and

WHEREAS, NEYSA has received a quoted price of \$5,250 to acquire 6 AED devices, now, therefore, be it

RESOLVED, that Niagara County supports youth athletics and specifically wishes to see the Niagara Erie Youth Sports Association's regional football league continue to provide a positive outlet for youth that enhances quality of life for families residing in the Western New York region, and be it further

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

NEYSA AED Acquisition	\$5,250.00
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and be it further

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

INCREASE REVENUE:

A.28.8020.812 40599.02	Appropriated Fund Balance	\$5,250.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.08	Seneca Niagara Monies	\$5,250.00
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Moved by Bradt, seconded by Andres.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No.IL-031-16

From: Legislator and Economic Development

Dated: May 24, 2016

**RESOLUTION IN SUPPORT OF LAKE ONTARIO VFW POST 313
THROUGH THE USE OF CASINO FUNDS**

WHEREAS, the Lake Ontario VFW Post 313 is planning an event on this Memorial Day weekend as a tribute to our armed forces during the Vietnam War, and

WHEREAS, it is important that we never forget the sacrifices made by our United States soldiers in the fight for freedom anywhere in the world, including the loss of their lives, and

WHEREAS, the VFW has partnered with the American Huey 369 Museum Association from Peru, Indiana to bring two Bell UH-1 (Huey) helicopters to the Old Fort Niagara State Park in Youngstown, N.Y. on Memorial Day weekend, May 28 - 29, 2016, and

WHEREAS, the public will be able to actually take a once in a lifetime flight on these helicopters as well as witness a re-enactment of the 25th Infantry Division who served in Vietnam, and

WHEREAS, Niagara County is proud of our servicemen who served and wants to do its part to honor them, now, therefore, be it

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

Lake Ontario VFW Post 313 Helicopter Expenses	\$2,000.00
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and be it further

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

INCREASE REVENUE:

A.28.8020.812 40599.02	Appropriated Fund Balance	\$2,000.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.08	Seneca Niagara Monies	\$2,000.00
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Moved by Burmaster seconded by Hill.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No.IL-032-16

From: Legislators Jason Zona and Economic Development

Dated: May 24, 2016

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

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

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

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

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

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

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

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

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

INCREASE APPROPRIATED FUND BALANCE:

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

INCREASE APPROPRIATIONS:

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

Moved by Zona seconded by Grozio

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No.IL-035-16

From: Legislators Anthony J. Nemi, Wm. Keith McNall, William J. Collins and Economic Development

Dated: May 24, 2016

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

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

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

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

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

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

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

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

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

WHEREAS, the cost to rebuild the home plate and pitcher’s mound, widen the base paths, and laser groom the remainder of the field has been bid at \$17,088.00, and other entities including the City of Lockport Parks

Department and the Lockport Board of Education have committed to partially funding the proposed upgrades, now, therefore, be it

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

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

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

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

INCREASE REVENUE:

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

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$10,000.00
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Moved by Nemi seconded by Collins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No.IL-036-16

From: Legislators Anthony J. Nemi, Wm. Keith McNall, William J. Collins, Michael A. Hill, et al. and
Economic Development

Dated: May 24, 2016

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

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

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

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

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

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

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

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

INCREASE APPROPRIATED FUND BALANCE:

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

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

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

ER.26.7140.000 74000.02	Miscellaneous Fees	\$1,200
ER.26.7140.000 74375.01	Advertising	\$1,100
ER.26.7140.000 74500.01	Contractual	\$2,000
ER.26.7140.000 74675.01	Postage	\$500

Moved by Nemi seconded by Collins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No.IL-037-16

From: Legislator Clyde L. Burmaster

Dated: May 24, 2016

**RESOLUTION IN SUPPORT OF OLD FORT NIAGARA LOG CABIN COOLING SYSTEM
PROJECT THROUGH THE USE OF CASINO FUNDS**

WHEREAS, Old Fort Niagara is one of the oldest historical sites in the Eastern United States and a major tourist attraction, and

WHEREAS, the attraction brings over 100,000 visitors a year to the Niagara Economy, and

WHEREAS, these visitors also patronize many other business which brings jobs and revenue to Niagara County, and

WHEREAS, Niagara County has always been a strong supporter of this great historical venue and supports the improvement which enhances the visitors experience, and

WHEREAS, Niagara County wishes to show its support by contributing \$5,000 toward the Cooling System Project, now, therefore, be it

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

Old Fort Niagara Cooling System Project Expenses	\$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 2016 budget:

INCREASE REVENUE:

A.28.8020.812 40599.02	Appropriated Fund Balance	\$5,000.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.08	Seneca Niagara Monies	\$5,000.00
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Referred to Economic Development Committee

Resolution No.IL-038-16

From: Legislator Rebecca J. Wydysh

Dated: May 24, 2016

**RESOLUTION IN SUPPORT FOR THE TOWN OF WHEATFIELD LIONS CLUB
FIVE SENSES NATURE PARK THROUGH THE USE OF CASINO FUNDS**

WHEREAS, the Town of Wheatfield Lions Club Five Senses Nature Park was established to serve the blind or visually impaired people of Western New York, and

WHEREAS, the Town of Wheatfield Lions Club also has a loan Closet which provides the Niagara Community free use of medical assistant equipment such as wheelchairs, medical beds, walkers, crutches and portable commodes, and

WHEREAS, the Town of Wheatfield Lions Club Five Senses Nature Park and it's building are over 20 years old and in need of updating, which began last year with Niagara County Legislature Casino Funding, and

WHEREAS, the Town of Wheatfield Lions Club wants to continue its policy of providing the free use by youth organizations (Boy Scouts, Girl Scouts, etc.) of the clubhouse, pavilion and 13 acres of grounds, now, therefore, be it

RESOLVED, the Niagara County Legislature wishes to support the Wheatfield Lions Club in their mission of providing the use of Five Senses Nature Park for the blind and visually impaired, providing the people of the Niagara County Community with free use of medical assistant equipment and the use of the clubhouse, by nonprofit Youth Organizations, and be it further

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

The Town of Wheatfield Lions Club Five Senses Nature Park	Repairs and Updates	\$1,500.00
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and be it further

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

INCREASE REVENUE:

A.28.8020.812 40599.02	Appropriated Fund Balance	\$1,500.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.08	Seneca Niagara Monies	\$1,500.00
Referred to Economic Development Committee		

Resolution No.IL-039-16

From: Legislators John Syracuse and William J. Collins

Dated: May 24, 2016

**RESOLUTION IN SUPPORT FOR THE CONTINUATION OF THE PROCESS OF STUDYING THE
FORMATION OF THE NIAGARA COUNTY HEALTHCARE CONSORTIUM**

WHEREAS, the Greater Niagara Orleans County Municipal Health Insurance Consortium Study consists of twenty-six municipal entities throughout Niagara and Orleans Counties; and

WHEREAS, the Consortium's goal is to reduce overall health care costs to municipalities through purchasing health insurance jointly, and

WHEREAS, by consensus vote of the Consortium Ad Hoc Committee comprised of participating municipalities, it was directed that the Town of Somerset as lead agency for the participating members apply for a \$250,000.00 grant from the New York State Department of State to further study the Consortium, and

WHEREAS, the twelve towns in Niagara County, who are all participating members, in this project, each contributed \$417.00 to date towards the cost of the grant writer to pursue the state grant, and

WHEREAS, the Consortium was successful in that the state grant was awarded and the Town of Somerset was designated as the lead agency for administering the grant; and

WHEREAS, as a condition to the Department of State \$250,000.00 grant, the recipient must provide matching funds equal to 10% of the overall grant total, and

WHEREAS, the Town of Somerset, as the lead agency, is responsible for providing the \$25,000.00 in matching funds as required by the New York State Department of State, and

WHEREAS, by consensus vote of the Consortium Ad Hoc Committee comprised of participating municipalities, it was agreed that participating municipalities would equally reimburse the Town of Somerset for the matching funds required to be paid by the Town of Somerset for this grant, and

WHEREAS, at this time and during the grant process, there is no obligation of any municipality to join the Consortium upon its final implementation, and

WHEREAS, in order to completely evaluate the full costs and benefits of a Consortium, it is essential that the grant project continue until its conclusion, and

WHEREAS, the Town of Somerset will seek reimbursement on a quarterly basis from the State for services and expenses rendered under this Grant, in which the State will deduct the matching grant portion, and
WHEREAS, the Town of Somerset will then submit quarterly to each participating municipality a voucher for its portion of the matching grant share, and

WHEREAS, this municipality is one of the entities participating in this project and will continue to benefit from the Consortium study and potential implementation, now, therefore, be it

RESOLVED, that in the spirit of cooperation, this municipal body agrees that the cost of the matching amount borne by the Town of Somerset shall be allocated amongst the final list of participating municipalities in equal shares, with each Niagara County town who contributed towards the cost of the initial grant writer receiving a \$417.00 deduction from this equal share in order to ensure that each entity contributes an identical amount towards this worthy project, and be it further

RESOLVED, this municipal body does hereby authorize payment to reimburse the Town of Somerset in amounts not to exceed 288.50 in quarterly reimbursement over a 2 year period for our share of the grant matching funds for this worthy project, and be it further

RESOLVED, that the final roster of participating entities will be determined by May 31st 2016, and this municipal body recognizes that the aforementioned equal share reimbursements will be adjusted accordingly; pursuant to the number of entities on the final roster.

RESOLVED, that the following budget modification be effectuated

INCREASE APPROPRIATION:

A.13.1430.106 74500.01	Contractual Expense	577
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DECREASE APPROPRIATION:

A.08.1991.000 74500.01	General Government Support	577
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Moved by Syracuse, seconded by Hill, to implement the portion of Rule 15 that pertains to voting on a resolution as opposed to referring it to committee.

Carried.

Moved by Syracuse, seconded by Hill.

Adopted. 12 Ayes, 1 Noes, 2 Absent – Godfrey and Steed

Resolution No. IL-40-16

From: Legislators Rebecca J. Wydysh and Clyde L. Burmaster

Dated: May 26, 2016

**RESOLUTION IN SUPPORT OF THE PEACH FESTIVAL
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the Village of Lewiston is blessed with great natural beauty and its local organizations sponsor a multitude of extremely exciting events which draw thousands of people from all over Western New York, Southern Ontario and beyond, and

WHEREAS, these festival events generate a positive economic impact on the businesses which include first class restaurants and interesting shops, and

WHEREAS, the Peach Festival, which is sponsored by the Lewiston Kiwanis Club, is Niagara County's premier family event which has been held for over 50 years, and

WHEREAS, the Lewiston Kiwanis Club will use the casino funds for marketing the 2016 Peach Festival, now, therefore, be it

RESOLVED, that Niagara County supports the economic initiatives of the Peach Festival as follows:

Peach Festival Marketing and Promotion	\$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 2016 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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Referred to Economic Development Committee

Resolution No. IL-042-16

From: Legislator Rebecca J. Wydysh

Dated: May 24, 2016

**RESOLUTION IN SUPPORT OF THE LEWISTON ART FESTIVAL
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the Village of Lewiston is blessed with great natural beauty and its local organizations sponsor a multitude of extremely exciting events which draw thousands of people from all over Western New York, Southern Ontario and beyond, and

WHEREAS, the Lewiston Art Festival, which is sponsored by the Lewiston Council on the Arts, has become a highlight of the summer season in Niagara County, and

WHEREAS, the Lewiston Art Festival attracts artists and vendors from across the country, and

WHEREAS, the Lewiston Art Festival is an economic driver that supports jobs, generates government revenue and is a cornerstone of local tourism, and

WHEREAS, the Niagara County Legislature casino fund contribution will support the continuous marketing effort of the Lewiston Art Festival by the Lewiston Council on the Arts, now, therefore, be it

RESOLVED, that Niagara County supports this outstanding Art event as follows:

Lewiston Art Festival Marketing	\$1,500.00
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and be it further

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

INCREASE 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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Referred to Economic Development Committee

Resolution No.IL-042-16

From: Legislators Anthony J. Nemi, Wm. Keith McNall and William J. Collins

Dated: May 24, 2016

**RESOLUTION IN SUPPORT OF THE LOCKPORT COMMUNITY MARKET
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, communities in Niagara County are always looking for ways to attract visitors whose monies are needed to sustain the local economy, and

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

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

WHEREAS, the State of Illinois Department of Agriculture stated in analysis of the importance of farmers' and community markets to that state's economy that "Farmers markets serve as integral links between urban, suburban, and rural communities, affording farmers and their consumers the opportunity to interact; the popularity of farmers markets continues to rise, as more and more consumers discover the joys of shopping for unique ingredients sold direct from the farm, and the pleasure of buying familiar products in their freshest possible state," making the presence of farmers' and community markets a critical part of the appeal of municipalities in this county as "bedroom communities" for the local workforce, and

WHEREAS, Millennial Marketing (millennialmarketing.com) in a 2012 article stated that "Millennials believe they consume healthier, more expensive, more natural/organic, less processed and better tasting foods and brands than their parents. They also are more likely than previous generations to be gender neutral when it comes to the role of cooking (61% of females and 60% of males enjoy cooking). They consider food an adventure and seek out different, ethnic and artisan foods (40% like to try new kinds of ethnic cuisines and "anything new and different," compared to 34% and 32% respectively of GenX/Boomers combined)," making access to farmers' and community markets desirable for attracting young workforce entrants to live in Niagara County, and

WHEREAS, the Lockport Community Market, located on Historic Canal Street, will be celebrating its 6th season in 2016, and

WHEREAS, the Lockport Community Market is a wonderful venue for local farmers to sell their fruits and vegetables and to educate the public about the benefits of buying locally grown produce, and

WHEREAS, this season's community market is set to expand by three weeks, and will now run every Saturday from June 8 to October 18, offering fresh produce, butchered meat, and banked goods, as well as free sessions of yoga, music, and activities for the children, just to name a few, and

WHEREAS, the 2015 community market featured 72 vendors from throughout Western New York and drew in excess of 10,000 visitors to downtown Lockport, and anticipates both figures growing again, for the sixth consecutive year, and

WHEREAS, the Lockport Community Market brings people into the City of Lockport each week during the season which benefits many local shops, restaurants and businesses throughout the downtown area, and draws tourists and tourism-derived revenue, which benefits the region as a whole, and

WHEREAS, the 2015 Lockport Community Market expended \$12,195 on costs including advertising, professional market management, printing and signage, entertainment, web design, supplies, and yoga instruction, coming in below the targeted budget, and

WHEREAS, the 2016 Lockport Community Market's proposed budget is \$12,131, now, therefore, be it

RESOLVED, that Niagara County is desirous of promoting economic initiatives, especially in combination with a partner that will bring returns such as sales tax revenues to our citizens as well as visitors, and be it further

RESOLVED, that the Lockport Community Market be funded with monies as follows:

Lockport Community Market	\$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 2016 budget:

INCREASE REVENUE:

A.28.8020.812 40599.02 Appropriated Fund Balance \$5,000.00

INCREASE APPROPRIATION:

A.28.8020.812 74400.08 Seneca Niagara Monies \$5,000.00
Referred to Economic Development Committee

Resolution No.IL-043-16

From: Legislators Dennis F. Virtuoso, Jason A. Zona and Mark J. Grozio

Dated: May 24, 2016

RESOLUTION IN SUPPORT OF HOLDING SOCIAL SERVICES CLIENTS ACCOUNTABLE

WHEREAS, NY CLS Real property law 232 B states that tenants must give a 30 notice upon vacating a premises, and

WHEREAS, the law gives the landlord proper notice to find another tenant, and

WHEREAS, tenants on Social Services Public Assistant in Niagara County are only required to give a 15 day notice to vacate, and

WHEREAS, this 15 day notice is unfair to the property owner and causes undue hardship to the property owner, and

WHEREAS, this 15 day notice violates NY CLS Real Property Law 232B, now, therefore, be it

RESOLVED, that the Niagara County Legislature direct the Commissioner of Social Services to change the policy from a 15 day notice to vacate to a 30 day notice to vacate effective immediately.
Referred to Community Services Committee

Resolution No.IL-044-16

From: Legislators Wm. Keith McNall, Kathryn L. Lance, Randy R. Bradt, et al.

Dated: May 24, 2016

**RESOLUTION ENDORSING NIAGARA COUNTY COMMUNITIES' APPLICATIONS FOR
WESTERN NEW YORK REGIONAL ECONOMIC DEVELOPMENT COUNCIL DOWNTOWN
REVITALIZATION INITIATIVE GRANT APPLICATIONS**

WHEREAS, New York State's Regional Economic Development Councils are each holding a competitive application process for a \$10 million Downtown Revitalization Initiative grant to be awarded to a single community in each region deemed "ripe for development" into "vibrant communities where tomorrow's workforce will want to live, work and raise families," and

WHEREAS, the Western New York Regional Economic Development, of which the Honorable Wm. Keith McNall, chairman of this Legislature, is a member, has issued a Downtown Revitalization Grant application, and

WHEREAS, four Niagara County communities have indicated an intent to move forward with applications for the Western New York Regional Economic Development Council's Downtown Revitalization Initiative, and

WHEREAS, the applications submitted by Niagara County communities are synopsized by those respective communities' economic development agencies as follows:

City of Lockport: The City of Lockport's Downtown Revitalization Initiative builds upon the recent economic development successes in downtown Lockport, such as progress at Harrison Place, the continued restoration of the Flight of Five locks, and the construction of Cornerstone CFCU Arena. The nomination request highlights the potential for an even greater impact on Lockport, Niagara County, and throughout the Western New York region by enhancing existing assets in the City's downtown, like The Historic Palace Theatre and vacant and under-utilized mixed-use properties;

City of Niagara Falls: The City of Niagara Falls is targeting the area north of Niagara Street to create a vibrant, year-round downtown district. Major projects like the Seneca Niagara Casino, expansion of Niagara Falls Memorial Medical Center, NCCC's Culinary Institute, construction/renovation/expansion of new hotels have been completed in recent years resulting in creation of new jobs. This trend will only continue as there are other projects in the pipeline to continue the diversification of the Niagara Falls economy. Projects like Housing Visions and the Market Rate Rental Rehabilitation program have begun to create an attractive livable community for diverse populations. The city's 2009 Master Plan has laid a framework of policies that will allow Niagara Falls to integrate continued growth through the DRI;

City of North Tonawanda: The City of North Tonawanda's nomination for the Downtown Revitalization Initiative, known as the NT Momentum project, is the culmination of ten years of comprehensive planning focused on North Tonawanda's historic downtown. This initiative will catalyze development in North Tonawanda along the Niagara River and Erie Canal waterfronts anchored by a historic downtown filled with culture, arts, recreation, tourism, and a great atmosphere in which to live and work. Focused on leveraging strong local assets, this project will bring new investment to North Tonawanda and spark resurgence in downtown. The Downtown Revitalization Initiative is the opportunity to implement the NT Momentum project and bring the communities downtown redevelopment vision to reality;

Transit North: The Transit North – Historic Canalway Corridor Downtown Revitalization Project brings together three Niagara County communities, the Towns of Lockport and Pendleton and the City Lockport, who are seeking to revitalize the six-mile Transit North corridor which commences at Tonawanda Creek Road and terminates at the intersection of Main and Washburn Streets in the City of Lockport, and has average daily traffic counts of 29,250. The historic-themed retail shopping district will not only lead to the development of a gateway that creates a sense of arrival and a place worth remembering, but will also help drive business back onto Main Street in the City of Lockport, and

WHEREAS, it is the judgment of the Niagara County Center for Economic Development that these applications are of similar weight and value, and are in line with the vision for development set forth in the Niagara County Comprehensive Plan, and

WHEREAS, this Legislature is prepared to support implementation efforts by any Niagara County community awarded the Downtown Revitalization Initiative grant, now, therefore, be it

RESOLVED, that the Legislature of the County of Niagara does hereby endorse the Downtown Revitalization Initiative grant applications of the City of Lockport, the City of Niagara Falls, the City of North Tonawanda, and the Transit North consortium, and be it further

RESOLVED, that the Legislature of the County of Niagara does hereby direct Commissioner Sam Ferraro and the Center for Economic Development to provide any assistance or information sought by the Western New York Regional Economic Development Council in its efforts to evaluate the strengths of the applications from the four Niagara County communities, and be it further

RESOLVED, that the Legislature of the County of Niagara does hereby direct Commissioner Sam Ferraro and the Center for Economic Development to provide full assistance to any Niagara County community that should be awarded the DRI funding as it implements the project outlined in its application, and be it further

RESOLVED, that this Legislature directs that individual copies of this Resolution be sent to all representatives seated on the Western New York Regional Economic Development Council, namely Satish K. Tripathi, Jeff Belt, Crystal Abers, Aaron Bartley, Robert T. Brady, Deanna Alterio Brennen, Byron W. Brown, Paul Brown, Curtis Crandall, Michael Cropp, Colleen C. DiPirro, Paul A. Dyster, Dr. Charles Edmondson, Vince Horrigan, Virginia Horvath, Dottie Gallagher-Cohen, Dr. Rosa Gonzalez, Pamela R. Henderson, John R. Koelmel, Thomas A. Kucharski, Brenda W. McDuffie, Wm. Keith McNall, Michael Metzger, Jennifer J. Parker, Mark Poloncarz, Senator Michael H. Ranzenhofer, Member of the Assembly Robin Schimming, Samuel Teresi, and Melinda Vizcarra, and Empire State Development Corp. Western New York Regional Director Christopher Schoepflin, as well as representatives of the four Niagara County municipal economic development agencies submitting applications.

Moved by Lance seconded by Bradt.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Godfrey and Steed

Resolution No.IL-045-16

From: Legislator Anthony J. Nemi

Dated: May 24, 2016

RESOLUTION IN SUPPORT OF 2016 COMMUNITY FUNDING FOR PENDLETON ORGANIZATIONS

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

WHEREAS, The Town of Pendleton is blessed with various not-for-profit organizations that promotes civil engagement and community pride, and

WHEREAS, These organizations play an important role throughout the community by teaching and promoting good citizenship, honoring veterans, helping seniors, preserving history, promoting local business, and

WHEREAS, The Pendleton Lions Club would like to purchase and donate a child handicap playground equipment for Pendleton Town Park, and

WHEREAS, The Pendleton Food Pantry would like to purchase additional food stock for their yearly family in need distribution, and

WHEREAS, The Pendleton Business & Community Association would sponsor and promote its annual Community Faire & Business Expo, and

WHEREAS, The Pendleton Veterans, would like to build a permanent monument to honor all veterans, and

WHEREAS, The Pendleton Historical Society would like to improve their exhibit area for visitors and school children, and

WHEREAS, The Pendleton Seniors and Wendelville Seniors would like improve and expand their monthly programs to include wellness and fitness instructions, and

WHEREAS, Niagara County is interested in supporting efforts of community service, promoting local business, and create a sense of pride throughout the community, now, therefore, be it

RESOLVED, that Niagara County supports the following Pendleton organizations as follows:

Pendleton Food Pantry	\$500.00
Pendleton Community & Business Assoc.	\$1,000.00
Pendleton Lions Club	\$2,500.00
Pendleton Veterans	\$500.00
Pendleton Historical Society	\$1,000.00
Pendleton Seniors	\$500.00
Wendelville Seniors	\$500.00

And be it further

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

INCREASE APPROPRIATIONS FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance – Committed Funds	\$6,500.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$6,500.00
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Referred to Economic Development Committee

Resolution No.IL-046-16

From: Legislators Richard L. Andres, Randy R. Bradt and Kathryn L. Lance

Dated: May 24, 2016

**RESOLUTION IN SUPPORT OF THE ACTIVE HOSE FIRE COMPANY #2
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, The Active Hose Fire Company #2 was established in 1894 to serve the community and residents of North Tonawanda, New York, and

WHEREAS, The Active Hose Fire Company #2 is a volunteer fire company with 150 members that are committed to improving the lives of North Tonawanda's both through the fire service, as well as, many other community service efforts, and

WHEREAS, "Flicks in the Park" is The Active Hose Fire Company's community service event and will blend community and fire education where families will be invited to enjoy a full length feature film at a park in the city and will also learn about fire safety and have the opportunity to tour fire trucks and see fire safety demonstrations, and

WHEREAS, "Flicks in the Park" is just one more example of how The Active Hose Fire Company #2 reaches out to the children and families in the community to education them about proper fire safety and survival techniques, and

WHEREAS, Niagara County encourages programs such as "Flicks in the Park" which promote public safety, now, therefore, be it

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

The Active Hose Fire Company #2 – "Flicks in the Park"	\$2,900.00
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and be it further

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

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01	Appropriated Fund Balance - Committed Funds	\$2,900.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$2,900.00
Referred to Economic Development		

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

The Chairman declared the Board adjourned at 9:14 p.m., subject to the call of the Clerk.

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


Mary Jo Tamburlin, Clerk