



**AGENDA**  
**NIAGARA COUNTY LEGISLATURE**  
**AUGUST 1, 2017 – 7:00 P.M.**

1. CALL TO ORDER
2. CLERK CALLS THE ROLL
3. PRAYER & PLEDGE
4. CORRESPONDENCE/ RECOGNITION:
5. PRESENTATIONS:
6. PUBLIC SPEAKERS: Clerk will read the names on the sheet for Public Speakers on Agenda items.
7. RECESS
8. RESOLUTIONS
9. COUNTY MANAGER
10. APPOINTMENTS
11. EXECUTIVE SESSION
12. ADJOURNMENT
13. PUBLIC SPEAKERS: Clerk will read names on the sheet for Public Speakers for the General Welfare of the County

Mary Jo Tamburlin, Clerk  
Niagara County Legislature

**The next meeting of the Legislature will be held on September 19, 2017.**



**AGENDA**  
**NIAGARA COUNTY LEGISLATURE**  
**August 1, 2017      –      7:00 P.M.**

**Tabled on 7/12/17:**

Appointment of the NCCC Board of Trustees effective until June 30<sup>th</sup>, 2024

**Resolutions not on previous agenda:**

- CSS-033-17** Community Safety & Security, re Resolution Directing Compensatory Restructuring and Reform for Office of County Coroners.
- IF-100-17** Infrastructure & Facilities, re Award Consultant Services – Bear Ridge Road Bridge over Tributary of Tonawanda Creek
- IF-101-17** Infrastructure & Facilities, re Award of Contract – Youngstown Rd. Slope Stabilization Project
- IF-102-17** Infrastructure & Facilities, re Abolish/Create Position in Public Works
- IF-103-17** Infrastructure & Facilities, re Inter-Municipal Agreement between Niagara County and the City of Niagara Falls to Improve Trott Access Center for Northpointe
- IF-104-17** Infrastructure & Facilities, re Amendment to the Lease Agreement with Niagara Falls City School District for Land Located at 1170 Elmwood Avenue, Niagara Falls, NY
- IL-069-17** Legislators Randy R. Bradt, Wm. Keith McNall, et al., re Resolution Calling on Governor Cuomo to Immediately Convene a Special Session of the New York State Assembly and if Necessary the New York State Senate and to keep said Body in Session until such time as it takes up and passes Home Rule Message for all 53 Counties Reliant upon Sales Tax Extenders to fund the State Imposed Medicaid Burden

**Regular Meeting – August 1, 2017**

- \*AD-012-17** Administration, re Capital Project Close Outs – Treasurer
- \*AD-013-17** Administration, re Claim Settlement Coverage – Treasurer
- \*AD-014-17** Administration, re Resolution for Modification of Niagara County Insurance Requirements – Risk Management

- \*AD-015-17** Administration, re Election Inspection and Machine Custodian Payment Schedule – Board of Elections
- \*CS-030-17** Community Services and Administration, re Mental Health Department – A4310 Abolish & Create Position Confidential Assistant – Director of Community Mental Health
- \*CS-031-17** Community Services and Administration, re Niagara County Youth Bureau – New York State Aid Application – DSS
- \*CS-032-17** Community Services and Administration, re Budget Modification – Healthy Families New York Program - DSS
- \*CS-033-17** Community Services and Administration, re Budget Modification – Flexible Fund for Family Services - DSS
- \*CS-034-17** Community Services and Administration, re Budget Modification – Child Fatality Review Team Initiative - DSS
- \*CS-035-17** Community Services and Administration, re Abolish E&T Counselor/Create & Fill E&T Assistant Position – Employment & Training
- \*CSS-034-17** Community Safety & Security and Administration, re District Attorney Budget Modification – Use of Assets Forfeiture Funds
- \*CSS-035-17** Community Safety & Security and Administration, re Create and Fill Part Time Position District Attorney's Office
- \*CSS-036-17** Community Safety & Security and Administration, re Niagara County Sheriff's Office Accept Aid to Crime Laboratories Grant 2017-2018 - Sheriff
- \*CSS-037-17** Community Safety & Security and Administration, re Niagara County Sheriff's Office Accept Traffic Safety Grant – Sheriff
- \*CSS-038-17** Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification – STOP-DWI Foundation Grant - Sheriff
- \*CSS-039-17** Community Safety & Security and Administration, re Niagara County Sheriff's Office Emergency Response Team Memorandum of Understanding – Sheriff
- CSS-040-17** Community Safety & Security and Administration, re Resolution to Approve an Intermunicipal Agreement Between Niagara County and the City of North Tonawanda for Additional Police Dispatchers – Sheriff
- CW-005-17** Committee of the Whole, re Imposition of Additional one Percent (1%) Sales and Use Tax Pursuant to Article 29 of the Tax Law of the State of New York and Chapter 60 of Laws of 2017
- \*ED-013-17** Economic Development and Administration, re Approval of Low Cost Power Benefit to Edwards Vacuum, Inc. Under the Agreement for the Sale & Purchase of Niagara Project Power & Energy (ASPNPPE)



- \*ED-014-17** Economic Development and Administration, re Budget Modification – To Cover Empower Niagara Allocations to Edward Vacuum, Inc.
- \*ED-015-17** Economic Development and Administration, re Approval of Low Cost Power Benefit to Lockport Ice Area and Sports Center, Inc. Under the Agreement for the Sale & Purchase of Niagara Project Power & Energy (ASPNPPE)
- \*ED-016-17** Economic Development and Administration, re Budget Modification – To Cover Empower Niagara Allocations to Lockport Ice Arena & Sports Center, Inc.
- \*ED-017-17** Economic Development and Administration, re Approval of Low Cost Power Benefit to Russell Farms #2 Under the Agreement for the Sale & Purchase of Niagara Project Power & Energy (ASPNPPE)
- \*ED-018-17** Economic Development and Administration, re Budget Modification-To Cover Empower Niagara Allocation to Russell Farms, Inc.
- \*IF-105-17** Infrastructure & Facilities, re Tenth Amendment to Contract between Niagara County Refuse Site Trust and Parsons Environment & Infrastructure Group Inc. for Project Management Services at the Niagara County Refuse Site
- \*IF-106-17** Infrastructure & Facilities and Administration, re Trott Steps and Handicapped Accessibility Ramp Change Order No. 1
- \*IF-107-17** Infrastructure & Facilities and Administration, re Bridge Wearing Courses and Joint Replacements Change Order No. 2
- \*IF-108-17** Infrastructure & Facilities and Administration, re Building Renovations Capital Project Budget Modification
- \*IF-109-17** Infrastructure & Facilities and Administration, re Upgrade of Fire /Security Panels Change Order No. 1
- \*IF-110-17** Infrastructure & Facilities and Administration, re Abolish Groundskeeper Create and Fill Groundskeeper II
- \*IF-111-17** Infrastructure & Facilities and Administration, re Agreement between the County of Niagara and the Niagara County Snowmobile Federation of Snowmobile Clubs
- \*IF-112-17** Infrastructure & Facilities and Administration, re Create and Fill Temporary Truck Driver Position
- IL-063-17** Legislator Michael A. Hill and Economic Development, re Resolution in Support of Gasport Boy Scout Troop 18 through the use of Casino Funding
- IL-064-17** Legislator Michael A. Hill and Economic Development, re Resolution in Support of Middleport Boy Scout Troop 23 through the use of Casino Funding
- IL-065-17** Legislator John Syracuse and Economic Development, re Resolution in Support of the Niagara Celtic Festival through the use of Casino Funding



- IL-066-17** Legislators Rebecca J. Wydysh, Kathryn L. Lance and David E. Godfrey and Economic Development, re Resolution in Support of the Frontier Volunteer Fire Co. / St. Johnsburg Fire Company Inc. through the use of Casino Funding
- IL-070-17** Legislator David E. Godfrey, re Resolution in Support of Funding Cambia Summer Recreation Program through the use of Casino Funding
- IL-071-17** Legislator David E. Godfrey, re Resolution in Support of Wilson Harbor Revitalization and Repair through the use of Casino Funding
- IL-072-17** Legislator David E. Godfrey, re Resolution in Support of Wheatfield Veterans' Memorial Park through the use of Casino Funding
- IL-073-17** Legislators David E. Godfrey and John Syracuse, re Resolution Regarding Article 10 Process and Comprehensive review of the Apex Clean Energy Project
- IL-074-17** Legislator John Syracuse, re Resolution In Support Of the Newfane Sports Boosters Through The Use Of Casino Funding
- IL-075-17** Legislators Dennis F. Virtuoso, Jason A. Zona, Owen T. Steed and Mark J. Grozio, re Resolution Asking NYS to Amend Social Services Law Section 143-b
- IL-076-17** Legislators Wm. Keith McNall and William J. Collins, re Resolution in Support of Funding the Lake Ontario Trout and Salmon Association Purchase of Automation Equipment for Fish Stocking Programs



Mary Jo Tamburlin, Clerk  
Niagara County Legislature

**\* Indicates Preferred Agenda items**

Attachments for resolutions may be obtained in the office of the Clerk of the Legislature upon request.

**The next meeting of the Legislature will be held on September 19, 2017.**

# NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee

DATE: 08/01/17

RESOLUTION # AD-012-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

## CAPITAL PROJECT CLOSE OUTS

WHEREAS, several capital projects have been completed and require legislative action to close, and

WHEREAS, the Treasurer's Office, Public Works Department, and the Sheriff's Office have reviewed all capital projects to be closed and have determined that account balances, where applicable, should be transferred to an existing capital project within the same asset class, now, therefore, be it

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

### INCREASE ESTIMATED REVENUES:

H637.01.1480.000 45031.00	Interfund Transfer from General Fund	\$12,206.24
H484.09.1355.000 45031.01	Transfer from Capital Reserve	6,463.29
H558.15.5112.000 43501.00	Consolidated Highway Aid	201,200.08
H613.15.5112.000 45710.02	Serial Bonds 2002	242,044.85

### INCREASE APPROPRIATIONS:

H637.01.1480.000 74500.01	Website Improvements	\$12,206.24
A.07.9950.000 79010.00	Transfer to Capital Projects	12,206.24
H613.15.5112.000 72600.01	West Somerset Road	242,044.85

### DECREASE ESTIMATED REVENUES:

H484.09.1355.000 43097.00	State Aid, Capital Projects	\$75,000.00
H496.15.1620.000 45710.06	Serial Bonds 2006	289.60
H533.15.5197.000 43591.00	State Aid Capital Const. Highway	16,469.00
H533.15.5197.000 44597.01	Transportation, Capital Projects Fed Aid	331,169.74
H533.15.5197.000 45031.10	Transfer from Capital Reserve	117,000.00
H533.15.5197.000 45710.06	Serial Bonds 2006	507,462.82
H558.15.5112.000 45031.00	Interfund Transfer from County Road Fund	34,000.00
H558.15.5112.000 45710.02	Serial Bonds 2002	242,044.85
H558.15.5112.000 45710.13	Serial Bonds 2013	\$1,577,258.00
H572.17.3197.000 45031.10	Transfer from Capital Reserve	15.26
H573.17.3197.000 45031.10	Transfer from Capital Reserve	52.06
H574.15.5112.000 45710.11	Serial Bonds 2011	45.42
H576.15.1620.000 45710.05	Serial Bonds 2005	4,043.65
H586.17.3197.000 45031.10	Transfer from Capital Reserve	344.13
H592.15.3150.000 45031.00	Interfund Transfer from General Fund	2,797.18
H592.15.3150.000 45710.13	Serial Bonds 2013	2,147.32



H593.15.5197.000 45730.12	Serial Bonds 2012	\$69,848.52
H608.17.3197.000 45031.10	Transfer from Capital Reserve	454.78
H619.17.3197.000 45031.00	Interfund Transfer – NYPA	48.00

## DECREASE APPROPRIATIONS:

H484.09.1355.000 72100.26	2006 GIS System	\$68,536.71
H496.15.1620.000 72200.00	Building Improvements 2006	289.60
H533.15.5197.000 72600.02	Ewings Road Bridge	972,101.56
H558.15.5112.000 72600.01	Stone Road 2010	1,652,102.77
H572.17.3197.000 72200.01	Jail Visitation Area	15.26
H573.17.3197.000 72100.14	Jail Equipment Replacement 2011	52.06
H574.15.5112.000 72600.01	Highway Maintenance Initiative 2011	45.42
H576.15.1620.000 72200.01	HVAC Capital Improvement Project	4,043.65
H586.17.3197.000 72100.14	Jail Equipment Replacement 2012	344.13
H592.15.3150.000 72200.00	Jail Elevator Replacement	4,944.50
H593.15.5197.000 72100.10	Highway Heavy Equipment 2012	69,848.52
H608.17.3197.000 72100.10	Jail Equipment Replacement 2014	41.14
H608.17.3197.000 72100.26	Jail Equipment Replacement 2014	400.00
H608.17.3197.000 72200.01	Jail Equipment Replacement 2014	13.64
H619.17.3197.000 72200.01	Jail Boiler Replacement Building 2	48.00
A.01.1480.000 74500.01	Contractual Expenses	12,206.24

and be it further

RESOLVED, that the following Capital Projects be closed:

- H484 2006 GIS System
- H496 Building Improvements 2006
- H533 Ewings Road Bridge
- H540 Financial Management System
- H558 Stone Road
- H562 Parks Improvements/Equipment 2010
- H572 Jail Visitation Area
- H573 Jail Equipment Replacement 2011
- H574 Highway Maintenance Initiative 2011
- H576 HVAC Capital Improvement Project
- H584 Park Facilities Improvements
- H586 Jail Equipment Replacement 2012
- H587 Fire Tower Improvements
- H588 Highway Maintenance Initiative 2012
- H590 Rail Improvement Project
- H598 Pictometry
- H592 Jail Elevator Replacement
- H593 Highway Heavy Equipment 2012
- H602 NCCC Salt Shed
- H603 Lockport Road Bridge over Bull Creek
- H606 Highway Heavy Equipment
- H608 Jail Equipment/Vehicle Replacement 2014



H612 Highway Maintenance Initiative 2014  
H614 Upper Mountain Road Rehabilitation  
H617 NCCC Culinary Institute Façade  
H619 Jail Boiler Replacement Building #2  
H622 Building Assessments 2015  
H628 Park Facilities Improvements/Equipment 2015  
H629 Highway Maintenance Initiative 2015

and be it further

RESOLVED, that the cash balances for these accounts in the amount of \$2,309,343.45 is to be returned to the original funding sources as follows:

Capital Reserve:	\$ 111,402.94
Debt Reserve	2,161,095.33
Committed Fund Balance NYPA	48.00
General Fund Operating	2,797.18
County Road Fund Operating	34,000.00

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 08/01/17 RESOLUTION # AD-013-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**CLAIM SETTLEMENT COVERAGE**

WHEREAS, the County of Niagara self-insures its general liability coverage, and

WHEREAS, such loss fund is fully funded and separate from the General fund, and

WHEREAS, on October 22, 2015, Mary Annalora and her late husband, were involved in a fatal motor vehicle accident with a patrol car operated by a Niagara County Deputy Sheriff, and

WHEREAS, this County Legislature previously approved a settlement in the case of Mary A. Annalora, individually and as executrix of the Estate of Grant T. Annalora vs. County of Niagara via resolution CW-004-17, and

WHEREAS, the County Treasurer assigned fund balance within the General fund at the end of the prior fiscal year to be used for this purpose, and

WHEREAS, the cash available in the General Insurance fund is not sufficient to cover the full amount of this settlement, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, directed to transfer funds from the General fund assigned fund balance to the Property and Casualty Insurance Reserve, and be it further,

RESOLVED, that the following budget modification be effectuated:

INCREASE APPROPRIATED FUND BALANCE:

A 40599.00	Appropriated Fund Balance	\$2,750,000.00
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INCREASE APPROPRIATIONS:

A.07.9901.000 79010.00	Interfund Transfer - to P&C Insurance Reserve	\$2,750,000.00
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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee

DATE: 08/01/17

RESOLUTION # AD-014-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**RESOLUTION FOR MODIFICATION OF  
NIAGARA COUNTY INSURANCE REQUIREMENTS**

WHEREAS, by Resolution AD-010-04, the Niagara County Legislature formally adopted minimum insurance limits and certificate requirements, to be reviewed and retained by the Niagara County Office of Risk and Insurance Services, and

WHEREAS, the limits and requirements set were necessarily general in nature for formal contracts and bids, and did not pertain to specific business of the County, the function of its departments, or services provided to the public, and

WHEREAS, to list every possible function, event or situation requiring insurance and the attendant risk of said function, event or situation would be impossible, and

WHEREAS, the general limits set and certification requirements may, in some instances, have the undesired effect of limiting the County's ability to do business or serve the public, and

WHEREAS, the Office of Risk and Insurance Services and its Director are charged with the administration of the County's insurance function and, working with the County Manager and County Attorney, the obligation to measure and avoid or mitigate the County's exposure to risk, now, therefore, be it

RESOLVED, that Resolutions AD-010-04 and AD-010-05 be further amended to contain the insurance types, limits, and certification requirements set forth in the attached documents for nine (9) main categories: Construction, Contracted (standard), Contracted Plus (maintenance and repair/trade contractors), Professional, Programmatic Services, Livery, Concessionaires, Use of Facilities or Grounds, and Properties Leased to Others, with additional limits for pollution, asbestos, and cyber liability and revising cancellation clause notice to be given in accordance with policy provisions, and be it further

RESOLVED, that the County Manager, with County Attorney approval, continue to be given discretion to allow exceptions to the minimum limits or certification requirements where circumstances and the level of risk allow, upon recommendation of the Office of Risk and Insurance Services, through its Director, in the professional judgement and insurance knowledge of the office and its consultants or agents.

ADMINISTRATION COMMITTEE



# NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee

DATE: 08/01/17

RESOLUTION # AD-015-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

## ELECTION INSPECTION AND MACHINE CUSTODIAN PAYMENT SCHEDULE

WHEREAS, pursuant to NYS Election Law, machine custodians, election inspectors, poll clerks, election coordinators and qualified voters appointed to act in place of an absent inspector shall be paid for their services on the days of registration, training and election, by Niagara County for the election district in which they serve, and

WHEREAS, those amounts to be paid to machine custodians, election inspectors, poll clerks, election coordinators and alternate inspectors are to be authorized by the Niagara County Legislature, now; therefore, be it

RESOLVED, effective immediately that the County of Niagara hereby adopts the following schedule for payment of machine custodians and election inspector services:

Primary Election	\$115.00
General Election and Special Election	\$210.00
Election District Chairman	\$30.00
Election District Runner	\$10.00
Annual Training	\$25.00
Machine Class	\$25.00
Machine Custodian Primary Election	\$50.00 per machine, with at least a minimum of \$115.00
Machine Custodian General Election	\$50.00 per machine, with at least a minimum of \$210.00
Machine Custodian Training	\$50.00 for a full day and \$25.00 for a half day
Machine Custodian Mileage	Mileage reimbursement at the current county rate

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee and      DATE: 08/01/17      RESOLUTION # CS-030-17  
Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CS - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**MENTAL HEALTH DEPARTMENT – A4310**

**ABOLISH & CREATE POSITION**

**CONFIDENTIAL ASSISTANT-DIRECTOR OF COMMUNITY MENTAL HEALTH**

WHEREAS, The Department of Mental Health is obligated to provide efficient oversight of County and State mandates related to employee credentials to be able to provide and bill for services and continued qualifying status of department employees, and

WHEREAS, the department is mandated to gather, evaluate and monitor, confidential information related to the New York State Office of Medicaid Inspector General (OMIG), the New York Justice Center and the NYS Education Department, and

WHEREAS, the department is required by statute to have a Corporate Compliance Officer who is required to maintain a Compliance program, evaluate new rules and regulations re: compliance, coordinate and conduct training on Corporate Compliance, and investigate alleged violations of compliance, and

WHEREAS, having a CSEA member conduct these functions creates a potential for a conflict of interest, and

WHEREAS, many services are provided by contract agencies with mandated contracting, reporting and oversight by the Niagara County Department of Mental Health, through this position and function, and

WHEREAS, there has been a consistent increase in the volume of oversight responsibilities for the department including confidential reporting to the director, financial staff and other county offices, and

WHEREAS, the nature of department operations and services being managed through contract agencies have greater rules and regulations that drive increased confidential oversight and reporting, and

WHEREAS, Niagara County Department of Mental Health recognizes the need for greater confidentiality internally and with contract agencies, both fiscally and programmatically, and

WHEREAS, these changes in service operation and oversight are consistent with the Department of Mental Health's long range transition plan including the transition of some responsibilities of the Deputy Director in 2018, and

WHEREAS, this action has been reviewed and approved by the Human Resources Department, the County Manager, and the CSEA Union, and

WHEREAS, there will be a cost savings in 2017, now, therefore, be it

RESOLVED, that one currently vacant position of Administrative Assistant, Job Group 10, position number MHD30100.00777, salary range \$42,933.80-\$50,377.60 be abolished effective August 7, 2017, and be it further

RESOLVED, that one position of Confidential Assistant – Director of Community Mental Health Services NUH Job Group 6, position number MHD300100.XXXXX, salary range \$41,932.80 – \$51,779.00, be created and filled effective August 7, 2017, and be it further

RESOLVED, the following 2017 budget transfer be effectuated:

DECREASE REVENUE:

A.21.4310.000.43490.01	Mental Health Program (LGU)	\$ 2,984
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INCREASE APPROPRIATION:

A.21.4310.000.71010.00xxxxx	Confidential Assistant	\$ 17,728
A.21.4310.000.78100.00	Retirement Expense	1,649
A.21.4310.000.78200.00	FICA	1,356
A.21.4310.000.78300.00	Worker's Comp	239
A.21.4310.000.78400.01	Insurance, Health Active Hospital/Med	3,203
A.21.4310.000.78400.05	Insurance HRS Employer Contribution	850
A.21.4310.000.78800.00	Flex 125 Employer Contribution Expense	356

DECREASE APPROPRIATION:

A.21.4310.000.71010.0000777	Administrative Assistant	\$ 20,345
A.21.4310.000.78100.00	Retirement Expense	1,892
A.21.4310.000.78200.00	FICA	1,556
A.21.4310.000.78300.00	Worker's Comp	275
A.21.4310.000.78400.01	Insurance, Health Active Hospital/Med	4,271
A.21.4310.000.78700.00	NYS Disability Expense	26

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COMMUNITY SERVICES COMMITTEE

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ADMINISTRATION COMMITTEE



NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee  
and Administration Committee

DATE: 08/01/17

RESOLUTION # CS-031-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CS - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

**NIAGARA COUNTY YOUTH BUREAU – NEW YORK STATE AID APPLICATION**

WHEREAS, the County of Niagara has been designated as eligible to receive state aid for 2017 youth programs through its Youth Bureau from the New York State Office of Children and Family Services in the amount of \$361,293, and

WHEREAS, the Comprehensive Planning Law mandates the Niagara County Youth Bureau must apply for such funds, 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 Director of the County Youth Bureau be, and hereby is, authorized to make application for the following program funds:

Youth Development Program	255,734
Runaway and Homeless Youth	105,559
<b>TOTAL</b>	<b>\$361,293</b>

and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute any and all documents relating to the application, subject to the review by the County Manager and the approval of the County Attorney.

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COMMUNITY SERVICES COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee and DATE: 08/01/17 RESOLUTION # CS-032-17  
Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CS - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

**BUDGET MODIFICATION  
HEALTHY FAMILIES NEW YORK PROGRAM**

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

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

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

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

RESOLVED, that the following budget modification be effectuated to the Social Services 2017 budget:

INCREASE REVENUE:

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

INCREASE APPROPRIATION:

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

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COMMUNITY SERVICES COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee and DATE: 08/01/17 RESOLUTION # CS-033-17  
Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CS - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

**BUDGET MODIFICATION  
FLEXIBLE FUND FOR FAMILY SERVICES**

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

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

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

RESOLVED, that the following budget modification be effectuated to the Social Services 2017 budget:

INCREASE REVENUE:

A.22.6010.000 44610.00 DSS Admin Revenue \$135,000

INCREASE APPROPRIATION:

A.22.6010.000 74500.01 Contractual Exp-Contractual \$135,000

\_\_\_\_\_  
COMMUNITY SERVICES COMMITTEE

\_\_\_\_\_  
ADMINISTRATION COMMITTEE



# NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee and DATE: 08/01/17 RESOLUTION # CS-034-17  
Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CS - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

## BUDGET MODIFICATION CHILD FATALITY REVIEW TEAM INITIATIVE

WHEREAS, the New York State Office Of Children & Family Services (OCFS), in conjunction with the New York State Department of Health (DOH), did make state-wide funds available for the provision and expansion of Child Fatality Review Teams (CFRT's), whose responsibility it is to review the death of any child whose care and custody or custody and guardianship has been transferred to an authorized agency, and

WHEREAS, demographic analysis have revealed that many children and families who are involved with the child welfare and juvenile justice systems in New York State are disproportionately black and latino, and many are poor, and

WHEREAS, resources have been made available for the assessment of relevant data, identification of affected communities across the state, and the identification of evidence based and/or best practice strategies which can be replicated in New York State, and

WHEREAS, Niagara County did receive a renewed allocation of \$51,706, which is 100% state funded, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services will continue to contract with Niagara Falls Memorial Medical Center - Child Advocacy Center to provide services to our most vulnerable children and families, and to implement activities in accordance with the CFRT Initiative, and be it further

RESOLVED, that the following budget modification be effectuated to the Social Services 2017 budget:

### INCREASE REVENUE:

A.22.6010.000 43610.01 DSS Admin General \$51,706

### INCREASE APPROPRIATION:

A.22.6010.000 74500.01 Contractual Exp-Contractual \$51,706

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee and  
and Administration Committee

DATE: 08/01/17

RESOLUTION # CS-035-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CS - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**ABOLISH E&T COUNSELOR/CREATE & FILL E&T TRAINING ASSISTANT POSITION  
EMPLOYMENT & TRAINING**

WHEREAS, the duties of Employment & Training Counselor do not meet the present needs of Employment & Training, and

WHEREAS, the duties of Employment & Training Assistant represent the duties necessary for the daily operations of Employment & Training, and

WHEREAS, the flexibility and scope of duties of Employment & Training Assistant better serves Employment & Training needs, and

WHEREAS, the change reflects no increase to the County, now, therefore, be it

RESOLVED, that effective August 1, 2017 Employment & Training Counselor (Position #1434), CSEA Job Grade 9 at \$46,701 per year be abolished, and be it further

RESOLVED, that effective August 1, 2017 the position of Employment & Training Assistant, CSEA Job Grade 8, Step 1 at \$36,691 be created and filled.

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COMMUNITY SERVICES COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee DATE: 08/01/17 RESOLUTION # CSS-034-17  
and Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CSS - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

**DISTRICT ATTORNEY BUDGET MODIFICATION  
USE OF ASSETS FORFEITURE FUNDS**

WHEREAS, the Niagara County District Attorney's Office maintains its Local Asset Forfeiture Trust Account for the prosecution and reduction of targeted crimes, and

WHEREAS, the use of locally forfeited funds is restricted by the New York State Department of Criminal Justice Services to the enhancement of the prosecution of crimes and can also be used to supplement, but not supplant current resources, and

WHEREAS, the Niagara County District Attorney's Office will allocate \$61,362.78 for the purchase of license plate readers and cameras for local law enforcement agencies, and

WHEREAS, this is an allowable use under the guidelines, now, therefore, be it

RESOLVED, that the Niagara County Treasurer's Office is hereby authorized to disburse \$61,362.78 from the District Attorney's Local Assets Forfeiture Account A.02.1165.000.40036 into the District Attorney's operating budget, and be it further

RESOLVED, that the following budget modifications are effectuated:

INCREASE REVENUE:

A.02.1165.000.40599.02      Appropriated Fund Balance Restricted Funds      \$61,362.78

INCREASE APPROPRIATIONS:

A.02.1165.000.72100.05      Computer Equipment      \$61,362.78

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COMMUNITY SAFETY AND SECURITY  
COMMITTEE

\_\_\_\_\_  
ADMINISTRATION COMMITTEE



# NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee DATE: 08/01/17 RESOLUTION # CSS-035-17  
and Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CSS - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
 Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
 Referred: \_\_\_\_\_

## CREATE AND FILL PART-TIME POSITION DISTRICT ATTORNEY'S OFFICE

WHEREAS, in January, 2015, the Division of Criminal Justice Services entered into a Memorandum of Understanding with the Niagara County District Attorney, the Niagara County Sheriff and the Niagara Falls Police Department to create a Regional Crime Analysis Center known as the Niagara Intelligence and Crime Analysis Center (NICAC), and

WHEREAS, this partnership was formed with a mission to gather, analyze and disseminate crime data amongst law enforcement agencies for enhanced policing and investigation and prosecution of crimes through the use of various advanced technologies and information sharing capabilities, and

WHEREAS, the Division of Criminal Justice Services continues to invest heavily in hardware, software, training and staffing of the NICAC, and

WHEREAS, the District Attorney's Office committed to staff the NICAC with, at minimum, one part-time Intelligence Officer, and

WHEREAS, the need for a Criminal Intelligence Officer has become a necessity, and

WHEREAS, the District Attorney has the funds available in the 2017 operating budget, now, therefore be it

RESOLVED, that effective August 21, 2017, the Criminal Intelligence Officer part-time position, Group Non-Union Hourly, Grade NUH 10, Step 1, \$28.94 per hour, 18 hours per week, be created and filled, and be it further

RESOLVED, that the following budget modifications be effectuated in the District Attorney's 2017 operating budget:

### DECREASE APPROPRIATIONS:

A.02.1165.000.71010.00.00030	Positions-Asst. District Attorney	\$8,971
A.02.1165.000.78100.00	Retirement	867
A.02.1165.000.78200.00	FICA	714
A.02.1165.000.78300.00	Worker's Compensation	126
A.02.1165.000.71030.00.10527	DA Court Assistant Part Time	110

### INCREASE APPROPRIATIONS:

A.02.1165.000.71030.00.xxxxx	Positions-Criminal Intelligence Ofcr.	\$9,897
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A.02.1165.000.78200.00	FICA	757
A.02.1165.000.78300.00	Worker's Compensation	134

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COMMUNITY SAFETY & SECURITY  
COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security DATE: 08/01/17 RESOLUTION # CSS-036-17  
Committee and Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CSS - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

**NIAGARA COUNTY SHERIFF'S OFFICE  
ACCEPT AID TO CRIME LABORATORIES GRANT 2017-2018**

WHEREAS, the Niagara County Sheriff's Office has been awarded a grant from the New York State Division of Criminal Justice Services for the period of July 1, 2017 through June 30, 2018 in the amount of \$176,901, and

WHEREAS, this grant is an additional year of funding of an existing grant, and

WHEREAS, the funds are used to maintain national and state accreditation for the Niagara County Forensic Laboratory and provide efficient and effective forensic services for Niagara County, and

WHEREAS, the funds are included in the 2017 budget and will be included in the 2018 budget, however, the contract needs to be executed, now, therefore, be it

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

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

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COMMUNITY SAFETY & SECURITY  
COMMITTEE

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ADMINISTRATION COMMITTEE



NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security DATE: 08/01/17 RESOLUTION # CSS-037-17  
Committee and Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CSS - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**NIAGARA COUNTY SHERIFF'S OFFICE  
ACCEPT TRAFFIC SAFETY GRANT**

WHEREAS, the Niagara County Traffic Safety Office has been awarded a grant from the Governor's Traffic Safety Committee for the period of October 1, 2017 through September 30, 2018 in the amount of \$62,478 and

WHEREAS, this grant is a continuation of an existing program and is fully funded by the New York State Governor's Traffic Safety Committee, and

WHEREAS, the funds are used to ensure that child safety seats are installed and used correctly, to educate pre-k and school aged students bicycle and car safety, as well as to educate in order to reduce the number of crashes, injuries and deaths on the roads in Niagara County, and

WHEREAS, the funds are included in the 2017 budget and will be included in the 2018 budget, however, the contract needs to be executed, now, therefore, be it

RESOLVED, that the Traffic Safety Educator position continue to be co-terminus with the grant, and be it further

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

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

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COMMUNITY SAFETY & SECURITY  
COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security DATE: 08/01/17 RESOLUTION # CSS-038-17  
Committee and Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CSS - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION - STOP DWI FOUNDATION GRANT**

WHEREAS, the New York State Governor's Traffic Safety Committee, STOP-DWI Foundation has notified the Niagara County Sheriff's Office of an additional \$5,000 in grant funds available to use for July 4<sup>th</sup> and Labor Day crackdowns this year, and

WHEREAS, the grant funds are utilized for enforcement efforts by multiple law enforcement agencies during peak holidays with the goal of reducing the number of crashes, injuries and deaths on Niagara County roads, and

WHEREAS, it is necessary to modify revenue and appropriations to utilize these funds, now, therefore, be it

RESOLVED, that the following line item transfers be effectuated:

INCREASE REVENUE:

A.17.3315.000.44389.09      Other Public Safety Traffic      \$5,000

INCREASE APPROPRIATIONS:

A.17.3315.000.74400.09      Miscellaneous Expenses Payments Other Agencies \$ 5,000

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COMMUNITY SAFETY & SECURITY  
COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security DATE: 08/01/17 RESOLUTION # CSS-039-17  
Committee and Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CSS - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

**NIAGARA COUNTY SHERIFF'S OFFICE  
EMERGENCY RESPONSE TEAM MEMORANDUM OF UNDERSTANDING**

WHEREAS, the Niagara County Sheriff's Office has been awarded a grant in the amount of \$99,000.00 from the New York State Department of Homeland Security and Emergency Services to enhance the capabilities and safety of the Emergency Response Team, and

WHEREAS, the grant was approved by the Niagara County Legislature on May 8, 2017, and

WHEREAS, the grant will allow the Niagara County Sheriff's Office to purchase Emergency Response Team equipment and training that would facilitate the team's advancement of Tactical Team Capabilities through adaptation of the MPTC Standards. Consistent training as a team unit with necessary tactical equipment will mitigate risk to team members, and

WHEREAS, the grant requires a "Joint Emergency Response Team" Memorandum of Understanding between the County of Niagara and the Town of Lewiston, and

WHEREAS, the Memorandum of Understanding has been approved as to form by the Niagara County Attorney's Office, now, therefore, be it

RESOLVED, that the Niagara County Legislature approve the Memorandum of Understanding without any effect to budgeting.

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COMMUNITY SAFETY & SECURITY  
COMMITTEE

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ADMINISTRATION COMMITTEE



NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security DATE: 08/01/17 RESOLUTION # CSS-040-17  
Committee and Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
CSS - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**RESOLUTION TO APPROVE AN INTERMUNICIPAL AGREEMENT BETWEEN  
NIAGARA COUNTY AND THE CITY OF NORTH TONAWANDA FOR  
ADDITIONAL POLICE DISPATCHERS**

WHEREAS, Section 119-o of the General Municipal Law permits municipal corporations to enter into agreements for the performance amongst themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis or for the provision of a joint service, and

WHEREAS, the County, through its Sheriff's Office, currently provides dispatch services to the North Tonawanda Police Department, and

WHEREAS, the City of North Tonawanda desires that the Sheriff's Office employ additional radio dispatchers so that a radio channel can be dedicated exclusively to the dispatch of the North Tonawanda Police Department, and

WHEREAS, the County will agree to employ such additional dispatchers as are necessary to provide and staff an additional channel so long as the City reimburses the County for the additional costs, and

WHEREAS, the employment of additional dispatchers for said purpose would be of primary benefit to the City of North Tonawanda, but would provide some benefit to the County as well, and

WHEREAS, a draft of an Inter-municipal Agreement between Niagara County and the City of North Tonawanda has been reviewed by both parties, now, therefore, be it

RESOLVED, that upon the execution of the above mentioned agreement and pursuant to its terms, the County will take such steps as are necessary to employ so many additional dispatchers as the Sheriff deems necessary in order to provide a radio channel dedicated to dispatching the North Tonawanda Police Department and to train the same, and following the hiring and training of adequate employees by the County, the Sheriff will assign a dispatcher to dispatch a radio channel dedicated to the North Tonawanda Police Department for each shift, and, be it further

RESOLVED, that the value of incidental benefits to the County of hiring additional employees to staff a dedicated dispatch channel is estimated to be \$50,000 which shall be borne by the County, and be it further

RESOLVED, that pursuant to the terms of the above mentioned agreement, the City of North Tonawanda will bear all additional costs attributable to the employment of additional personnel, 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 Inter-municipal Agreement between Niagara County and the City of North Tonawanda and be it further RESOLVED, that the following line item transfers be effectuated:

INCREASE REVENUE

A.17.3020.000.42260.00	Reimb. Other Government	\$96,588
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INCREASE APPROPRIATION

A.17.3020.000.71010.00	Positions	\$45,144
A.17.3020.000.71030.00	Part Time Expense	31,716
A.17.3020.000.71032.00	Training Allowance Expense	783
A.17.3020.000.71034.00	Briefing Time Expense	2,823
A.17.3020.000.71035.00	Uniform Allowance Expense	1,500
A.17.3020.000.78100.00	Retirement Expense	7,624
A.17.3020.000.78200.00	FICA Expense	6,269
A.17.3020.000.78300.00	Worker's Compensation Expense	1,106
A.17.3020.000.78400.01	Insurance, Health Active Hosp/Med	16,014
A.17.3020.000.78400.05	Insurance, Health HRA Employer Cont.	2,550
A.17.3020.000.78400.08	Insurance, Health Self Funded Dental	825
A.17.3020.000.78800.00	Flex 125 Employer Contribution Expense	1,068

DECREASE APPROPRIATION

A.08.1990.000.74500.01	Contingency	\$20,834
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COMMUNITY SAFETY & SECURITY  
COMMITTEE

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ADMINISTRATION COMMITTEE



# NIAGARA COUNTY LEGISLATURE

FROM: Committee of the Whole      DATE: 08/01/17      RESOLUTION # CW-005-17

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CW - 8/1/17</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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## **IMPOSITION OF ADDITIONAL ONE PERCENT (1%) SALES AND USE TAX PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK AND CHAPTER 61 OF LAWS OF 2017**

WHEREAS, the State of New York has enacted legislation allowing the County of Niagara to impose an additional one percent (1%) rate of sales and compensating use taxes from March 1, 2003 to November 30, 2005, and enacted legislation allowing the County of Niagara to continue to impose the additional one percent (1%) rate from December 1, 2005 to November 30, 2007, and enacted legislation allowing the County of Niagara to continue to impose the additional 1% rate from December 1, 2007 to November 30, 2009, and enacted legislation allowing the county of Niagara to continue to impose the additional 1% rate from December 1, 2009 to November 30, 2011, and enacted legislation allowing the County of Niagara to continue to impose the additional 1% rate from December 1, 2011 to November 30, 2013, and enacted legislation allowing the County of Niagara to continue to impose the additional 1% rate from December 1, 2013 to November 30, 2015, and enacted legislation allowing the County of Niagara to continue to impose the additional 1% rate from December 1, 2015 to November 30, 2017, and enacted legislation allowing the County of Niagara to continue to impose the additional 1% rate from December 1, 2017 to November 30, 2020, all in addition to the three percent (3%) said County is authorized to impose, and to dedicate the revenues from the additional rate to pay the County's share of Medicaid costs, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution FN-005-03 enacted January 21, 2003 and by imposition resolution FN-006-03 enacted January 22, 2003, enacted and imposed an additional one percent (1%) sales and use taxes pursuant to Article 29 of the Tax Law of the State of New York and Chapter 4 of Laws of 2003 effective March 1, 2003 and ending November 30, 2005, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution AD-017-05 enacted April 19, 2005 and by imposition resolution AD-027-05 enacted July 12, 2005, enacted and imposed an extension of the additional one percent (1%) sales and use taxes pursuant to Article 29 of the Tax Law of the State of New York and Chapter 91 of Laws of 2005 effective December 1, 2005 and ending November 30, 2007, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution AD-017-07 enacted May 1, 2007 and by imposition resolution CW-001-07 enacted August 7, 2007, enacted and imposed an extension of the additional 1% sales and use taxes pursuant to Article 29 of the Tax Law of the State of New York and Chapter 460 of Laws of 2007 effective December 1, 2007 and ending November 30, 2009, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution AD-012-09 enacted May 5, 2009, and by imposition resolution CW-001-09 enacted July 28, 2009, enacted and imposed an extension of the additional 1% sales and use taxes pursuant to Article 29 of the Tax Law of the State of New York and Chapter 140 of Laws of 2009 effective December 1, 2009 ending November 30, 2011, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution AD-015-11 enacted May 17, 2011, and by imposition resolution CW-001-11 enacted August 22, 2011, enacted and imposed an extension of the additional 1% sales and use taxes pursuant to Article 29 of the Tax Law of the State of New York and Chapter 240 of Laws of 2011 effective December 1, 2011 ending November 30, 2013, and



WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution AD-009-13 enacted May 21, 2013, and by imposition resolution AD-019-13 enacted August 6, 2013, enacted and imposed an extension of the additional one percent (1%) rate of sales and use taxes pursuant to Article 29 of the Tax Law of the State of New York and Chapter 219 of Laws of 2013 effective December 1, 2013 ending November 30, 2015, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution CW-009-15 enacted May 19, 2015, and by imposition resolution CW-013-15 enacted September 15, 2015, enacted and imposed an extension of the additional one percent (1%) rate of sales and use taxes pursuant to Article 29 of the Tax Law of the State of New York and Chapter 183 of Laws of 2015 effective December 1, 2015 ending November 30, 2017, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution CW-003-17 enacted May 2, 2017 requested the New York Legislature to amend the Tax Law, to authorize Niagara County to continue to impose said additional one percent (1%) rate of sales and use taxes from December 1, 2017 to November 30, 2019, and

WHEREAS, the New York Legislature, by passage of A40001 Part A subpart cc, on June 28, 2017, amended the Tax Law to authorize such extension in relation to continuing to authorize Niagara County to impose an additional rate of sales and compensating use tax for such County for the period ending November thirtieth, two thousand [~~seventeen~~] twenty, and

WHEREAS, the New York Legislature, by passage of Chapter 61 of Laws of 2017, amended the Tax Law to authorize such extension, now, therefore,

BE IT RESOLVED, by the County Legislature of the County of Niagara, New York as follows:

SECTION 1. Section 4-A of a resolution enacted by the Legislature of the County of Niagara on December 3, 1968, as amended, imposing sales and compensating use taxes, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and shall be paid an additional one percent rate of sales and compensating use taxes, for the period beginning March 1, 2003, and ending November 30, 2020. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating to or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exceptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (B) of subdivision (1) of section 11 of a resolution enacted by the Legislature of the County of Niagara on December 3, 1968, as amended, imposing sales and compensating use taxes, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning March 1, 2003, and ending November 30, 2020, in respect to the use of property used by the purchaser in this County prior to March 1, 2003.

SECTION 3. Subdivision (d) of section 14 of a resolution enacted by the Legislature of the County of Niagara on December 3, 1968 as amended, imposing sales and compensating use taxes, is amended to read as follows:

(d) Notwithstanding any contrary provision of the law, if the County imposes the additional one percent rate of sales and compensating use taxes authorized by section 1210 of the New York State Tax Law for all or any portion of the period beginning March 1, 2003, and ending November 30, 2020, the County shall use all net collections from such additional one percent rate to pay the County's expenses for Medicaid. The net collections from the additional one percent rate imposed pursuant to such section 1210 shall be deposited in a special fund to be created by the County separate and apart from any other funds and accounts of the County. Any and all remaining net collections from such additional one percent tax, after the Medicaid expenses are paid, shall be deposited by the County in the County's general fund for any County purpose.

SECTION 4. This enactment shall take effect December 1, 2017.

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COMMITTEE OF THE WHOLE



NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee and      DATE: 08/01/17      RESOLUTION # ED-013-17  
Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
ED - 7/12/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

**APPROVAL OF LOW COST POWER BENEFIT TO EDWARDS VACUUM, INC.  
UNDER THE AGREEMENT FOR THE SALE & PURCHASE OF NIAGARA PROJECT  
POWER & ENERGY (ASPNPPE)**

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

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

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

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

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

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

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

WHEREAS, the County of Niagara has previously awarded to Edwards Vacuum, Inc. for this same project under resolution ED-015-14, 190 kw (at 70% load factor), which agreement will expire on July 29, 2017 and for which Edwards Vacuum, Inc. has met or exceeded each part of the previous application including the number of jobs and capital investment, and

WHEREAS, the Empower Niagara Board has reviewed the initial application of Edwards Vacuum, Inc. for the use of low cost power for developing and expanding its business in Niagara County, and

WHEREAS, Edwards Vacuum, Inc. has met or exceeded all the criteria qualifying its original project for consideration and the Empower Niagara Board is recommending approval of a three-year extension of the agreement, and

WHEREAS, the demand usage of Edwards Vacuum, Inc. has remained at its original demand of 190 kw of low cost power, and



WHEREAS, the approval of the Edwards Vacuum, Inc. original application maintained economic development in Niagara County; but also assisted Edwards Vacuum, Inc. to remain competitive in its manufacturing and distribution of vacuum systems for the semiconductor, solar, and LED industries, and

WHEREAS, the Empower Niagara Board will be recommending the low cost power allocation to Edwards Vacuum, Inc. be maintained at 190kw for a period of three (3) years, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby approves Edwards Vacuum Inc.'s application for a three-year extension of low cost power benefits from Niagara County, pursuant to low cost power allocation received through the June 25, 2005 HCRSA and ASPNPPE, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute with Edwards Vacuum, a modification and extension of the original agreement to include 190kw for an additional three-year period.

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ECONOMIC DEVELOPMENT COMMITTEE

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ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee  
and Administration Committee

DATE: 08/01/17

RESOLUTION # ED-014-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
ED - 7/12/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

## BUDGET MODIFICATION - TO COVER EMPOWER NIAGARA ALLOCATION EDWARDS VACUUM, INC.

WHEREAS, Edwards Vacuum, Inc. is an existing Niagara County business that was approved to receive low cost hydropower allocations through the Empower Niagara Program, and

WHEREAS, Edwards Vacuum, Inc. has applied for an extension of its low cost hydropower allocations through the Empower Niagara Program, and

WHEREAS, these benefits will be applied to Edwards Vacuum, Inc. as stipulated in the Empower Niagara Program agreement, through the Niagara County Economic Development 2017 through 2020 budget, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated to the Niagara County Economic Development 2017 budget, and annually thereafter until 2020 as set forth below:

		<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
INCREASE REVENUE:					
A.25.1620.108 42655.03	Sale of Excess Power	\$25,860.58	Value of 190 kw at 70% load factor for 12 months	Value of 190 kw at 70% load factor for 12 months	Value of 190 kw at 70% load factor for 7 months
INCREASE APPROPRIATION:					
A.25.1620.108 74500.01	Contractual	\$25,860.58	Value of 190 kw at 70% load factor for 12 months	Value of 190 kw at 70% load factor for 12 months	Value of 190 kw at 70% load factor for 7 months
INCREASE REVENUE:					
A.28.8020.813 42189.01	Activities – Eco Dev	\$25,860.58	Value of 190 kw at 70% load factor for 12 months	Value of 190 kw at 70% load factor for 12 months	Value of 190 kw at 70% load factor for 7 months
INCREASE APPROPRIATION:					
A.28.8020.813 74550.30	Empower Niagara	\$25,860.58	Value of 190 kw at 70% load factor for 12 months	Value of 190 kw at 70% load factor for 12 months	Value of 190 kw at 70% load factor for 7 months

ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee and DATE: 08/01/17 RESOLUTION # ED-015-17  
Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
ED - 7/12/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

**APPROVAL OF LOW COST POWER BENEFIT TO  
LOCKPORT ICE ARENA AND SPORTS CENTER INC.  
UNDER THE AGREEMENT FOR THE SALE & PURCHASE  
OF NIAGARA PROJECT POWER & ENERGY (ASPNPPE)**

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

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

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

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

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

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

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

WHEREAS, the County of Niagara has previously awarded to Lockport Ice Arena and Sports Center Inc. for this same project under resolution ED-011-14, 400 kw (at 70% load factor), which agreement will expire August 31, 2017, and for which Lockport Ice Arena and Sports Center Inc. has met each part of the previous application, including the number of jobs, capital investment and expanding the restaurant area, and

WHEREAS, this approval includes 250 kw previously designated to the town of Lockport, for its designation with approval of the Empower Niagara Board, and 150 kw solely approved through the Empower Board, and

WHEREAS, the Empower Niagara Board has reviewed the initial application of Lockport Ice Arena and Sports Center Inc. for the use of low cost power for developing, renovating and expanding its business in Niagara County, and



WHEREAS, Lockport Ice Arena and Sports Center Inc. has met all the criteria qualifying its project for consideration and the Empower Niagara Board is recommending approval of a three-year extension of the agreement, and

WHEREAS, the approval of the Lockport Ice Arena and Sports Center Inc. original application increased economic development in the City of Lockport and Niagara County as well as spurring job creation through economic activity within the City of Lockport, and

WHEREAS, the Empower Niagara Board will be recommending an extension of low cost power allocation application of 400 kw (at 70% load factor) for a period of three (3) years, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby approves Lockport Ice Arena and Sports Center Inc. application for a three-year extension of 400 kw (at 70% load factor) low cost power benefits from Niagara County, pursuant to low cost power allocation received through the June 25, 2005 HCRSA and ASPNPPE, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the Empower User Agreement of the agreement for Low Cost Power with Lockport Ice Arena and Sports Center Inc. for an additional three-year period.

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ECONOMIC DEVELOPMENT COMMITTEE

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ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee and  
Administration Committee

DATE: 08/01/17

RESOLUTION # ED-016-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
ED - 7/12/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

## BUDGET MODIFICATION – TO COVER EMPOWER NIAGARA ALLOCATIONS TO LOCKPORT ICE ARENA AND SPORTS CENTER INC.

WHEREAS, Lockport Ice Arena and Sports Center Inc. is a Niagara County business that has been approved to receive low cost hydropower allocations through the Empower Niagara Program, and

WHEREAS, Lockport Ice Arena and Sports Center Inc. has applied for an extension of its low cost hydropower allocations through the Empower Niagara Program, and

WHEREAS, these benefits will be transferred to Lockport Ice Arena and Sports Center Inc. as stipulated in the Empower Niagara Program agreement, through the Niagara County Economic Development 2017-2020 budget, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated to the Niagara County Economic Development 2017 budget, and annually thereafter until 2020 as set forth below:

	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
INCREASE REVENUE:				
A.25.1620.108 42655.03 Sale of Excess Power \$43,554.66		Value of 400 kw at 70% load factor for 12 months	Value of 400 kw at 70% load factor for 12 months	Value of 400 kw at 70% load factor for 8 months
INCREASE APPROPRIATION:				
A.25.1620.108 74500.01 Contractual \$43,554.66		Value of 400 kw at 70% load factor for 12 months	Value of 400 kw at 70% load factor for 12 months	Value of 400 kw at 70% load factor for 8 months
INCREASE REVENUE:				
A.28.8020.813 42189.01 Activities-Eco Dev. \$43,554.66		Value of 400 kw at 70% load factor for 12 months	Value of 400 kw at 70% load factor for 12 months	Value of 400 kw at 70% load factor for 8 months
INCREASE APPROPRIATION:				
A.28.8020.813 74550.30 Empower Niagara \$43,554.66		Value of 400 kw at 70% load factor for 12 months	Value of 400 kw at 70% load factor for 12 months	Value of 400 kw at 70% load factor for 8 months

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ECONOMIC DEVELOPMENT COMMITTEE

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ADMINISTRATION COMMITTEE



NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee and DATE: 08/01/17 RESOLUTION # ED-017-17  
and Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
ED - 7/12/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**APPROVAL OF LOW COST POWER BENEFIT TO  
RUSSELL FARMS, INC. UNDER AGREEMENT FOR THE  
SALE AND PURCHASE OF NIAGARA PROJECT POWER & ENERGY (ASPNPPE)**

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

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

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

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

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

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

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

WHEREAS, the County of Niagara has previously awarded to Russell Farms, Inc. for this same project under resolution ED-010-14, 200 kw (at 70% load factor), which agreement will expire on August 31, 2017 and for which Russell Farms, Inc. has met or exceeded each part of the previous application including the number of jobs and capital investment, and

WHEREAS, the Empower Niagara Board has reviewed the initial application of Russell Farms, Inc. for the use of low cost power for developing and expanding its business in Niagara County, and

WHEREAS, Russell Farms, Inc. has exceeded its job and capital investment for its project for consideration and the Empower Niagara Board is recommending approval of a three-year extension of the agreement, and

WHEREAS, the approval of this three-year extension will not only maintain economic development in Niagara County; but also assist Russell Farms, Inc. to remain competitive in a global apple industry and have a good economic effect on the agriculture community in Niagara County, and

WHEREAS, the Empower Niagara board will be recommending the low cost power allocations of 200kw be extended for a period of three (3) years, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby approves Russell Farms, Inc.'s three-year extension of the agreement for 200kw (at 70% load factor) low cost power benefits from Niagara County, pursuant to low cost power allocation received through the June 25, 2005 HCRSA and ASPNPPE, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute this Empower User Agreement extension of the agreement for Low Cost Power with Russell Farms, Inc. for an additional three-year period.

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ECONOMIC DEVELOPMENT COMMITTEE

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ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee  
and Administration Committee

DATE: 08/01/17

RESOLUTION # ED-018-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
ED - 7/12/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

## **BUDGET MODIFICATION - TO COVER EMPOWER NIAGARA ALLOCATIONS TO RUSSELL FARMS, INC.**

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

WHEREAS, Russell Farms, Inc. has applied for an extension of its low cost hydropower allocations through the Empower Niagara Program, and

WHEREAS, these benefits will be applied to Russell Farms, Inc. as stipulated in the Empower Niagara Program agreement, through the Niagara County Economic Development 2017 through 2020 budget, now therefore, be it

RESOLVED, that the following budget modifications be effectuated to the Niagara County Economic Development 2017 budget, and annually thereafter until 2020 as set forth below:

	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
INCREASE REVENUE				
A.25.1620.108 42655.03 Sale of Excess Power	\$21,777.33	Value of 200 kw at 70% load factor for 12 months	Value of 200 kw at 70% load factor for 12 months	Value of 200 kw at 70% load factor for 8 months
INCREASE APPROPRIATION:				
A.25.1620.108 74500.01 Contractual	\$21,777.33	Value of 200 kw at 70% load factor for 12 months	Value of 200 kw at 70% load factor for 12 months	Value of 200 kw at 70% load factor for 8 months
INCREASE REVENUE:				
A.28.8020.813 42189.01 Activities - Eco Dev	\$21,777.33	Value of 200 kw at 70% load factor for 12 months	Value of 200 kw at 70% load factor for 12 months	Value of 200 kw at 70% load factor for 8 months
INCREASE APPROPRIATION:				
A.28.8020.813 74550.30 Empower Niagara	\$21,777.33	Value of 200 kw at 70% load factor for 12 months	Value of 200 kw at 70% load factor for 12 months	Value of 200 kw at 70% load factor for 8 months



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ECONOMIC DEVELOPMENT COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 08/01/17 RESOLUTION # IF-106-17  
Committee and Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
IF - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

**TROTT STEPS AND HANDICAPPED ACCESSIBILITY RAMP  
CHANGE ORDER NO. 1**

WHEREAS, Resolution No. IF-049-17, dated March 21, 2017, awarded the contract for the Trott Steps and Handicapped Accessibility Ramp project to Millennium Construction Inc., 248 North Brier Road, Amherst, NY 14228, for a contract amount of \$93,960.00, and

WHEREAS, it is necessary to extend the contract completion date to August 31, 2017, at no additional cost to the county, and

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

RESOLVED, that the contract to Millennium Construction Inc., 248 North Brier Road, Amherst, NY 14228, be extended to August 31, 2017, at no additional cost to the county, 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.

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INFRASTRUCTURE & FACILITIES  
COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 08/01/17 RESOLUTION # IF-107-17  
Committee and Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
IF - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

**BRIDGE WEARING COURSES AND JOINT REPLACEMENTS  
CHANGE ORDER NO. 2**

WHEREAS, Resolution No. IF-079-16, dated August 2, 2016, awarded the contract for Bridge Deck Overlays and Joint Repairs to Yarussi Construction, Inc., 5650 Simmons Avenue, Niagara Falls, NY 14304, for a contract amount of \$286,000, and

WHEREAS, Resolution No. IF-135-16, dated December 13, 2016, authorized Change Order No. 1 to the contract, extending it to June 30, 2017, at no additional cost to the County, and

WHEREAS, it is necessary to extend the contract completion date to August 31, 2017, and also to increase the contract in the amount of \$31,453.53, for a revised contract amount of \$317,453.53, 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 Change Order No. 2 to the contract for Yarussi Construction, Inc., 5650 Simmons Avenue, Niagara Falls, NY 14304 be extended to August 31, 2017, and that the contract be increased by \$31,453.53 for the Bridge Wearing Courses and Joint Replacements project, for a revised contract amount of \$317,453.53, to Yarussi Construction, Inc., 5650 Simmons Avenue, Niagara Falls, NY 14304, 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.

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INFRASTRUCTURE & FACILITIES  
COMMITTEE

\_\_\_\_\_  
ADMINISTRATION COMMITTEE



NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 08/01/17 RESOLUTION # IF-108-17  
Committee and Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
IF - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION  
Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

**BUILDING RENOVATIONS CAPITAL PROJECT BUDGET MODIFICATION**

WHEREAS, the Employment and Training Department was able to secure reimbursement for renovations at the Trott ACCESS Center, in the amount of \$30,000, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE APPROPRIATED FUND BALANCE:

CD 40599.00 \$30,000

INCREASE APPROPRIATIONS:

CD.29.6290.000.74500.01 Contractual Expense \$30,000

INCREASE REVENUE:

H502.15.1620.000.41289.02 Other Gen Gov Inc. Misc Reimb \$30,000

INCREASE APPROPRIATIONS:

H502.15.1620.000.72200.01 Building Improvements \$30,000

INFRASTRUCTURES & FACILITIES  
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 08/01/17 RESOLUTION # IF-109-17  
Committee and Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
IF - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION  
Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

**UPGRADE OF FIRE/SECURITY PANELS  
CHANGE ORDER NO. 1**

WHEREAS, by Resolution No. IF-090-16, dated September 22, 2016, the Legislature awarded the contract for the upgrade of fire/security panels to Buffalo Security and Fire, PO Box 823, Buffalo, NY 14207, for a contract amount of \$144,200.00, and

WHEREAS, the agreement with the contractor, in paragraph four of the contract, allows for a request of compensation for additional services, if found to be outside of the contract, and

WHEREAS, the current central station for alarm monitoring on County owned facilities, located in the Public Safety Training Facility, is past its useful life and requires replacement, and

WHEREAS, the contractor has requested the installation of a new central station receiver as being outside the scope of services, and

WHEREAS, the County, in its sole discretion, has deemed such service to be necessary and constitutes an additional service, and

WHEREAS, to allow for the installation of a new central station receiver for alarm system monitoring at the Public Safety Training Facility, it is necessary to increase the contract in the amount of \$5,876.00, for a revised contract amount of \$150,076.00, and

WHEREAS, there are sufficient funds in the capital project, H636.25.1620.000.72200.01, now, therefore, be it

RESOLVED, that Change Order No. 1, to increase the contract by \$5,876.00 for the installation of a new central station receiver for alarm system monitoring, be approved, and be it further

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

\_\_\_\_\_  
INFRASTRUCTURE & FACILITIES  
COMMITTEE

\_\_\_\_\_  
ADMINISTRATION COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 08/01/17 RESOLUTION # IF-110-17  
Committee and Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
IF - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION  
Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
Referred: \_\_\_\_\_

## **ABOLISH GROUNDSKEEPER CREATE AND FILL GROUNDSKEEPER II**

WHEREAS, due to personnel vacancies within the Parks Division of the Public Works Department, the department has reviewed its operational needs for maintaining the various park locations throughout Niagara County, and

WHEREAS, after studying the services we provide and evaluating all options it has been determined that it would be in the best interest of the department, as well as the taxpayers, to abolish one (1) Groundskeeper and to create and fill one (1) Groundskeeper II, and

WHEREAS, funding for this newly created position will be from the mentioned abolished position, now, therefore be it

RESOLVED, that Position No. 13201, Groundskeeper, be abolished, and be it further

RESOLVED, that the position of Groundskeeper II, AFSCME, Grade 25, Step 5, at an annual salary of \$39,187, be created and filled, effective August 27, 2017, and be it further

RESOLVED, that the following budget modification be made:

FROM:

A.25.7110.000.71010.01 Positions (Groundskeeper-Pos. #13201) \$13,565.00

TO:

A.25.7110.000.71010 .01 Positions (Groundskeeper II- Pos. #xxxxx) \$13,565.00

INFRASTRUCTURE & FACILITIES  
COMMITTEE

ADMINISTRATION COMMITTEE



NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee DATE: 08/01/17 RESOLUTION # IF-111-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
IF - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND THE NIAGARA COUNTY  
SNOWMOBILE FEDERATION OF SNOWMOBILE CLUBS**

WHEREAS, the Niagara County Snowmobile Federation of Snowmobile Clubs has requested the County of Niagara to agree to act as a municipal sponsor for a grant available through the New York State Office of Parks, Recreation and Historic Preservation Snowmobile Trail Fund and,

WHEREAS, the grant would assist the Niagara County Snowmobile Federation of Snowmobile Clubs in maintaining and operating safe recreational snowmobile trails already existing in the County of Niagara, and

WHEREAS, this grant would assist in grooming and coordinating trails already existing or to be added by lease or other agreements with property owners, and

WHEREAS, this grant will build and maintain a better, safer trail system, which will in turn bring more snowmobiles here, adding dollars to the County economy, now, therefore, be it

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the Niagara County Snowmobile Federation of Snowmobile Clubs as appears in the proposed agreement that is available in the Clerk of the Legislative Office, is hereby approved in all respects and be it further

RESOLVED, that the Chairman of the Niagara County Legislature is authorized and directed to execute and deliver the agreement with the Niagara County Snowmobile Federation of Snowmobile Clubs.

\_\_\_\_\_  
INFRASTRUCTURE & FACILITIES  
COMMITTEE

# NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 08/01/17 RESOLUTION # IF-112-17  
Committee and Administration Committee

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
IF - 7/24/17  
AD - 7/24/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
 Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_  
 Referred: \_\_\_\_\_

## CREATE AND FILL TEMPORARY TRUCK DRIVER POSITION

WHEREAS, due to a personnel vacancy within the Highway Division of the Public Works Department, the department has reviewed its operational needs for maintaining the various 283 road miles throughout Niagara County, and

WHEREAS, after studying the services we provide and evaluating all options it has been determined that it would be in the best interest of the department, as well as the taxpayers, to create and fill one (1) temporary Truck Driver position, and

WHEREAS, funding for this newly created position will only be through the end of 2017, and

WHEREAS, funds will come from other positions that have been vacant throughout the course of 2017, now, therefore, be it

RESOLVED, that the position of Truck Driver, temporary, AFSCME, Grade 47, Step 1, at an annual salary of \$32,844, be created and filled, effective August 27, 2017, with an end date of December 31, 2017, and be it further

RESOLVED, that the following budget modification be made:

FROM:

D.15.5110.000.71010.01	Positions (Truck Driver Pos. # 1688)	\$10,000.00
D.15.5110.000.71010.01	Positions (Sr. Sign Shop Maint Worker Pos. #1696)	3,275.00

TO:

A.15.5110.000.71010 .01	Positions (Truck Driver - Pos. #xxxxx)	\$13,275.00
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 INFRASTRUCTURE & FACILITIES  
 COMMITTEE

\_\_\_\_\_  
 ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Legislator Michael A. Hill and  
Economic Development Committee

DATE: 08/01/17 RESOLUTION # IL-063-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
ED - 7/12/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**RESOLUTION IN SUPPORT OF GASPORT BOY SCOUT TROOP 18 THROUGH  
THE USE OF CASINO FUNDING**

WHEREAS, the mission and goal of Boy Scout Troop 18 and the Boy Scouts of America is "to prepare young people to make ethical and moral choices over their lifetimes by instilling in them the values of the Scout Oath and Law", and

WHEREAS this preparation is done through various activities outdoors, community service and accomplishment of merit badges, which serves as lessons throughout life and to be able to do this there are certain requirements needed in equipment so everyone is able to participate, and

WHEREAS, the Gasport Boy Scout Troop 18 is requesting funds to help repair their trailer and camping equipment, now, therefore, be it

RESOLVED, that the Niagara County Legislature supports funding to Gasport Boy Scout Troop 18 as follows:

Gasport Boy Scout Troop 18

\$3,500.00

and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2017 budget:

INCREASE APPROPRIATED FUND BALANCE:

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

INCREASE APPROPRIATION:

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

\_\_\_\_\_  
LEGISLATOR MICHAEL A. HILL

\_\_\_\_\_  
ECONOMIC DEVELOPMENT COMMITTEE



NIAGARA COUNTY LEGISLATURE

FROM: Legislator Michael A. Hill and  
Economic Development Committee

DATE: 08/01/17 RESOLUTION # IL-064-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
ED - 7/12/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**RESOLUTION IN SUPPORT OF MIDDLEPORT BOY SCOUT TROOP 23 THROUGH  
THE USE OF CASINO FUNDING**

WHEREAS, the mission and goal of Boy Scout Troop 23 and the Boy Scouts of America is "to prepare young people to make ethical and moral choices over their lifetimes by instilling in them the values of the Scout Oath and Law", and

WHEREAS this preparation is done through various activities outdoors, community service and accomplishment of merit badges, which serves as lessons throughout life and to be able to do this there are certain requirements needed in equipment so everyone is to participate, and

WHEREAS, the Middleport Boy Scout Troop 23 is requesting funds to help purchase an enclosed trailer to take to camp and for fundraisers, now, therefore, be it

RESOLVED, that the Niagara County Legislature supports funding to the Middleport Boy Scout Troop 23 as follows:

Middleport Boy Scout Troop 23	\$3,500.00
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and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2017 budget:

INCREASE APPROPRIATED FUND BALANCE:

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

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

\_\_\_\_\_  
ECONOMIC DEVELOPMENT COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Legislator John Syracuse and  
Economic Development Committee

DATE: 08/01/17

RESOLUTION # IL-065-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION  
ED - 7/12/17

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**RESOLUTION IN SUPPORT OF THE NIAGARA CELTIC FESTIVAL  
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the Celtic Festival is Western New York's Primer Festival to celebrate everything Irish, Scottish and Welsh, and

WHEREAS, the Celtic 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 over 12,000 people during the festival and bringing significant economic impact to the community, and

WHEREAS, the 2017 Celtic Festival is scheduled to take place on September 16<sup>th</sup> and 17<sup>th</sup> at Krull Park in picturesque Olcott, New York, and

WHEREAS, the festival offers Celtic-themed rides, food vendors, music and live entertainment for the whole family to enjoy, and

WHEREAS, this 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 the festival, now, therefore, be it

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

The Niagara Celtic Festival \$3,500.00

and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2017 budget:

INCREASE APPROPRIATED FUND BALANCE:

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

INCREASE APPROPRIATION:

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



NIAGARA COUNTY LEGISLATURE

FROM: Legislators Rebecca J. Wydysh, DATE: 08/01/17 RESOLUTION # IL-066-17  
Kathryn L. Lance, David E. Godfrey and  
Economic Development Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION ED - 07/12/17	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**RESOLUTION IN SUPPORT OF THE FRONTIER VOLUNTEER FIRE CO./ST. JOHNSBURG FIRE COMPANY INC. THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the Frontier Volunteer Fire Co./St. Johnsburg Fire Company Inc. will be hosting the 118<sup>th</sup> Annual Western New York Volunteer Fireman's Association Convention to be held on July 27-29, 2017 at the Wheatfield Town Hall Campus ; and

WHEREAS, this event will bring 1,500 volunteer firefighters and visitors to the area from all over Western New York, and

WHEREAS, funds are being sought to help offset the costs associated with advertising this event to the public and printing program books which will promote local business in the county, now, therefore, be it

RESOLVED, that Niagara County supports the economic initiatives of the Frontier Volunteer Fire Co. Inc./St. Johnsburg Fire Company Inc. as follows:

Frontier Volunteer Fire Co. Inc./St. Johnsburg Fire Company Inc.	\$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 2017 budget:

INCREASE APPROPRIATED FUND BALANCE:

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

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$3,000.00
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LEGISLATOR REBECCA J. WYDYSH

LEGISLATOR KATHRYN L. LANCE

LEGISLATOR DAVID E. GODFREY

ECONOMIC DEVELOPMENT COMMITTEE



NIAGARA COUNTY LEGISLATURE

FROM: Legislator David E. Godfrey

DATE: 08/01/17

RESOLUTION # IL-070-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**RESOLUTION IN SUPPORT OF FUNDING CAMBRIA SUMMER RECREATION PROGRAM  
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, "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 programs have long been a critical part of the appeal of municipalities in this county as "bedroom communities" for the local workforce, and

WHEREAS, the town of Cambria has established a 6-week summer recreation program that is in receipt of \$61,000 from the town, and which charges a participation fee for resident and non-resident children, and

WHEREAS, the town of Cambria Summer Recreation Program serves children ages 5 to 15, and there are currently 171 youth registered in the program, and

WHEREAS, the program currently employs 16 paid counselors, and

WHEREAS, this program offers area youth arts and crafts projects, physical activities, and field trips, and is designed to provide a safe, structured environment where valuable life skills can be taught to youth in a fun setting, and

WHEREAS, this county government fully endorses youth programs as critical to meeting the above-stated goal of attracting businesses to locate high-wage jobs in this county, now, therefore, be it

RESOLVED, that Niagara County supports the Cambria Summer Recreation Program through appropriation as follows:

The town of Cambria

\$1,500.00

and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2017 budget:

INCREASE APPROPRIATED FUND BALANCE:

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

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$1,500.00
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LEGISLATOR DAVID E. GODFREY

NIAGARA COUNTY LEGISLATURE

FROM: Legislator David E. Godfrey

DATE: 08/01/17

RESOLUTION # IL-071-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**RESOLUTION IN SUPPORT OF WILSON HARBOR REVITALIZATION AND REPAIR  
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the town of Wilson has devised a multi-year Wilson Harbor Revitalization Project that includes plans to dredge the harbor and restore its navigable channel, and

WHEREAS, Wilson Harbor is the largest naturally protected harbor on the southern shore of Lake Ontario; home to over 500 boats distributed among three yacht clubs and four marinas, and

WHEREAS, New York State's Tuscarora Park flanks the western end of the channel with a boat ramp that averages over 2,000 launches each season, and also hosts a U.S. Customs Port-of-Entry, and

WHEREAS, the eastern end shelters Tuscarora Yacht Club, the Wilson Boat House restaurant and marina, and small boutique shops along a boardwalk, and Mid-harbor features the Moyer Marina, the member-owned and -operated Wilson Yacht Club, and the Sunset Bay Grille, and the southwest end houses the Sunset Bay Marina and the Island Yacht Club, and

WHEREAS, anglers from throughout the Northeast and Ohio Valley routinely travel to the Lake Ontario shore, with sport fishing generating an annual \$30 million annual impact, with more than 1,000 of the regular visitors to restaurants and shops are water-access only, and

WHEREAS, Wilson Harbor is classified as an international harbor of refuge for any vessel in distress and need of assistance on Lake Ontario, regardless of flag origin, and

WHEREAS, natural silting in the lake has adversely impacted the harbor, decreasing the navigability of the channel, and

WHEREAS, this has reduced access to the maintenance yards during the off-season for local and Canadian boats, and has generated an estimated loss of \$100,000-\$200,000 at just one marina, and

WHEREAS, funds are being sought to help offset the costs associated with revitalization of the Wilson Harbor in accordance with the vision set out in the 2012 Revitalization Project study, now, therefore, be it

RESOLVED, that Niagara County supports the economic development benefit of pursuing the town of Wilson's Wilson Harbor Revitalization Project through appropriation as follows:

The town of Wilson

\$5,000.00

and be it further



RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2017 budget:

INCREASE APPROPRIATED FUND BALANCE:

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


A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$5,000.00
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LEGISLATOR DAVID E. GODFREY

# NIAGARA COUNTY LEGISLATURE

FROM: Legislator David E. Godfrey      DATE: 08/01/17      RESOLUTION # IL-072-17

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

## RESOLUTION IN SUPPORT OF WHEATFIELD VETERANS' MEMORIAL PARK THROUGH THE USE OF CASINO FUNDING

WHEREAS, the town of Wheatfield has established a capital reserve fund for a veterans monument at Fairmount Park, and

WHEREAS, town planners have estimated that construction of an appropriate monument will cost the community \$500,000, and

WHEREAS, the monument is being funded strictly through donations, and

WHEREAS, the Legislature has appropriated Seneca Niagara Casino revenues for veterans memorial construction in other municipalities, now, therefore, be it

RESOLVED, that Niagara County supports the establishment of the Wheatfield Veterans' Memorial Park through appropriation as follows:

The town of Wheatfield	\$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 2017 budget:

INCREASE APPROPRIATED FUND BALANCE:

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

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$5,000.00
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LEGISLATOR DAVID E. GODFREY

NIAGARA COUNTY LEGISLATURE

FROM: Legislators DAVID E. Godfrey and John Syracuse DATE: 08/01/17 RESOLUTION # IL-073-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

RESOLUTION REGARDING ARTICLE 10 PROCESS AND COMPREHENSIVE REVIEW  
OF THE APEX CLEAN ENERGY PROJECT

WHEREAS, New York State has replaced the local home rule review and approval process for the siting of electrical generation projects, and

WHEREAS, Apex Clean Energy is planning construction of up to 70 wind turbines that could reach heights of over 600 feet, and

WHEREAS, military bases and state legislatures in numerous states, including Ft. Drum in our own State, have expressed concerns that large wind turbines in close proximity to military installations could interfere with flight and radar operations and constitute an encroachment to base operations, and

WHEREAS, the Niagara Falls Air Reserve Station (NFARS) currently is listed by the military as an encroachment free base, and

WHEREAS, despite this status and its many other assets, NFARS has been recommended for closure by two previous Base Realignment and Closure Commissions (BRAC), and

WHEREAS, the President's budget calls for a BRAC in 2021 and there are bills in both Houses of Congress also calling for another BRAC process, and

WHEREAS, Article 10 regulations require an application to construct and operate an electrical generation facility include detailed information about potential impacts on transportation facilities including airports and military installations and operations (16 NYCRR 11001.25(e)), and

WHEREAS, the Article 10 Siting Board may request either an "informal" or "formal" review of a proposed generation facility by the Department of Defense (32 Code of Federal Regulations, Sections 211.6 and 211.7), and

WHEREAS, the Niagara County Legislature has gone on record calling for a complete and thorough study of all potential impacts the Apex project could have on NFARS, now, therefore, be it

RESOLVED, that the Niagara County Legislature calls on Governor Cuomo and the Article 10 Board to request the Department of Defense conduct a formal review of the Apex application under 32 Code of Federal Regulations, Section 211.7 when that application is submitted, and be it further

RESOLVED, that a copy of this resolution be transmitted to the Governor, Lt. Governor, members of the Western New York Senate and Assembly delegation and the members of the Western New York Congressional delegation.


LEGISLATOR DAVID E. GODFREY

LEGISLATOR JOHN SYRACUSE



# NIAGARA COUNTY LEGISLATURE

FROM: Legislator John Syracuse      DATE: 08/01/17      RESOLUTION # IL-074-17

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

## RESOLUTION IN SUPPORT OF THE NEWFANE SPORTS BOOSTERS THROUGH THE USE OF CASINO FUNDING

WHEREAS, the Newfane Sports Boosters is a 501(c) non-profit organization with a mission to stimulate the interest and enthusiasm of the Newfane Schools and community in their interscholastic sports program by creating a supportive partnership between parents, coaches, faculty, alumni and friends, and

WHEREAS, for the second time in Newfane's history, the Newfane Sports Boosters will be hosting the Newfane Varsity Football Team in a match against the Lewiston Porter Lancers on September 9<sup>th</sup> at 7:00 p.m. under the lights, and

WHEREAS, the local interest in response to this football game will ensure a large crowd and positive economic impact for the town of Newfane and other nearby communities, and

WHEREAS, the Newfane Sports Boosters is seeking assistance to offset the cost of the lighting for this event, and

WHEREAS, Niagara County is desirous in supporting events that highlight community pride and promote economic growth, now, therefore, be it

RESOLVED, that Niagara County supports the Newfane Sports Boosters as follows:

Newfane Sports Boosters	\$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 2017 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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LEGISLATOR JOHN SYRACUSE

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Dennis F. Virtuoso, DATE: 08/01/17 RESOLUTION # IL-075-17  
Jason A. Zona, Owen T. Steed and  
Mark J. Grozio

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

RESOLUTION ASKING NYS TO AMEND SOCIAL SERVICES LAW SECTION 143-B

WHEREAS, New York State Social Services Law Section 143-b provides that the local social services district has the ability to withhold rent vouchers to landlords "when this is a violation of law which is dangerous, hazardous or detrimental to life or health" upon notification from the local code enforcement office, and

WHEREAS, it has been identified that there are certain landlords who owe a considerable amount of back taxes to the local municipalities, school districts and the county who are receiving rental vouchers for social services clients who are living in such properties, and

WHEREAS, at this time the local social services districts do not have the authority to withhold rent vouchers from those landlords who owe back taxes, and

WHEREAS, there is concern that taxpayer's dollars are being used to subsidize property owners who are not paying their taxes, now, therefore, be it

RESOLVED, that the Niagara County Legislature is asking the New York State Legislature and Governor Cuomo to amend Section 143-b of NYS Social Service Law to allow local social services districts to withhold rent vouchers to landlords who owe back taxes to the local municipalities, school districts and counties, and be it further

RESOLVED, that a copy of this resolution be forwarded to Governor Andrew Cuomo, Assemblyman Carl Heastie, Senator John Flanagan, Senator Robert Ort, Assemblyman Angelo Morinello and Assemblyman Michael Norris.

LEGISLATOR DENNIS F. VIRTUOSO

LEGISLATOR JASON A. ZONA

LEGISLATOR OWEN T. STEED

LEGISLATOR MARK J. GROZIO



NIAGARA COUNTY LEGISLATURE

FROM: Legislators Wm. Keith McNall and  
William J. Collins

DATE: 08/01/17

RESOLUTION # IL-076-17

APPROVED BY  
CO. ATTORNEY

REVIEWED BY  
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Referred: \_\_\_\_\_

**RESOLUTION IN SUPPORT OF FUNDING THE LAKE ONTARIO TROUT AND SALMON  
ASSOCIATION PURCHASE OF AUTOMATION EQUIPMENT FOR FISH STOCKING PROGRAMS**

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, this Legislature is committed to utilizing said funds for economic and community development goals that enhance our community and make it more desirable to businesses looking to expand and relocate operations, and

WHEREAS, the economies of New York State and Niagara County are heavily reliant upon Lake Ontario, Lake Erie, the Niagara River waterway, and the Tonawanda Creek, and

WHEREAS, the economic impact of sport fishing on those counties bordering Lake Ontario, namely the Counties of Niagara, Orleans, Monroe, Wayne, Cayuga, Oswego, and Jefferson, was \$54 million in 2007, per research by Cornell University's Department of Natural Resources, and

WHEREAS, these sport fishing events benefit hotels, restaurants and retail businesses throughout Niagara County and provide substantial sales tax revenue, and

WHEREAS, the Lake Ontario Trout and Salmon Association is a not-for-profit organization whose membership is comprised primarily of recreational fishermen who are dedicated to the enhancement and promotion of Lake Ontario sport fishery, placing a heavy emphasis on education and recruiting new anglers to Lake Ontario sportfishing, and

WHEREAS, the Lake Ontario Trout and Salmon Association does pen-rear salmon and trout for the purpose of stocking fishing waters, and

WHEREAS, the Lake Ontario Trout and Salmon Association's membership has taken the time-consuming burden of feeding the pen-reared fish over the years and is seeking relief through automation, and

WHEREAS, LOTSA has purchased a belt-fed feeding system to mitigate this burden placed on its membership and enhancing the fish population available to anglers, and thus having a positive economic impact on the regional lakeshore economy, and

WHEREAS, LOTSA has been invoiced \$4160.88 plus tax for the installation of said system by Pentair Aquatic Eco-System, and

WHEREAS, the Niagara County Legislature considers the expansion of sport fishing and other agribusiness in Niagara County a critical part of economic development and a worthwhile expenditure of said casino revenues, now, therefore be it



RESOLVED, that Niagara County disburses § 99-h funding for the purpose of defraying costs associated with installation of said belt-fed feeding system:

LOTS—Feeder Installation Costs	\$1,000.00
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and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2017 budget:

INCREASE APPROPRIATED FUND BALANCE:

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

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$1,000.00
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LEGISLATOR WM. KEITH MCNALL

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LEGISLATOR WILLIAM J. COLLINS