

OFFICIAL RECORD

Lockport, New York
May 16, 2017

The meeting was called to order by Chairman McNall at 7:06 p.m.

Clerk Tamburlin called the roll. All Legislators were present with the exception of Legislator Zona

CORRESPONDENCE/RECOGNITION:

1. Legislator Syracuse read a letter he received from Save the Ontario Shores, Inc. regarding concerns they have with NYPIRG (New York Public Interest Research Group) coming to Somerset to promote Wind Turbines in their communities, something Save Ontario Shores is trying to put a stop to and wanted to again thank the Niagara County Legislature for their continued support.
2. Chairman McNall thanked Adam Sassone the Western New York Regional Representative to Governor Cuomo has been in contact with him weekly in regards to the Ontario Lake Shore Flooding and to let him know if any kind of assistance could be provided. Legislator Godfrey stated what a huge economic impact this will have on the Towns and the County.

PRESENTATIONS:

1. Legislator Andres invited Office for the Aging Director Ken Genewick to the lectern and also Mr. Leo Lewandowski and presented Mr. Lewandowski with a proclamation in recognition of being named the 2017 Niagara County Senior Citizen of the Year.

Chairman Ross read a proclamation on behalf of Senator Robert Ortt and the NYS Senate thanking Leo Lewandowski for his service to his community.

2. Legislator Andres invited Social Services Commissioner Tony Restaino, members of his staff and Brian and Josephine Schaffer and their foster children to the lectern and read a proclamation declaring May, 2017 as Foster Parent Recognition Month in Niagara County.

3. Legislator Andres invited Social Services Commissioner Tony Restaino and Kathryn Giza Bielicki to the lectern and read a proclamation honoring Kathryn as 2017 Case Worker of the Year.

4. Chairman McNall invited Office for the Aging Director Ken Genewick and Jonathan Steen and his family to the lectern to read a proclamation on Jonathan's unselfish service he provides weekly to the residents at Briarwood Manor Assisted Living Facility. Chairman McNall also commented on Jonathan being the youngest person to be recognized in the Chambers. Ken Genewick noted the proclamation Jonathan received has inspired his office to provide a annual award to youth who provide service to senior citizen in Niagara County.

5. Legislators Burmaster and Steed invited Suzanne Shears, Executive Director of NIACAP (Niagara Community Action Program, Inc. and read a proclamation on declaring the month of May, 2017 Community Action Service Month.

6. Legislator Lance, Chairman of the Economic Development Committee went to the lectern to present the 2017 Niagara County Economic Development Address. She recognized IDA outstanding commitment in growing Niagara County. Legislator Lance highlighted the 2016 accomplishments and discussed the goals for 2017.

0 citizens spoke at this time.

Recess

Chairman McNall recognized William Flynn Director of Information Technology and his staff for the great job they did installing the new monitors in the Chambers.

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

Resolution No. AD-007-17

From: Administration Committee.

Dated: May 16, 2017

DESIGNATION OF DEPOSITORY AND DEPOSIT AMOUNT

WHEREAS, pursuant to Section 212 of the County Law and Section 10 of the General Municipal Law, the Niagara County Legislature shall designate the depositories within the State of New York and the maximum which may be kept on deposit at any time in each depository, and

WHEREAS, the last designation by the County Legislature occurred on August 6, 2013, and

WHEREAS, since the last designation by the County Legislature, various banks have changed due to mergers and acquisitions or no longer participate in government banking, and

WHEREAS, it is beneficial to have numerous regional banks involved in the bidding process for investments and borrowings, now, therefore, be it

RESOLVED, that the maximum amounts to be deposited in the following bank depositories are as follows:

JP Morgan Chase Bank	\$90,000,000
Bank of America	\$90,000,000
Key Bank	\$90,000,000
M&T Bank	\$90,000,000
Evans Bank	\$90,000,000

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. AD-008-17

From: Administration Committee.

Dated: May 16, 2017

**A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF 2003 ESTABLISHING AN
ADMINISTRATIVE CODE FOR THE COUNTY OF NIAGARA**

WHEREAS, the County Legislature of the County of Niagara, enacted Local Law No. 4 of 2003 establishing an Administrative Code for the County of Niagara, and

WHEREAS, the County Legislature of the County of Niagara, amended Local Law No. 4 of 2003 by Local Law No. 1 of 2006, Local Law No. 5 of 2008, Local Law No. 2 of 2011, and Local Law No. 1 of 2015, and

WHEREAS, the County Legislature of the County of Niagara, per Local Law No. 1 of 2015 created the Buildings and Grounds Department and the Infrastructure and Facilities Committee was designated for the oversight and jurisdiction of such Buildings and Grounds Department, and

WHEREAS, the County Legislature of the County of Niagara, designated the County Manager to make the appointment of the Director of Buildings and Grounds Department pursuant to those powers and duties of the County Manager set forth in Section A3-3 (i), and

WHEREAS, the County Manager recommends a restructuring of the Public Works Department so as to merge the Buildings and Grounds Department and Parks/Golf Course Department into the Public Works Department, and

WHEREAS, the Buildings and Grounds Department and Parks/Golf Course Department shall remain as divisions of the Department of Public Works, and

WHEREAS, the division of Buildings and Grounds, and division of Parks/Golf Course shall be under the control of the Deputy Commissioner Public Works for Buildings, Grounds, and Parks, who reports to the Commissioner of Public Works, and

WHEREAS, the County Legislature of the County of Niagara, does hereby amend Local Law No. 4 of 2003 establishing an Administrative Code for the County of Niagara, as amended by Local Law No. 1 of 2006, Local Law No. 5 of 2008, and Local Law No. 2 of 2011, and Local Law No. 1 of 2015 by a Local Law of the County of Niagara, New York for the year 2017 as follows:

ARTICLE II. THE COUNTY LEGISLATURE

§A2-9. Committees of the County Legislature: Jurisdiction, Powers and Duties

A. The jurisdiction of the committees shall be as follows:

(5) Infrastructure and Facilities

- (a) Public Works
- (b) Refuse District
- (c) Water District
- (d) Sewer District
- (e) Weights and Measures
- (f) Information Technology

A3-3. Powers and Duties

1. Without curtailing, diminishing or transferring the powers of any elected County official, the County Manager shall be responsible for the overall administration of county government and shall provide and coordinate staff services to the County Legislature, Chair of the Legislature and its committees. The County Manager shall perform all the duties now and hereafter conferred or imposed upon the officer by law and directed by the County Legislature and shall have all powers and perform all the duties necessarily implied or incidental thereto. Among such powers and duties, but not by way of limitation, are:

- (a) To serve as the Chief Executive and Administrative Director of County Government;
- (b) To exercise supervision and control over the activities of County department directors and supervise the administration of all units of County government to most effectively implement the directives of the Legislature in accordance with applicable law, but shall not exercise administrative control over the County Auditor, the County Treasurer, the County Attorney, the District Attorney, the County Sheriff, the Public Defender, the County Clerk, or any other publicly elected official;
- (c) To determine which employees of the County shall perform particular duties not clearly defined by law or this Local Law;
- (d) To execute and enforce all Local Laws, legalizing acts, ordinances and resolutions of the County Legislature and all other acts required by law;
- (e) To serve as an advisor to the County Legislature and develop policy and procedural recommendations for consideration of the Legislature;
- (f) To undertake research and submit to the County Legislature reports and recommendations regarding governmental operations as may be deemed appropriate or the County Legislature may request, and provide such assistance to the Legislature and its committees as may be requested by the Legislature;
- (g) To serve as liaison between the County Legislature and the boards, commissions, agencies, and advisory committees established by the Legislature;
- (h) To maintain liaison and represent the County Legislature in contacts with political subdivisions, State and Federal officials and agencies;
- (i) To make appointments for the heads of units of County government listed below, subject to the confirmation of the County Legislature:
 - 1. Director of the Office of the Aging
 - 2. Commissioner of Public Works
 - 3. Director of Information Technology
 - 4. Director of Human Resources
 - 5. Director of Employment and Training
 - 6. Fire Coordinator and Director of Emergency Services
 - 7. Commissioner of Economic Development
 - 8. Director of Probation
 - 9. Director of Real Property Tax Services
 - 10. Commissioner of Social Services
 - 11. Director of Veterans' Services
 - 12. County Historian
 - 13. Director of Risk & Insurance Services
 - 14. Director, Office of Management and Budget

AD-008-17

Page 3

and such other officers, department heads and employees as the County Legislature shall designate by Local Law or Resolution, with the exception that the County Legislature retains appointing and removal powers for the position of Civil Service Personnel Officer pursuant to the Civil Service Law of the State of New York.

RESOLVED, that the Niagara County Legislature shall conduct a public hearing upon said proposed Local Law at the Legislative Chambers, Courthouse, Lockport, New York, on the 20th day of June 2017, at 6:15 p.m., and be it further

RESOLVED, that the Clerk of the Legislature, at least six (6) days in advance of such hearing, shall post a notice upon the bulletin boards in the Courthouse at Lockport, the Civic Building in Niagara Falls, and the County Building in North Tonawanda and shall publish such notice once in the Union Sun & Journal, and the

Niagara Gazette; such notice shall contain the title of the Local Law and an abstract of the text to be prepared by the Clerk of the Legislature, with the assistance of the County Attorney's Office.

This Local Law shall take effect immediately.
Approved for Submission

Moved by Nemi, seconded by Bradt.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. CS-020-17

From: Community Services and Administration Committees
Dated: May 16, 2017

**PUBLIC HEARING FOR
NCCC FY 2017-2018 MAINTENANCE AND OPERATING BUDGET**

WHEREAS, the County Manager and Budget Director have filed with the Legislative Clerk the tentative budget for the Niagara County Community College for their fiscal year commencing September 1, 2017 and ending August 31, 2018, and

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

RESOLVED, that a public hearing be held in the Legislative Chambers, Courthouse, Lockport, New York at 6:45 p.m. on the 20th day of June, 2017 to review the tentative budget, and be it further

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

Moved by Bradt, seconded by Virtuoso.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. CS-021-17

From: Community Services and Administration Committees
Dated: May 16, 2017

**BUDGET MODIFICATION – ACCEPTANCE OF
ADDITIONAL AGING MASTERY PROGRAM (AMP) GRANT FUNDING**

WHEREAS, the Niagara County Office for the Aging (NCOFA) provides community-based services to help older adults remain active and independent in the community, and

WHEREAS, the NCOFA receives various recurring and one-time state and federal grants each year to fund a portion of these services provided, and

WHEREAS, the NCOFA had been selected to participate with New York State Office for the Aging (NYSOFA), National Council on Aging (NCOA), and SUNY Albany's Center for Excellence in Aging & Community Wellness (SUNY) in the implementation of the Aging Mastery Program (AMP), and

WHEREAS, AMP is a behavior change incentive program for aging well that encourages developing sustainable behaviors across many dimensions that will lead to improved health, stronger financial security, and overall well-being; the program incorporates evidence-based materials, expert speakers, group discussion, peer support and a rewards system to give participants the skills and tools they need to achieve measureable improvements, and

Niagara Gazette; such notice shall contain the title of the Local Law and an abstract of the text to be prepared by the Clerk of the Legislature, with the assistance of the County Attorney's Office.

This Local Law shall take effect immediately.

Approved for Submission

Moved by Nemi, seconded by Bradt.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. CS-020-17

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Dated: May 16, 2017

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NCCC FY 2017-2018 MAINTENANCE AND OPERATING BUDGET**

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

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WHEREAS, the NCOFA receives various recurring and one-time state and federal grants each year to fund a portion of these services provided, and

WHEREAS, the NCOFA had been selected to participate with New York State Office for the Aging (NYSOFA), National Council on Aging (NCOA), and SUNY Albany's Center for Excellence in Aging & Community Wellness (SUNY) in the implementation of the Aging Mastery Program (AMP), and

WHEREAS, AMP is a behavior change incentive program for aging well that encourages developing sustainable behaviors across many dimensions that will lead to improved health, stronger financial security, and overall well-being; the program incorporates evidence-based materials, expert speakers, group discussion, peer support and a rewards system to give participants the skills and tools they need to achieve measureable improvements, and

WHEREAS, as a participant in this program, NCOFA had initially been awarded a grant of \$20,000 for the period of January 1, 2016 to March 31, 2017, with no county match required, and have been notified that it has been awarded an additional amount of \$5100 to continue the program through the end of 2017, and

WHEREAS, the budget modification includes the additional funding, as well as a carryover of funding that was unexpended in 2016; NCOFA will be partnering with the Dale Association, who will continue to administer the program in a series of AMP wellness and education programs throughout Niagara County, now, therefore, be it

RESOLVED, that the department is given authorization to accept the grant increase with the effectuation of the following budget modification:

INCREASE REVENUE:

A.24.6772.000 43772.01	Programs for Aging General	\$15,301.56
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INCREASE APPROPRIATION:

A.24.6772.000 74500.01	Contractual	\$15,301.56
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. CS-022-17

From: Community Services and Administration Committees

Dated: May 16, 2017

**BUDGET MODIFICATION – ACCEPTANCE OF
BALANCING INCENTIVE PROGRAM (BIP) CAREGIVER SUPPORT PROGRAM GRANT**

WHEREAS, the Niagara County Office for the Aging (NCOFA) provides community-based services to help older adults remain active and independent in the community, and

WHEREAS, the NCOFA receives various recurring and one-time state and federal grants each year to fund a portion of these services provided, and

WHEREAS, the NCOFA had initially been awarded a Balancing Incentive Program (BIP) Caregiver Support Program Grant for the amount of \$40,402 for the period of April 1, 2015 through June 30, 2017, with no matching cost to the county, to enhance its support for caregivers of clients of individuals with active Medicaid insurance, and

WHEREAS, the NCOFA was notified that the grant period has been extended through September 30, 2017 and it has been awarded additional funding for programming, and

WHEREAS, this grant will allow the NCOFA to provide additional services to clients to increase independence in their home and in the community, such as home modifications and overnight respite, thereby assisting their caregivers who provide care for these individuals, now, therefore, be it

RESOLVED, that the department is given authorization to accept the grant increase with the effectuation of the following budget modification:

INCREASE REVENUE

A.24.6772.000 4377.01	Programs for Aging General	\$17,539.41
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INCREASE APPROPRIATION

A.24.6772.000 74750.02	Supplies, General Supplies/Materials	\$17,539.41
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. CS-023-17

From: Community Services and Administration Committees

Dated: May 16, 2017

**BUDGET MODIFICATION –OFFICE FOR THE AGING NY CONNECTS
EXPANSION AND ENHANCEMENT GRANT**

WHEREAS, the Niagara County Office for the Aging (NCOFA) provides services to older adults, families, caregivers and people with disabilities of all ages living in Niagara County.

WHEREAS, NCOFA has been awarded funding to participate in the New York Connects Expansion and Enhancement program; one of the requirements of the grant is the implementation of a statewide No Wrong Door/Single Entry Point for information and assistance with aging and disability services, and to accomplish this, New York State is building upon the existing NY Connects system, and working with local Offices for the Aging to implement needed enhancements, and

WHEREAS, NCOFA has been notified that the funding allocation has been reduced for the January 1, 2017 to March 31, 2018 grant period, thereby impacting NCOFA's budgets in order to maintain current staffing, now, therefore, be it

RESOLVED, that the department is given authorization to accept the grant funds with the following budget modification to be effectuated to the Office for the Aging budget:

DECREASE REVENUE:

CM.24.6772.603 44089.03	Federal Aid, Other Aging Grant	\$133,650.42
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INCREASE APPROPRIATIONS:

A.24.6772.000 71010.00	Positions Expense (Pos. 1292, 13056, 11032, 13057)	\$8,660.27
A.24.6772.000 71012.00	Longevity Expense	83.62
A.24.6772.000 71030.00	Part-Time Expense (Pos. 1283)	824.70
A.24.6772.000 78100.00	Retirement Expense	1,143.88
A.24.6772.000 78200.00	FICA Expense	707.21
A.24.6772.000 78300.00	Worker's Compensation Expense	128.22
A.24.6772.000 78400.01	Insurance, Health Active Hospital/Medical Ins.	2,261.43
A.24.6772.000 78700.00	NYS Disability Expense	13.05
CM.24.7610.703 71030.00	Part-Time Expense (Pos. 10408, 2155)	1,649.40
CM.24.7610.703 78100.00	Retirement Expense	264.00
CM.24.7610.703 78200.00	FICA Expense	126.30
CM.24.7610.703 78300.00	Worker's Compensation Expense	22.20
CM.24.6772.603 74375.01	Communications Advertising & Promotion	4,014.25
CM.24.6772.603 74375.08	Communications Internet Service	1,439.00
CM.24.6772.603 74650.08	Services, Professional Consultants/Expert Services	200.00

DECREASE APPROPRIATIONS:

A.24.6772.000 74300.01	Reimbursement Travel, Conference	\$2,410.00
A.24.7610.702 74300.01	Reimbursement Travel, Conference	590.00
A.24.6772.000 74300.03	Reimbursement Travel, Mileage	1,000.00

A.24.6772.000 74600.03	Professional Development Training & Education	400.00
A.24.6772.000 74500.01	Contractual Expense	9,422.38
CM.24.7610.703 74800.06	Supplies/Service Maintenance & Repairs	200.00
CM.24.7610.703 74750.02	Supplies, General Supplies/Materials	1,861.90
CM.24.6772.603 71010.00	Positions Expense	8,660.27
CM.24.6772.603 71012.00	Longevity Expense	83.62
CM.24.6772.603 71030.00	Part-Time Expense	2,474.10
CM.24.6772.603 78100.00	Retirement Expense	1,407.88
CM.24.6772.603 78200.00	FICA Expense	833.51
CM.24.6772.603 78300.00	Worker's Compensation Expense	150.42
CM.24.6772.603 78400.01	Insurance, Health Active Hospital/Medical Ins.	2,261.43
CM.24.6772.603 78700.00	NYS Disability	13.05
CM.24.6772.603 74500.01	Contractual Expenses	118,068.34
CM.24.6772.603 74300.01	Reimbursements Travel/Conference	4,139.42
CM.24.6772.603 74300.03	Reimbursements Travel/Mileage	1,091.63
CM.24.6772.603 74600.03	Professional Development Training & Education	120.00

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. CS-024-17

From: Community Services and Administration Committees

Dated: May 16, 2017

PUBLIC HEARING FOR LOCAL LAW AUTHORIZING THE LEASE OF COUNTY OWNED PROPERTY FOR A LEASE TERM IN EXCESS OF FIVE YEARS

WHEREAS, the county of Niagara is the owner of real property no longer necessary for public use located at the intersection of Niagara Street and Sunset Drive, in the town of Lockport, county of Niagara, State of New York, specifically seven (7) acres with a structure with a portion of said seven (7) acres, namely a 1.9 acre parcel off the westerly portion of the leased property, being retained by county of Niagara as the said 1.9 acre parcel will not be leased as it is utilized for the purpose of additional parking for the Niagara County Jail, and

WHEREAS, said seven (7) acres of real property was leased to Fellowship House, Inc. pursuant to a lease agreement entered into on January 1, 1992, by and between County of Niagara and Fellowship House, Inc. for a term of fifty (50) years for the purpose of conducting a youth program for recovering alcoholics/substance abusers, and

WHEREAS, said lease agreement was amended to return the 1.9 acre parcel referenced above to the county of Niagara for the purpose stated above with all of the other terms of the original January 1, 1992 lease agreement remaining in full force and effect; said amended lease agreement by and between county of Niagara and Fellowship House, Inc. was entered into on February 6, 1996, and

WHEREAS, Fellowship House, Inc., ceased to be the organization conducting the youth program for recovering alcoholics/substance abusers, at the above-referenced real property and in accordance with the January 1, 1992 lease agreement and said January 1, 1992 lease agreement was terminated by mutual consent of county of Niagara and Fellowship House, Inc., on April 30, 2016, and

WHEREAS, a new lease agreement was entered into by and between county of Niagara and Cazenovia Recovery Systems, Inc., on May 1, 2016 to conduct a program for female recovering alcoholics/substance abusers and their children, at the said real property and structure referenced above, with said program to be operated and maintained by Cazenovia Recovery Systems, Inc. in accordance with relevant federal and state

laws and regulations, and certified by the State of New York Division of Alcoholism and Alcohol Abuse, and

WHEREAS, said the May 1, 2016 lease agreement was for a term of five (5) years with county of Niagara and Cazenovia Recovery Systems, Inc. having the ability to extend said May 1, 2016 lease agreement for additional five (5) year terms by executing a mutually agreed upon written amendment to the May 1, 2016 lease agreement, and

WHEREAS, the State of New York has informed county of Niagara, by and through its agent the Niagara County Department of Mental Health, that the State of New York desires to renovate the structure located on said real property referenced above with the cost of said renovations being in the amount of \$1,501,000.00, and

WHEREAS, the State of New York is requiring the lease term of the May 1, 2016 lease agreement by and between county of Niagara and Cazenovia Recovery Systems, Inc. to be twenty-five (25) years, instead of the current lease term of five (5) years, and

WHEREAS, New York County Law §215(3) allows the Niagara County Legislature to “. . . lease for county purposes real property for terms not exceeding five years with the privilege of renewal . . .”; however, a local law may be adopted by the Niagara County Legislature authorizing the lease by County of Niagara of private property for a County purpose for a term in excess of five (5) years, and

WHEREAS, county of Niagara may provide much needed services for a program for female recovering alcoholics/substance abusers and their children, for Niagara County residents at the said real property referenced above by and through the May 1, 2016 lease agreement with Cazenovia Recovery Systems, Inc., now, therefore, be it

RESOLVED, that the county of Niagara proposes the adoption of the following proposed Local Law:

A Local Law authorizing the lease of County property no longer necessary for public use, commonly described as the real property with structure located at the intersection of Niagara Street and Sunset Drive, in the town of Lockport, county of Niagara, State of New York, specifically seven (7) acres with a portion of said seven (7) acres, namely a 1.9 acre parcel off the westerly portion of the leased property, being retained by county of Niagara for a private lease to Cazenovia Recovery Systems, Inc. for an initial twenty-five (25) year Lease Term, with the privilege of renewal.

Be it enacted by the Legislature of the county of Niagara, New York, as follows:

1. That the county of Niagara be allowed to lease certain real property with structure described above inasmuch as said property is no longer necessary for any County public use and inasmuch as the lease of the property will have no environmental significance on the area.
2. That the county of Niagara is authorized to conduct private negotiations for the lease of said premises without public bidding.
3. That said lease will be for a fair and adequate consideration subject to final approval by the Niagara County Legislature.
4. That said consideration would be the annual rent of One Dollar and No Cents (\$1.00) per year by the tenant Cazenovia Recovery Systems, Inc. along with the maintenance.
5. That the said leasehold be restricted to allowing Cazenovia Recovery Systems, Inc. to utilize the real property and facilities thereon for the sole purpose of maintaining services for a program for female recovering alcoholics/substance abusers and their children, of Niagara County.

6. That Cazenovia Recovery Systems, Inc., may make alterations, additions or improvements to the premises with reasonable consent and approval of the Niagara County Legislature prior to any alteration, addition or improvement being made by Cazenovia Recovery Systems, Inc.
7. Any alterations, additions or improvements to the premises under the leasehold shall revert to the county of Niagara at the end of the Lease Term, which shall be designated as twenty-five (25) years, or any extensions thereof.
8. That the chairman of the Niagara County Legislature execute all documents necessary to effectuate such lease, including, but not limited to, contracts with Cazenovia Recovery Systems, Inc. and any governmental agency providing funding for any renovations or improvements to the facilities on said real property for the operation of programs for female recovering alcoholics/substance abusers and their children, after review and approval by the County Attorney.
9. That the property to be leased is described as follows:

Real property with structure located at the intersection of Niagara Street and Sunset Drive, in the town of Lockport, county of Niagara, State of New York, specifically seven (7) acres with a portion of said seven (7) acres, namely a 1.9 acre parcel off the westerly portion of the leased property, being retained by county of Niagara, to be more particularly described in the lease.

and be it further

RESOLVED, that the Niagara County Legislature shall conduct a public hearing upon said proposed Local Law at the Legislative Chambers, Niagara County Courthouse, Lockport, New York, on the 20th day of June, 2017 at 6:30 p.m., and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. CSS-027-17

From: Community Safety & Security and Administration Committees

Dated: May 16, 2017

ACCEPTANCE OF GUN INVOLVED VIOLENCE ELIMINATION INITIATIVE GRANT & BUDGET MODIFICATION

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

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

WHEREAS, the Niagara County District Attorney's Office, the Niagara County Sheriff's Office and the Niagara County Probation Department, in conjunction with the Niagara Falls Police Department, applied for the renewal of funding under the 2017-2018 GIVE Initiative, and

WHEREAS, the Niagara County District Attorney's Office, the Niagara County Sheriff's Office and the Niagara County Probation Department have received notification that funding has been awarded in the amounts of \$157,581, \$102,549 and \$64,747 respectively, for the period of July 1, 2017 through June 30, 2018, with no required match from Niagara County, and

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

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

WHEREAS, it is necessary to modify revenue and appropriations in the District Attorney's Office, the Sheriff's Office and Probation Department's budgets for fiscal year 2017, and now, therefore be it

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

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

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

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

INCREASE REVENUE:

CM.02.1989.115.43389.13	Crime Prevention	\$ 500
A.18.3140.000.43310.04	NYSDCJS	\$10,920

INCREASE APPROPRIATIONS:

CM.02.1989.115.74300.01	Travel Conference	\$ 500
A.18.3140.000.71050.00	Overtime	7,500
A.18.3140.000.74500.01	Contractual Expenses	2,920
A.18.3140.000.74600.03	Training/Education	500

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. CSS-028-17

From: Community Safety & Security and Administration Committees

Dated: May 16, 2017

**NIAGARA COUNTY SHERIFF'S OFFICE
OFFICE OF VICTIM SERVICES GRANT**

WHEREAS, the Niagara County Sheriff's Office was notified in writing that the New York State Office of Victim Services has extended the multi-year grant which was for a term of October 1, 2014 to September 30, 2017 into a term from October 1, 2014 to September 30, 2019, and

WHEREAS, the grant amount was increased from \$265,262 for the 2016-2017 grant fiscal year to \$331,577.50 for the 2017-2018 grant fiscal year, and

WHEREAS, the grant has also broadened the allowable expenses under the grant thus allowing the Victim Assistance Unit to increase the scope of services provided, and

WHEREAS, this grant funds the Niagara County Sheriff's Office Victim Assistance Unit with the personnel and services needed to provide legal, financial, safety and support services and referrals to Niagara County residents who are victims of crimes, and

WHEREAS, the Niagara County Sheriff's Office Victim Assistance Unit strives to provide the best service possible to our Niagara County residents, and

WHEREAS, the 2017 budget will need to be modified to allow for the spending of this grant, now therefore, be it

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the agreement for the 2017 -2018 grant fiscal year, and be it further

RESOLVED, that a part-time with benefits co-terminus Crime Advocate position be created and filled at Grade 5A Step 1 effective October 1, 2017, and be it further

RESOLVED, that the following line item transfers be effectuated:

INCREASE REVENUE:

A.17.3989.300.44389.06	Other Public Safety Crime Victims	\$66,316
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INCREASE APPROPRIATIONS:

A.17.3989.300.71010.00	Positions (Part time Crime Victim Advocate – XXXX)	\$21,337
A.17.3989.300.78100.00	Retirement Expense	3,414
A.17.3989.300.78200.00	FICA Expense	1,632
A.17.3989.300.78300.00	Worker's Compensation Expense	77
A.17.3989.300.78400.01	Insurance, Health Active Hosp/Med	3,023
A.17.3989.300.78400.05	Insurance, Health HRA Employer Contribution	425
A.17.3989.300.78700.00	NYS Disability Expense	77
A.17.3989.300.78800.00	Flex 125 Employer Contribution Expense	356
A.17.3989.300.72100.01	Machinery & Equipment Furniture and Fixtures	7,041
A.17.3989.300.74250.03	Office Expenses Printing/Duplicating	7,136
A.17.3989.300.74400.09	Miscellaneous Expenses Payments to Other Agencies	5,300
A.17.3989.300.74500.01	Contractual Expenses	15,000
A.17.3989.300.74600.03	Professional Development Training & Education	1,498

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. CSS-029-17

From: Community Safety & Security and Administration Committees

Dated: May 16, 2017

**NIAGARA COUNTY SHERIFF'S OFFICE-BUDGET MODIFICATION
TACTICAL TEAM TARGETED GRANT**

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 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 2017 budget will need to be modified to allow for the spending of this grant, now therefore, be it

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

RESOLVED, that the 2017 budget be modified:

INCREASE REVENUE:

A.17.3645.000.44305.02	Civil Defense Homeland Security	\$99,000
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INCREASE APPROPRIATIONS:

A.17.3645.000.72100.12	Machinery & Equipment Cars, Vans, Light Trucks	\$60,000
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A.17.3645.000.72100.21	Machinery & Equipment Law Enforcement Equipment	\$19,000
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A.17.3645.000.74500.01	Contractual Expenses	\$20,000
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. ED-009-17

From: Economic Development and Administration Committees

Dated: May 16, 2017

APPROVAL OF LOW COST POWER BENEFIT TO SUMMIT OUTLET, LP UNDER THE AGREEMENT FOR THE SALE & PURCHASE OF NIAGARA PROJECT POWER & ENERGY (ASPNPPE)

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

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

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

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

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

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

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

WHEREAS, the application of Summit Outlet, LP has met and exceeded all the criteria qualifying its project for consideration and the Empower Niagara Board is recommending approval of this application, and

WHEREAS, the application was approved for 184kw (at 70% load factor) of low cost power, which will allow Summit Outlet, LP sports/entertainment multi-use center Phase 1, that is one 96,000 square foot inflated sports dome, retain its current two permanent employees and create 31 jobs to allow for the running of indoor climate controlled sports, training, event adaptable space, and

WHEREAS, the approval of the Summit Outlet, LP application for 184kw (at 70% load factor) will allow its business in Niagara County to support, increase and maintain economic development in the town of Wheatfield and Niagara County, and

WHEREAS, the Empower Niagara Board will be recommending the approval of the low cost power allocation application approval for a period of three (3) years, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby approves the application of Summit Outlet, LP for 184kw (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 for Low Cost Power with Summit Outlet, LP.

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. ED-010-17

From: Economic Development and Administration Committees

Dated: May 16, 2017

**BUDGET MODIFICATION - TO COVER
EMPOWER NIAGARA ALLOCATION SUMMIT OUTLET, LP**

WHEREAS, Summit Outlet, LP is an existing Niagara County business that was approved to receive low cost hydropower allocations through the Empower Niagara Program, and

WHEREAS, these benefits will be applied to Summit Outlet, LP as stipulated in the Empower Niagara Program agreement, through the Niagara County Economic Development 2017-2019 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 2019 as set forth below:

	<u>2017</u>	<u>2018</u>	<u>2019</u>
INCREASE REVENUE:			

A.25.1620.108 42655.03	Sale of Excess Power	\$60,105.44	Value of of 184 kw at 70% load factor for 12 months	Value of of 184 kw at 70% load factor for 12 months
INCREASE APPROPRIATION:				
A.25.1620.108 74500.01	Contractual	\$60,105.44	Value of of 184 kw at 70% load factor for 12 months	Value of of 184 kw at 70% load factor for 12 months
INCREASE REVENUE:				
A.28.8020.813 42189.01	Activities – Economic Development	\$60,105.44	Value of of 184 kw at 70% load factor for 12 months	Value of of 184 kw at 70% load factor for 12 months
INCREASE APPROPRIATION:				
A.28.8020.813 74550.30	Empower Niagara	\$60,105.44	Value of of 184 kw at 70% load factor for 12 months	Value of of 184 kw at 70% load factor for 12 months

Moved by Bradt, seconded by Virtuoso.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. ED-011-17

From: Economic Development Committee

Dated: May 16, 2017

**RESOLUTION TO HIRE CONSULTING FIRM FOR CONDUCTING A FEASIBILITY STUDY
FOR A MULTI-USE FACILITY IN THE CITY OF NIAGARA FALLS**

WHEREAS, the Niagara County Legislature passed resolutions IL-086-16 and ED-006-17, allocating and accepting funding from Niagara County, the city of Niagara Falls, and the Honorable Robert G. Ortt, New York State Senator, for the purpose of conducting a feasibility study for a multi-use facility in the city of Niagara Falls, and

WHEREAS, the Niagara County Purchasing Department issued Request for Proposals 2017-27 on March 22, 2017, with proposals due on April 20, 2017, and

WHEREAS, the Niagara County Purchasing Department received and publicly opened eleven (11) proposals, and

WHEREAS, representatives from Niagara County, the city of Niagara Falls, Senator Ortt's Office, and Destination Niagara USA reviewed and scored the proposals based on criteria established in the Request for Proposals, and

WHEREAS, based on the eight (8) criteria listed in the Request for Proposals, the three (3) lowest, responsible, qualified bidders are listed in the chart below,

Vendor

Proposed Cost

Conventions, Sports & Leisure International	\$113,000
Johnson Consulting	\$115,000
Hunden Strategic Partners	\$134,000

and

WHEREAS, the review team recommends selecting Conventions, Sports & Leisure International to conduct a feasibility study for a multi-use facility in the city of Niagara Falls, and

WHEREAS, Conventions, Sports & Leisure International is the lowest qualified, responsible bidder that met all of the project scope objectives and proposed a comprehensive scope of work with desired project deliverables, and

WHEREAS, Conventions, Sports & Leisure International has extensive experience preparing feasibility studies for multi-use facilities, now, therefore, be it

RESOLVED, that Conventions, Sports & Leisure International is selected at a cost of \$113,000 to prepare a feasibility study for a multi-use facility in the city of Niagara Falls, and be it further

RESOLVED, that following the County Attorney's review and approval, the Chairman of the Legislature is hereby authorized to execute the required documents necessary to engage the services of Conventions, Sports & Leisure International.

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. ED-011-17

From: Economic Development and Administration Committees

Dated: May 16, 2017

RESOLUTION TO HIRE LEGAL SERVICES TO CREATE A COUNTY WIDE LAND BANK

WHEREAS, proposals from two (2) qualified individuals or firms capable of providing the professional and technical expertise needed to establish a land bank including all applicable documents as necessary for the establishment of said corporation were received through Request For Proposals ("RFP") 2017-32, issued by the Niagara County Purchasing Department, and

WHEREAS, the individuals or firms submitting proposals include Wladis Law Firm, of East Syracuse, NY and H. Sicherman & Co., of Lockport, NY, and

WHEREAS, the following chart contains the cost proposed by each firm to create the land bank,

Vendor	Proposed Cost
Wladis Law Firm	\$27,000.00
H. Sicherman & Co.	\$30,000.00

and

WHEREAS, the Niagara County Center for Economic Development reviewed the sealed bids submitted on April 27, 2017, and unanimously agreed to select Wladis Law Firm to provide the professional and technical expertise needed to establish a county wide land bank for Niagara County, and

WHEREAS, Wladis Law Firm, has experience preparing land bank applications; not-for-profit incorporation designation; and other materials associated with land bank operation, and

WHEREAS, Wladis Law Firm, submitted a detailed proposal, clearly identifying the tasks necessary to achieve the desired outcomes stated in the RFP, now, therefore, be it

RESOLVED, that the bid proposal for professional services for the creation of a land bank corporation and the application be awarded to Wladis Law Firm, in the amount of \$27,000.00, and be it further

RESOLVED, that the Niagara County Legislature allocate up to \$27,000.00 in Bridge Commission funding for the services as outlined above, and be it further

RESOLVED, that following the County Attorney's review and approval of the engagement letter/agreement, the Chairman of the Legislature is hereby authorized to execute the required documents necessary to engage the services of Wladis Law Firm, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.28.8020.811 41081.02	Payment in Lieu of Tax Bridge Commission Beautification	\$27,000.00
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INCREASE APPROPRIATION:

A.28.8020.811 74550.29	Beautification Program	\$27,000.00
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Approved for Submission

Moved by Lance, seconded by Nemi.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IF-081-17

From: Infrastructure & Facilities and Administration Committees

Dated: May 16, 2017

**NIAGARA COUNTY SHERIFF'S OFFICE FENCING/SECURITY PROJECT
AVAILABILITY OF FUNDS**

WHEREAS, Resolution No. IF-050-17, dated March 21, 2017, awarded the contract for the Niagara County Sheriff's Office Fencing/Security Project to Rommel Fence, LLC, 17 Railroad St., P.O. Box 367, Poland, NY 13431, in the amount of \$250,000.00, and

WHEREAS, additional funds are required in the project to award the contract and allow the project to proceed, and

WHEREAS, the Niagara County Jail Building No. 1 HVAC Replacement/Exterior/Rails for Rooftop Walkways project is substantially complete and has funds available, now, therefore, be it

RESOLVED, that the following budget modification be effectuated to allow the Niagara County Sheriff's Office Fencing/Security Project to proceed:

DECREASE REVENUE:

H607.15.3197.000 45031.00	Transfers from Operating Reserves	\$220.00
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DECREASE APPROPRIATIONS:

H607.15.3197.000 72200.01	Building Improvements	\$220.00
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INCREASE REVENUE:

H632.15.3197.000 45031.00	Transfers from Operating Reserves	\$220.00
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INCREASE APPROPRIATIONS:

H632.15.3197.000 72400.00	Land Improvements	\$220.00
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IF-082-17

From: Infrastructure & Facilities and Administration Committees

Dated: May 16, 2017

**WEST SOMERSET ROAD SURVEY PROJECT
CONSULTANT AMENDMENT NO. 3**

WHEREAS, Resolution No. PW-113-14, dated September 16, 2014, authorized the contract for survey work required along West Somerset Road in the towns of Newfane and Somerset to Erdman Anthony, 8608 Main Street, Buffalo, NY 14221, in the amount of \$96,900.00, and

WHEREAS, Resolution No. IF-112-15, dated September 15, 2015, authorized Amendment No. 1 to allow the project to proceed with Design Phase I, Quaker Road to Hosmer Road, in the amount of \$381,000.00, for a revised contract amount of \$477,900.00, and

WHEREAS, Resolution No. IF-088-16, dated September 22, 2016, authorized Amendment No. 2 for wetland delineation and survey in the amount of \$29,600.00, for a revised contract amount of \$507,500.00, and

WHEREAS, it is necessary to increase the contract by \$402,500.00 for design services from Hess Road to Hosmer Road, for a revised contract amount of \$910,000.00, and

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

RESOLVED, that the following budget modification be effectuated:

INCREASE ANTICIPATED REVENUE:

H613.15.5112.000 43501.00	Consolidated Highway Aid-West Somerset Road Survey Project	\$402,500.00
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INCREASE ANTICIPATED APPROPRIATIONS:

H613.15.5112.000 72600.01	Infrastructure Roads-West Somerset Road Survey Project	\$402,500.00
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and be it further

RESOLVED, that Amendment No. 3 to increase the contract by \$402,500.00, for a revised contract amount of \$910,000.00, to Erdman Anthony, 8608 Main Street, Buffalo, NY 14221, be approved, and be it further

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

Moved by Bradt, seconded by Virtuoso.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IF-083-17

From: Infrastructure & Facilities Committee

Dated: May 16, 2017

**AWARD REHABILITATION OF NORTH CANAL ROAD FROM
OLD NIAGARA ROAD TO THE ERIE CANAL CONSULTANT CONTRACT**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the preliminary design for the Rehabilitation of North Canal Road from Old Niagara Road to the Erie Canal project, and

WHEREAS, funds are available in account H638.15.5112.000 72600.01, Infrastructure Roads, and

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

RESOLVED, that the consultant services contract for the preliminary design of the Rehabilitation of North Canal Road from Old Niagara Road to the Erie Canal Project be awarded to Urban Engineers of New York, D.P.C., 403 Main Street, Suite 530, Buffalo, NY 14203, for a contract amount not to exceed \$202,028.00, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IF-084-17

From: Infrastructure & Facilities Administration Committee

Dated: May 16, 2017

**AWARD REPLACEMENT OF HOSMER ROAD BRIDGE OVER
FISH CREEK CONSULTANT CONTRACT**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the preliminary design for the Hosmer Road Bridge over Fish Creek project, and

WHEREAS, funds are available in account H642.15.5197.000 72600.02, Infrastructure Bridges, and

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

RESOLVED, that the consultant services contract for the preliminary design of the Replacement of Hosmer Road Bridge over Fish Creek Project be awarded to Clark Patterson Lee, 26 Mississippi Street, Suite 300, Buffalo, NY 14203, for a contract amount not to exceed \$111,669.56, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IF-085-17

From: Infrastructure & Facilities and Administration Committees

Dated: May 16, 2017

DEPARTMENT OF PUBLIC WORKS – HIGHWAY MAINTENANCE BUDGET MODIFICATION

WHEREAS, the enacted New York State Budget has provided \$100 million in enhanced assistance to local municipalities for the rehabilitation and reconstruction of local highways, and

WHEREAS, Niagara County's roll-over and apportionment for PAVE NY and the Extreme Winter Recovery in the 2017-18 Budget is \$1,264,785.97, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated to allow for additional rehabilitation and reconstruction of Niagara County highways:

INCREASE ESTIMATED REVENUE:

D.15.5110.000.43501.00	Consolidated Highway Aid Revenue	\$1,264,785.97
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INCREASE ESTIMATED APPROPRIATION:

D.15.5110.000.74800.12	Road Construction Materials	\$1,264,785.97
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IF-086-17

From: Infrastructure & Facilities and Administration Committees

Dated: May 16, 2017

DEPARTMENT OF PUBLIC WORKS – HIGHWAY MAINTENANCE BUDGET MODIFICATION

WHEREAS, the enacted New York State Budget has provided \$100 million in enhanced assistance to local municipalities for the rehabilitation and reconstruction of local highways, and

WHEREAS, Niagara County's apportionment for the 2017-18 Budget is \$2,169,604.55, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated to allow for the purchase of equipment that is required to provide rehabilitation and reconstruction of Niagara County highways:

INCREASE ESTIMATED REVENUE:

D.15.5110.000.43501.00	Consolidated Highway Aid Revenue	\$1,200,000.00
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INCREASE ESTIMATED APPROPRIATION:

H648.15.5112.000.72100.10	Highway Heavy Equipment	\$1,200,000.00
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IF-087-17

From: Infrastructure & Facilities Committee

Dated: May 16, 2017

AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND NEWFANE CENTRAL SCHOOL

WHEREAS, the Newfane Central School has requested that the county of Niagara grant them permission to use a

portion of Krull Park for the purpose of holding a band concert and chicken BBQ, and

WHEREAS, it is the wish of the Newfane Central School to hold the band concert and chicken BBQ on June 1, 2017, and

WHEREAS, the event coordinator will provide all insurances required by the Risk Management Office, and agree to cover all extraordinary expenses associated with event, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with Newfane Central School, and

WHEREAS, prior to the execution of the license agreement between the county of Niagara and Newfane Central School, the County Attorney will review said agreement for approval as to legal form, language and compliance, now, therefore, it is

RESOLVED, that, following the County Attorney's review, the Chair of the County Legislature be, and hereby is, authorized to execute the license agreement between the county of Niagara and Newfane Central School.

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IF-088-17

From: Infrastructure & Facilities Committee

Dated: May 16, 2017

**CORRECTING CLERICAL ERROR IN RESOLUTION IF-116-15
AUTHORIZATING THE CONVEYANCE OF COUNTY PROPERTY
LOCATED AT 50 MAIN STREET, LOCKPORT, NEW YORK TO
THE GREATER LOCKPORT DEVELOPMENT CORPORATION**

WHEREAS, the parcel of property located at 50 Main Street, Lockport, NY was part of the land package to purchase 20-40 East Avenue and 111 Main Street, Lockport, New York, and

WHEREAS, the County of Niagara has no plan to develop or utilize this property, and

WHEREAS, the County by resolution IF-116-15 declared 50 Main Street, Lockport, New York, surplus property, and

WHEREAS, the Greater Lockport Development Corporation ("GLDC") passed a resolution on March 23, 2017 authorizing the County of Niagara to convey the property located at 50 Main Street, Lockport, New York from the County to the GLDC for the municipal use (economic development) and utilization of the property, and

WHEREAS, the County of Niagara determined by Resolution IF-080-17 that the transfer of said parcel to the GLDC was in the best interest of the County, and

WHEREAS, the County of Niagara determined by Resolution IF-080-17 that prior to the conveyance as protection of the County's interests the execution and delivery of a transfer and indemnity agreement would be required from the GLDC, and

WHEREAS, the County of Niagara by Resolution IF-080-17 agreed to sell the premises located at 50 Main Street, Lockport, parcel SBL# 109.13-3-5, in city of Lockport to the GLDC for the amount of one dollar (\$1.00), and

WHEREAS, the County of Niagara by Resolution IF-080-17 agreed to transfer title to the premises in “as is condition,” and

WHEREAS, a condition of by Resolution IF-080-17 was that the agree to maintain the facilities and grounds, pay all utilities, and assume all liability issues for the facilities and grounds, and

WHEREAS, a further condition of by Resolution IF-080-17 was that the GLDC shall use such premises for the utilization by the GLDC for municipal and economic development purposes, and

WHEREAS, the terms and conditions under which the property is to be conveyed to the GLDC are subject to the final review and approval by the Niagara County Attorney’s Office and the attorney of the GLDC, and must include legally binding assurances of the GLDC holding harmless and fully indemnifying the County of Niagara from any liability, damage, claims or judgments arising after the transfer of said property from the condition and use of the Property including the condition and use of the Property thereafter by the GLDC, its transferees, grantees, successors and assigns, now, therefore, be it

RESOLVED, that the entire body of Resolution IF-080-17 as set forth above be and is hereby ratified except for the last Resolved which is hereby corrected by replacing the words “City of Lockport” with the words “Greater Lockport Development Corporation,” and be it further

RESOLVED, that following the County Attorney’s review, the Chairman of the Legislature be, and hereby is, authorized to convey said property to the GLDC, by the execution and delivery of a deed and all other required documents for transfer of 50 Main Street, Lockport, New York, SBL#109.13-3-5.

Moved by Nemi, seconded by Collins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IL-041-17

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

Dated: May 16, 2017

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

WHEREAS, Gratwick Hose Company has been a volunteer fire company in North Tonawanda for over 100 years, and

WHEREAS, Gratwick Hose donates the use of their facilities to different organizations for their events and were recently notified the roof on the field house needs to be replaced, and

WHEREAS, Gratwick Hose would greatly appreciate any assistance with this project as they continue to serve the community of North Tonawanda now, therefore, be it

RESOLVED, that the Niagara County Legislature support Gratwick Hose Company, Inc. as follows:

Field House Roof Replacement	\$3,600.00
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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 \$3,600.00

INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund \$3,600.00

Moved by Andres, seconded by Bradt.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IL-042-17

From: Legislators Randy R. Bradt, Richard L. Andres and Economic Development Committee.

Dated: May 16, 2017

**RESOLUTION IN SUPPORT OF THE NORTH TONAWANDA HALL OF FAME
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the North Tonawanda Football Hall of Fame was created over 40 years ago, and

WHEREAS, the North Tonawanda Football Hall of Fames building is in need of improvements which include new doors and a side porch replacement with all the work being done by the hall of fame volunteers, and

WHEREAS, the Niagara County Legislature casino fund contribution will support building improvements for the North Tonawanda Football Hall of Fame, now, therefore, be it

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

Building Improvements \$2,578.00

and be it further

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.812 40599.01 Appropriated Fund Balance - Committed Funds \$2,578.00

INCREASE APPROPRIATION:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund \$2,578.00

Moved by Andres, seconded by Bradt.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IL-043-17

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

Dated: May 16, 2017

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

WHEREAS, the Lockport Community Market located on Historic Canal Street has been bringing farmers, artisans and the community together to celebrate the rich agriculture heritage that Western New York has to offer for the past 7 years, and

WHEREAS, the Lockport Farmers Market is expanding to be a full "Quality of Life" program that will included numerous community engagement programs such as cooking lessons, music exploration sessions for

the youth, recycling and community “clean up” programs, yoga and nutrition demonstrations as well as participating in multiple food programs, now, therefore, be it

RESOLVED, that the Niagara County Legislature supports the Lockport Community Farmers Market as it strives give a better Quality of Life to the residents in the community as follows:

Lockport Community Farmer’s Market	\$5,000.00
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and be it further

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

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

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IL-044-17

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

Dated: May 16, 2017

**RESOLUTION IN SUPPORT OF THE CHALLENGER LEARNING CENTER OF ORLEANS,
NIAGARA AND ERIE COUNTIES THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the Challenger Learning Center of Orleans, Niagara and Erie Counties offers educational STEAM (science, technology, engineering, art and math) and a complementary Planetarium program for people of all ages, and

WHEREAS, the planetarium is the only public planetarium in Niagara County and has begun offering “Rendezvous with Comet Halley” missions, this is interactive, immersive experience with each individual taking on a unique and essential role in mission control on Earth and on the International Space Station, and

WHEREAS, the Challenger Learning Center of is currently borrowing an antiquated projector, when available and would like to purchase a new digital planetarium projector which will provide a unique view of the universe both today and throughout history, now, therefore, be it

RESOLVED, that the Niagara County Legislature supports the Challenger Learning Center as it focuses on serving students and residents in the community as follows:

Challenger Learning Center of Orleans, Niagara and Erie Counties	\$14,000.00
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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 \$14,000.00

INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund \$14,000.00

Moved by Andres, seconded by Bradt.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IL-046-17

From: Legislator John Syracuse and Economic Development Committee.

Dated: May 16, 2017

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

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

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

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

WHEREAS, various summer festivals and markets are a critical part of our county’s draw as a bedroom community for local residents working in critical professions in the Western New York economy, and especially young families that are so evident at these events, and

WHEREAS, the third annual Olcott Beach Mermaid Parade will be held June 17, and past years’ parades have sought to raise funds for various commendable community causes, and

WHEREAS, the Olcott Beach Mermaid Parade seeks to generate attention for the small hamlet of Olcott Beach, and to further local economic development by generating large-scale foot traffic in the small hamlet of Olcott Beach, which benefits many local shops, restaurants and businesses throughout the business district, and draws tourists and tourism-derived revenue, which benefits the region as a whole, now, therefore, be it

RESOLVED, that Niagara County supports its successful summer festival season, and in particular the Olcott Beach Mermaid Parade, and be it further

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

Town of Newfane \$500.00

and be it further

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

INCREASE REVENUE:

A.28.8020.812 40599.01 Appropriated Fund Balance \$500.00

INCREASE APPROPRIATION:

A.28.8020.812 74400.15 Seneca Niagara Monies \$500.00

Moved by Andres, seconded by Bradt.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IL-047-17

From: Legislator John Syracuse and Economic Development Committee.

Dated: May 16, 2017

**RESOLUTION IN SUPPORT OF FUNDING NEWFANE YOUTH FOOTBALL AND
CHEERLEADING THROUGH THE USE OF CASINO FUNDS**

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

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

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

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

WHEREAS, Newfane Youth Football and Cheerleading has, since 2006, via its Newfane Panthers team, enabled children ages 6 to 13 from Newfane and surrounding communities to participate in athletic competition and learn valuable lessons about teamwork, personal fitness, and achieving objectives through hard work, and further sought to meet those goals in a fiscally responsible manner, and

WHEREAS, Newfane Youth Football and Cheerleading is also the home team of Niagara County’s own Krull Park, and

WHEREAS, ensuring that our area youth have access to sports competition with an emphasis on safe play is critical to retaining the young, and often ambitious, families taking on key roles in the Western New York workforce, now, therefore, be it

RESOLVED, that Niagara County supports youth athletics and specifically wishes to see Newfane Youth Football and Cheerleading continue to provide a positive outlet for youth that enhances quality of life in the Western New York region, and be it further

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

Town of Newfane \$1,000.00

and be it further

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

INCREASE REVENUE:

A.28.8020.812 40599.01	Appropriated Fund Balance	\$1,000.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Monies	\$1,000.00
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Moved by Andres, seconded by Bradt.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IL-048-17

From: Legislator John Syracuse and Economic Development Committee.

Dated: May 16, 2017

**RESOLUTION IN SUPPORT OF FUNDING OLCOTT BEACH JAZZ TRAIL
THROUGH THE USE OF CASINO FUNDS**

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

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

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

WHEREAS, various summer festivals and markets are a critical part of our county’s draw as a bedroom community for local residents working in critical professions in the Western New York economy, and especially young families that are so evident at these events, and

WHEREAS, on July 23, Olcott Beach will host a unique music festival, the Olcott Beach Jazz Trail, with said festival including five outdoor stages and venues with live jazz music performances, and

WHEREAS, the Olcott Beach Jazz Trail will serve as a venue for local residents to hear musical performances by such performers as the Ralph Fava Quintet with Bobby Jones, Dan Hull and Friends, the Bobby Millitello Quartet, the Phil Simms Quintet, jazz vocalist Nancy Kelly, and Juno Award-winner Pat LaBarbera, and

WHEREAS, the Olcott Beach Jazz Trail seeks to further local economic development by generating large-scale foot traffic in the small hamlet of Olcott Beach, which benefits many local shops, restaurants and businesses throughout the business district, and draws tourists and tourism-derived revenue, which benefits the region as a whole, now, therefore, be it

RESOLVED, that Niagara County supports its successful summer festivals, and in particular the Olcott Beach Jazz Trail, and be it further

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

Town of Newfane

\$1,000.00

and be it further

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

INCREASE REVENUE:

A.28.8020.812 40599.01	Appropriated Fund Balance	\$1,000.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Monies	\$1,000.00
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Moved by Andres, seconded by Bradt.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IL-049-17

From: Legislator John Syracuse and Economic Development Committee.

Dated: May 16, 2017

RESOLUTION IN SUPPORT OF FUNDING NIAGARA PIRATE FESTIVAL THROUGH THE USE OF CASINO FUNDS

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

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

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

WHEREAS, various summer festivals and markets are a critical part of our county’s draw as a bedroom community for local residents working in critical professions in the Western New York economy, and especially young families that are so evident at these events, and

WHEREAS, Newfane’s Niagara Pirate Festival has will launch its 20th iteration this July, having been established by the Olcott Fire Department in 1998, and has been documented in such national publications as USA Today, and

WHEREAS, the 2017 Niagara Pirate Festival boasts such attractions as rides, food vendors, and a car show, plus live entertainment, and

WHEREAS, the Niagara Pirate Festival draws large-scale foot traffic to the small hamlet of Olcott Beach, which benefits many local shops, restaurants and businesses throughout the business district, and draws tourists and tourism-derived revenue, which benefits the region as a whole, now, therefore, be it

RESOLVED, that Niagara County supports its successful summer festivals, and in particular the Olcott Beach Niagara Pirate Festival, and be it further

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

Town of Newfane	\$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 REVENUE:

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

A.28.8020.812 74400.15	Seneca Niagara Monies	\$3,500.00
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Moved by Andres, seconded by Bradt.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IL-051-17

From: Legislators Kathryn L. Lance, Richard L. Andres, Wm. Keith McNall, Jason A. Zona and Economic Development Committee.

Dated: May 16, 2017

RESOLUTION IN SUPPORT OF A COUNTY-WIDE LAND BANK

WHEREAS, following the collapse of the housing market, the number of vacant homes in New York State increased by 27%, and

WHEREAS, New York State passed legislation creating New York State's Land Bank Program with enactment of Article 16 of the New York State Not-for-Profit Law (the "Act"), and

WHEREAS, pursuant to the provisions of the Act, governmental entities that possess the power to foreclose on tax liens are permitted to form a not-for-profit corporation whose purpose is to facilitate the return of vacant, abandoned, and tax delinquent properties to productive use, and

WHEREAS, the Act limited the number of land banks permitted to be created in New York State to 10, and

WHEREAS, the counties across the State of New York realized successes in fighting the blight within their communities, and

WHEREAS, in 2014 the Attorney General's bill to expand the number of land banks in New York from 10 to 20 was passed by the Legislature and signed into law by the Governor, and

WHEREAS, in 2017 the New York State budget enabled the creation of five additional land banks in New York State, and

WHEREAS, Niagara County and other municipalities have recognized the need to address the growing region-wide issue of tax delinquent, vacant, abandoned, foreclosed, and contaminated properties, and

WHEREAS, the County of Niagara has been working collaboratively with the Cities of North Tonawanda, Lockport and Niagara Falls to address this issue, and

WHEREAS, pursuant to the Land Bank Act, it is necessary to adopt a resolution of support that will

accompany the application to Empire State Development requesting the authorization to create a county-wide land bank within Niagara County, now, therefore, be it

RESOLVED, that the Niagara County Legislature supports this effort, and be it further

RESOLVED, that the Niagara County Legislature direct its government agencies to work in collaboration with the Cities of North Tonawanda, Lockport, and Niagara Falls to further the goals outlines in this resolution.

Moved by Lance, seconded by Andres.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IL-052-17

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

Dated: May 16, 2017

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

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

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

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

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

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

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

The Active Hose Fire Company #2 – “Flicks in the Park”	\$2,100.00
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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	\$2,100.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$2,100.00
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Referred to Economic Development Committee

Resolution No. IL-053-17

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

Dated: May 16, 2017

**RESOLUTION IN SUPPORT OF SENECA NIAGARA COMMUNITY DEVELOPMENT FUNDING
FOR LITERACY NEW YORK BUFFALO NIAGARA, INC.**

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

WHEREAS, Literacy New York Buffalo Niagara, Inc. (LNYBN) is the region's sole provider of free, one-on-one adult literacy services serving Erie and Niagara Counties, and

WHEREAS, LNYBN serves the growing population of recently relocated refugees and immigrants in the area who may not speak or read English, or who may not have had any formal education in their native countries, and

WHEREAS, LNYBN programs address various social, economic, and educational issues and they strive to break the crippling cycle of intergenerational illiteracy and poverty in Western New York, in an effort to combat social ills, improve the local economy and achieve higher education objectives, and

WHEREAS, LNYBN Lockport currently has over 110 adult students that are receiving tutoring services to assist with their reading and writing, or HSE diploma, and

WHEREAS, Niagara County is interested in supporting efforts of LNYBN by purchasing books, materials and resources to support our tutors and students in Lockport, now, therefore, be it

RESOLVED, that Niagara County would like to support the effects of LNYBN through a contribution of \$5,000.00, and be 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 APPROPRIATIONS:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$5,000.00
Referred to Economic Development Committee		

Resolution No. IL-054-17

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

Dated: May 16, 2017

RESOLUTION IN SUPPORT OF LIVE HOSE CO. THROUGH THE USE OF CASINO FUNDING

WHEREAS, Live Hose Co. was established in 1887 to serve the community and residents of North Tonawanda, New York, and

WHEREAS, the fire hall is in need of beautification on the outside of the property which will be a significant improvement to the neighborhood, now, therefore, be it

RESOLVED, that the Niagara County Legislature supports funding to Live Hose Co. for beautification purposes as follows:

Live Hose Co.	\$1,800.00
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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	\$1,800.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$1,800.00
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Referred to Economic Development Committee

Resolution No. IL-055-17

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

Dated: May 16, 2017

**RESOLUTION IN SUPPORT OF PROJECT PRIDE OF NORTH TONAWANDA
THROUGH THE USE OF CASINO FUNDING**

WHEREAS, the goal of Project Pride is to promote a sense of identity and pride among residents of North Tonawanda while attracting visitors to the community, and

WHEREAS, with the installation of numerous bike trails along the canal and the river the area has seen a increase of visitors coming by bike, and

WHEREAS, Project Pride of North Tonawanda is seeking funds to help purchase wave bicycle racks to be located on Webster and Oliver Streets, now, therefore, be it

RESOLVED, that the Niagara County Legislature supports funding to Project Pride of North Tonawanda as follows:

Project Pride of North Tonawanda	Wave Bike Racks	\$2,100.00
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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	\$2,100.00
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INCREASE APPROPRIATION:

A.28.8020.812 74400.15	Seneca Niagara Community Development Fund	\$2,100.00
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Referred to Economic Development Committee

Resolution No. IL-056-17

From: Legislator Jason A. Zona

Dated: May 16, 2017

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

WHEREAS, Active Hose Company is the sole fire department in the Town of Niagara, and

WHEREAS, Active Hose Company is committed to providing Fire, Rescue and Emergency Medical Services for the protection of the residents and businesses in and around the town of Niagara, and

WHEREAS, in 2016, there was an absence of ambulance service for the town of Niagara and Mercy EMS came forward to provide ambulance services, and

WHEREAS, due to the urgency of the situation Mercy EMS did not have quarters to provide services and temporarily took up space at Active Hose Company on Lockport Road, and

WHEREAS, now Active Hose Company is in need of providing a long-term location for Mercy EMS' headquarters within the Town of Niagara, and

WHEREAS, Active Hose Company is requesting architectural designs for the building of the Mercy EMS headquarters, now, therefore, be it

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

Active Hose Company – Architectural Designs for Mercy EMS Headquarters	\$6,000.00
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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	\$6,000.00
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INCREASE APPROPRIATIONS:

A.28.8020.812 74400.15 Seneca Niagara Community Development Fund	\$6,000.00
Referred to Economic Development	

Resolution No. IL-057-17

From: Legislators Rebecca J. Wydysh and Randy R. Bradt.

Dated: May 16, 2017

**PUBLIC HEARING FOR LOCAL LAW AUTHORIZING THE LEASE
OF COUNTY OWNED PROPERTY [I.E. TROTT ACCESS CENTER TO NORTHPOINTE]
FOR A LEASE TERM IN EXCESS OF FIVE YEARS**

WHEREAS, according to statistics provided by the Centers for Disease Control and Prevention, in 2014, there were 28,647 opioid overdose deaths nationwide, or 78 people per day, and a 14% increase in one year, driven by both prescription opioid abuse and misuse as well as heroin abuse, and

WHEREAS opioid and heroin abuse and addiction impact both rural and urban areas, as demonstrated by the fact that, in the first four months of 2015, there were 27 overdoses, 4 deaths, in the 12 non-urban towns of Niagara County, the City of Niagara Falls alone saw 16 opioid-related overdoses, including 4 fatalities; the City of Lockport saw 11 overdoses, 3 deaths; and the City of North Tonawanda saw 10 overdoses, 3 deaths, and

WHEREAS per a February 9, 2016 news report on WGRZ Channel 2, "the opioid epidemic in Western New York is getting worse...over the course of ten days, 23 people died from suspected overdoses, according to the [Erie County] medical examiner," with the dangerous substance Fentanyl used as a heroin cutter increasing fatalities, and

WHEREAS, the epidemic of heroin and opioid use, abuse and overdose that is plaguing our country is growing in Niagara County. In addition, High Intensity Drug Trafficking Area (HIDTA) officials have indicated that butyryl fentanyl is being seized in Erie and Niagara Counties and the West Coast—and those local cases have increased dramatically in two years' time. The number of deaths has skyrocketed over the last few years and our county must continue to fight against the disease of drug addiction, through coordination with private health care providers in the treatment of this disease, and

WHEREAS, a methadone treatment center has operated at the Trott Building for approximately thirty [30] years and Northpointe Council, Inc. has operated such methadone treatment center for the past seven [7] years; and

WHEREAS, Northpointe Council, Inc. wishes to expand its methadone treatment program in the Trott Building so that it may treat approximately 250 individuals per year rather than the current level of 85 individuals per year; and

WHEREAS, the County of Niagara is the owner of the Trott Building and such building has additional unused space which can be utilized for the expansion of the services offered by Northpointe Council, Inc. so that Northpointe Council, Inc. will occupy an additional 5,327 square feet of space for a total of 9,165 sq. feet of space in the Trott Building, and

WHEREAS, the County of Niagara recognizes the value and importance that Northpointe Council, Inc. plays in the community and its effort to treat individuals addicted to opiates and intends to facilitate the Northpointe Council, Inc. expansion by the commitment of the sum of \$50,000.00 to the expansion of the existing Northpointe Council, Inc. facility in the Trott Building, and

WHEREAS, the City of Niagara Falls recognizes the value and importance that Northpointe Council, Inc. plays in the community and its effort to treat individuals addicted to opiates and intends to facilitate the Northpointe Council, INC. expansion by the commitment of the sum of \$50,000.00 to the expansion of the existing Northpointe Council, Inc. facility in the Trott Building, and

WHEREAS, New York State Senator Robert G. Ort, recognizes the value and importance that Northpointe Council, Inc. plays in the community and its effort to treat individuals addicted to opiates and intends to facilitate the Northpointe Council, Inc. expansion by the commitment of the sum of \$100,000.00 of New York State funding to the expansion of the existing Northpointe Council, Inc. facility in the Trott Building, and

WHEREAS, said lease of a total of 9,165 sq. feet of space in the Trott Building by Northpointe Council, Inc. will be for four [4] successive five [5] year terms for a maximum term of twenty (20) years for the purpose of conducting a methadone treatment center, and

WHEREAS, New York County Law §215(4) allows the Niagara County Legislature to lease county real property not required for public use "for a term not exceeding five years upon such terms and conditions as may be prescribed by the board in the same manner and with the same rights and privileges as if owned by an individual,"; however, a local law may be adopted by the Niagara County Legislature authorizing such lease for a term in excess of five (5) years, now, therefore, be it

RESOLVED, that the County of Niagara proposes the adoption of the following proposed Local Law:

A Local Law authorizing the lease of County property no longer necessary for public use, that being an additional 5,327 square feet of space for a total of 9,165 sq. feet of space in the Trott Building to the Northpointe Council, Inc. for an initial five (5) year Lease Term, with the privilege of three [3] five [5] year renewals, for a maximum lease term of twenty [20] years.

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

1. That the County of Niagara be allowed to lease certain real property described above in an much said property is no longer necessary for any County public use.
2. That the County of Niagara is authorized to conduct private negotiations for the lease of said premises without public bidding.
3. That said lease will be for a fair and adequate consideration subject to final approval by the Niagara County Legislature.
4. That said consideration would be the initial annual rent of \$122,811.00 per year by the tenant Northpointe Council, Inc.
5. That the said leasehold be restricted to allowing Northpointe Council, Inc. to utilize the real property and facilities thereon for the sole purpose of maintaining a methadone treatment center in Niagara County.
6. That Niagara County will may make alterations, additions or improvements to the premises for Northpointe Council, Inc. at the approximate cost of \$200,000.00 prior to the occupancy by Northpointe Council, Inc.
7. Any alterations, additions or improvements to the premises under the leasehold shall revert to the County of Niagara at the end of the Lease Term.
8. That the chairman of the Niagara County Legislature execute all documents necessary to effectuate such lease, including, but not limited to, contracts with Northpointe Council, Inc. and any governmental agency providing funding for any renovations or improvements to the facilities on said real property for the operation of a methadone treatment center, after review and approval by the County Attorney.
9. That the property to be leased is described as follows:

Real property located at the City of Niagara Falls, County of Niagara, state of New York, specifically a total of 9,165 sq. feet of space in the Trott Building as more particularly described in the lease, and be it further

RESOLVED, that the Niagara County Legislature shall conduct a public hearing upon said proposed Local Law at the Legislative Chambers, Niagara County Courthouse, Lockport, New York, on the 20th day of June, 2017 at 6:00 p.m., and be it further

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

Moved by Wydysh, seconded by Bradt.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. IL-058-17

From: Legislators Randy R. Bradt, Wm. Keith McNall, Clyde L. Burmaster, Rebecca J. Wydysh, Kathryn L. Lance, Richard L. Andres, David E. Godfrey, Anthony J. Nemi, William J. Collins, John Syracuse, Michael A. Hill, Dennis F. Virtuoso, Mark J. Grozio, Owen T. Steed, Jason A. Zona

Dated: May 16, 2017

RESOLUTION SUPPORTING WALLENDAS WALK 5-YEAR ANNIVERSARY HELICOPTER SPECTACLE AND APPROPRIATING FUNDING TO ENHANCE PROMOTION AND PUBLIC ACCESS TO THE SAME

WHEREAS, Mr. Nik Wallenda, who on June 15th, 2012, did perform the televised traversing of Niagara Falls on a high-wire, setting the Guinness World Records officially-recognized record as the first person to walk a tightrope stretched directly across Niagara Falls, a death-defying 1,800-foot walk, and

WHEREAS, this televised stunt, which entailed not only traversing one of the Seven Natural Wonders of the World, but also an international border, did capture the attention of the world, with a study by Enigma Research estimating that more than one billion people had either watched or heard about Wallenda's walk, with 13.3 million Americans watching the ABC network broadcast according to Nielsen Ratings data, the most-watched program of the night, and the highest rated Friday night program in five years and the highest non-sports summertime broadcast on any network in six years, and

WHEREAS, ABC secured a 36% lead over its nearest competitor in total viewership and an 88% lead among the key 18-49 age demographic for the week, with a local 67 share in the Buffalo-Niagara market, and a similarly large 50.4 share in the Toronto media market, and

WHEREAS, the Enigma Research study suggests an economic impact of \$21.5 million or more, and the Niagara University Hospital Training and Research Center tallied \$3.3 million in direct revenues to the City of Niagara Falls, with 38,000 visitors on the American side of the Falls alone, with 41% being identified as from out-of-town, and

WHEREAS, the Niagara Tourism and Convention Corp. did report that Niagara Falls area hotel bookings rose an additional 30% above average for the two weeks following the walk, while Smith Travel Research found that June hotel occupancy in Niagara Falls rose from 76.5% in 2011 to 81.6% in 2012, and

WHEREAS, Mr. Wallenda and The Flying Wallendas have proposed a new spectacle on the fifth anniversary of the Walk, to be performed by his wife, trapeze aerialist Erendira Vasquez Wallenda, who will be transported into the air by a helicopter, holding on by her teeth, which would be even more dramatic than Mr. Wallenda's own most notable helicopter stunt, hanging from a trapeze mounted under a helicopter above Silver Dollar City in Branson, Missouri, and

WHEREAS, the Legislature is fully cognizant both of the potential costs associated with high-profile stunt spectacles and the previously-stated opportunities to generate local revenue and economic development benefit, and

WHEREAS, this Legislature seeks to partner with the City of Niagara Falls to ensure the success of Erendira Wallenda's proposed helicopter stunt, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby appropriate \$35,000.00 of Bridge Commission funds to be disbursed to such operational entity as The Flying Wallendas shall establish for the completion of Erendira Wallenda's proposed helicopter spectacle, with such funds being allocated via the existing community beautification account, and be it further

RESOLVED, that disbursal of such funding shall be contingent upon an appropriation of like amount by the City of Niagara Falls, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.28.8020.811 41081.02	Payment in Lieu of Tax Bridge	\$35,000.00
	Commission Beautification	

INCREASE APPROPRIATION:

A.28.8020.811 74550.29	Beautification Program	\$35,000.00
Approved for Submission		

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

Carried.

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Zona

Resolution No. AD-008-17 was read at this time. (Appears in numerical order)

Resolution No. ED-012-17 was read at this time. (Appears in numerical order)

Resolution No. IL-057-17 was read at this time. (Appears in numerical order)

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Moved by Syracuse, seconded by Godfrey that the Board adjourn.

The Chairman declared the Board adjourned at 9:05 p.m., subject to the call of the Clerk.

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



Mary Jo Tamburlin, Clerk