



**AGENDA**  
**NIAGARA COUNTY LEGISLATURE**  
**February 21, 2017 – 7:00 P.M.**

**Regular Meeting – February 21, 2017**

- \*AD-002-17** Administration, re Budget Amendment for Ratified Agreement Between the County of Niagara and the Niagara County Sewer District #1 Teamsters Local #264 – Budget
- \*CS-002-17** Community Services and Administration Committee, re Budget Modification Co-Location /Collaboration of Behavioral Health & Child Protective Services – Social Services
- \*CS-003-17** Community Services and Administration, re Budget Modification-Child care and Development Fund – Social Services
- \*CS-004-17** Community Services and Administration, re Budget Modification – Flexible Fund for Family Services – Social Services
- \*CS-005-17** Community Services and Administration, re Budget Modification – Safe Harbor Initiative – Social Services
- \*CS-006-17** Community Services and Administration, re Healthy Families New York Program – Social Services
- \*CS-007-17** Community Services and Administration, re Budget Modification – Accept Public Health Activities and Services Tracking Project Funds – Public Health
- \*CS-008-17** Community Services and Administration, re Budget Modification – ReAppropriate Grant Funding Nursing Division - Public Health
- \*CS-009-17** Community Services and Administration, re Budget Modification – Re-Appropriation MRC Award Funding – Emergency Planning – Public Health
- \*CS-010-17** Community Services and Administration, re Authorizing the Chair to Execute Inter-Municipal Agreement with the Counties of Allegany, Cattaraugus, Chautaugua, Erie, Genesee, Orleans and Wyoming for Public Emergency Planning and Response – Public Health
- \*CS-011-17** Community Services and Administration, re Mental Health Department – A4310 Abolish & Create Position – Mental Health

- \***CSS-004-17** Community Safety & Security, re Federal Equable Sharing Agreement and Annual Certification Report – District Attorney
- CSS-005-17** Community Safety & Security and Administration, re Continuation of Services of Masiello Martucci Calabrese and Associates to Provide Niagara County Homeland Security Consulting and Lobbying Services – Fire Coordinator
- \***CSS-006-17** Community Safety & Security and Administration, re Acceptance of State and Municipal Facilities Program (SAM) Grant – Fire Coordinator
- \***CSS-007-17** Community Safety & Security and Administration, re 2017 Motorola Solutions Services Agreement for Repair and Maintenance of Countywide Communication System – Fire Coordinator
- \***CSS-008-17** Community Safety & Security and Administration, re 2017 Budget modification Homeland Security – Fire Coordinator
- \***CSS-009-17** Community Safety & Security and Administration, re 2017 Budget Modification Fire Coordinator’s Office – Fire Coordinator
- \***CSS-010-17** Community Safety & Security and Administration, re Adoption of the Niagara County Hazard Mitigation Plan – Fire Coordinator
- \***CSS-011-17** Community Safety & Security and Administration, re Abolish D.S. Forensic Chemist/Create Forensic Criminalist I Niagara County Sheriff’s Office Forensic Laboratory – Sheriff
- \***CSS-012-17** Community Safety & Security, re Niagara Regional Traffic Safety Program – Sheriff
- \***CSS-013-17** Community Safety & Security, re Resolution Permitting Niagara County Sheriff’s Lieutenant James Hildreth To Take Care And Custody Of K-9, Sarge – Sheriff
- \***ED-001-17** Economic Development and Administration, re Budget Modification – To Cover Empower Niagara Allocation to Alessi Leather Corp.
- \***ED-002-17** Economic Development and Administration, re Budget Modification Reappropriate Grant Funds EPA Brownfield Hazardous Substances Assessment
- \***ED-003-17** Economic Development and Administration, re Budget Modification Reappropriate Grant Funds EPA Brownfield Petroleum Assessment
- \***ED-004-17** Economic Development and Administration, re Acceptance of New York State Department of Agriculture & Markets Grant for Farmland Protection Plan Update
- \***IF-002-17** Infrastructure & Facilities, re Award of Contract - Lockport Road Resurfacing Project Phase 3, Townline Road to Bear Ridge Road
- \***IF-003-17** Infrastructure & Facilities, re Award Angelo Delsignore Civic Building Window Upgrade Project

- \*IF-004-17** Infrastructure & Facilities, re Award Trott ACCESS Center Space Renovations Project
- \*IF-005-17** Infrastructure & Facilities, re Bridge Wearing Courses and Joint Replacements Consultant Amendment No. 1
- \*IF-006-17** Infrastructure & Facilities and Administration, re Niagara County Jail Sally Port Consultant Amendment No. 2
- \*IF-007-17** Infrastructure & Facilities and Administration, re Chestnut Street Bridge over East Branch of Twelve Mile Creek Consultant Amendment No. 2 - Final
- \*IF-008-17** Infrastructure & Facilities and Administration, re Tonawanda Creek Road Slide Area Consultant Amendment No. 1 - Final
- \*IF-009-17** Infrastructure & Facilities and Administration, re Lincoln Avenue Reconstruction Consultant Amendment No. 5 - Final
- \*IF-010-17** Infrastructure & Facilities and Administration, re Lockport Road Bridge Over Bull Creek Consultant Amendment No. 3- Final
- \*IF-011-17** Infrastructure & Facilities, re DPW - Highway Expenditure of County Road Fund Monies
- \*IF-012-17** Infrastructure & Facilities, re Award of Contract - At Niagara County Court House, Lockport, NY
- \*IF-013-17** Infrastructure & Facilities and Administration, re Resolution to Declare 50 Main Street Property as Surplus Property
- \*IF-014-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Soccer Shots of Buffalo
- \*IF-015-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Town of Wheatfield
- \*IF-016-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and Niagara Community Church Power Zone Sports
- \*IF-017-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and Olcott Beach Car Show
- \*IF-018-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Newfane Women's Lacrosse Club
- \*IF-019-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Town of Royalton
- \*IF-020-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Bond Lake Environmental Committee
- \*IF-021-17** Infrastructure & Facilities and Administration, re Niagara County Refuse District Construction and Demolition Debris Landfill Closure and Site Upgrades Project Change Order No. 10 Material Quantity Adjustments

- \*IF-022-17** Infrastructure & Facilities, re A Local Law Amending Local Law No. 1 of 1994 Establishing a Sewer Use Law for the Niagara County Sewer District No. 1
- \*IF-023-17** Infrastructure & Facilities, re Tonawanda Creek Road Rehabilitation and Tonawanda Creek Slide Stabilization (Niagara and Erie Counties) Federal Aid Local Project Agreement
- \*IF-024-17** Infrastructure & Facilities, re Hosmer Road Bridge over Fish Creek Federal Aid Local Project Agreement
- \*IF-025-17** Infrastructure & Facilities, re Walmore Road from Niagara Falls Boulevard (RT 62) to Lockport Road Federal Aid Local Project Agreement
- \*IF-026-17** Infrastructure & Facilities, re Chestnut Road Bridge over East Branch of Twelve Mile Creek Federal Aid Local Project Agreement
- \*IF-027-17** Infrastructure & Facilities, re North Canal Road Rehabilitation from Old Niagara Road to Erie Canal Federal Aid Local Project Agreement
- \*IF-028-17** Infrastructure & Facilities, re Award Chestnut Road Bridge over East Branch of Twelve Mile Creek Consultant Contract
- \*IF-029-17** Infrastructure & Facilities, re Award Niagara Road Bridge over Bergholz Creek Consultant Contract
- \*IF-030-17** Infrastructure & Facilities, re Award Tonawanda Creek Road Rehabilitation and Tonawanda Creek Slide Stabilization Consultant Contract
- \*IF-031-17** Infrastructure & Facilities, re Award Stormwater Consultant Services
- \*IF-032-17** Infrastructure & Facilities, re Niagara Road Bridge over Bergholz Creek Consultant Amendment No. 2-Final
- \*IF-033-17** Infrastructure & Facilities and Administration, re Brooks Building Boiler Replacement Change Order No. 1-Final
- \*IF-034-17** Infrastructure & Facilities, re Town of Newfane Easement Lake Road Waterline
- \*IF-035-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Krull Olcott Development Committee and Olcott Fire Company
- \*IF-036-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Niagara Celtic Heritage Society, Inc.
- \*IF-037-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Olcott Fire Company Softball League
- \*IF-038-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Town of Newfane
- \*IF-039-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Olcott Lion's Club

- \*IF-040-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Newfane Soccer Club
- \*IF-041-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Olcott Fire Company
- \*IF-042-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Newfane Lacrosse Club
- \*IF-043-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Pendleton Lion's Club
- \*IF-044-17** Infrastructure & Facilities, re Agreement Between the County of Niagara and the Roy-Hart Cross Country Team
- IL-001-17** Legislators Anthony J. Nemi, Wm. Keith McNall, William J. Collins, Michael A. Hill and Economic Development, re Resolution in Support of the An-Jo Baseball Club of Lockport through the use of Casino Funding
- IL-003-17** Legislator Michael A. Hill and Economic Development, re Resolution in Support of the Town of Royalton Bicentennial Celebration through the use of Casino Funding
- IL-004-17** Legislator Michael A. Hill and Economic Development, re Resolution in Support of the Wolcottsville Volunteer Fire Company through the use of Casino Funding
- IL-005-17** Legislator Michael A. Hill and Economic Development, re Resolution in Support of the Trinity Lutheran Church through the use of Casino Funding
- IL-006-17** Legislator Michael A. Hill and Economic Development, re Resolution in Support of the Town of Hartland Splash Pad and Pavilion through the use of Casino Funding
- IL-007-17** Legislators William J. Collins, Wm. Keith McNall, Anthony J. Nemi, John Syracuse and Economic Development, re Resolution in Support of the Historic Lockport Mill Race, Inc. through the use of Casino Funding
- IL-008-17** Legislators Wm. Keith McNall, Anthony J. Nemi, William J. Collins and Economic Development, re Resolution in Support of the Salvation Army through the use of Casino Funding
- IL-009-17** Legislators Wm. Keith McNall, Anthony J. Nemi, William J. Collins, Randy R. Bradt, Richard L. Andres, Kathryn L. Lance, Rebecca J. Wydysh and Economic Development, re Resolution in Support of the Countywide YWCA of the Niagara Frontier's Alternatives to Domestic Violence Program through the use of Casino Funding
- IL-010-17** Legislators Richard L. Andres, Randy R. Bradt and Kathryn L. Lance, re Resolution in Support of Stephan Sikora Post 1322 through the use of Casino Funding
- IL-011-17** Legislators David E. Godfrey and Anthony J. Nemi, re Requesting New York State Legislature to Enact Legislation for the Extension or Permanent Continuation of the Cold War Real Property Tax Exemption as Provided in RPTL Section 458-b

- IL-012-17** Legislators Dennis F. Virtuoso, Jason Zona and Owen T. Steed, re Resolution Opposing further Commercialization of the Niagara Reservation State Park with the Proposal of the Creation of a World Class Lodge on Goat Island
- IL-013-17** Legislator Randy R. Bradt, re Reject Bids for the Health Benefits Consultant-Niagara County
- IL-014-17** Legislators Dennis F. Virtuoso, Mark J. Grozio, Jason Zona and Owen T. Steed, re Resolution in Support of Niagara Falls Water Board Reinstatement of Drip Program
- IL-015-17** Legislator John Syracuse, re Niagara County to Join as a Party to the Application of Lighthouse Wind LLC
- IL-016-17** Legislators Dennis F. Virtuoso, re Resolution Amending Local Law 5 of 2015 Local Law, Establishing the Niagara County Animal Abuser Registry
- IL-017-17** Legislators Kathryn L. Lance, David E. Godfrey, Rebecca J. Wydysh and Jason Zona, re Resolution In Support Of Protection Of The Niagara Falls Air Reserve Stations Main Runway Approaches By Eliminating Potential Height Obstructions Through The Use Of Casino Funding



Mary Jo Tamburlin, Clerk  
Niagara County Legislature


**\* Indicates Preferred Agenda items**

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

**The next meeting of the Legislature will be held on March 21, 2017.**

**NIAGARA COUNTY LEGISLATURE**

**FROM:** Administration Committee      **DATE:** 02/21/17      **RESOLUTION #** AD-002-17

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>AD - 2/13/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
		_____	Rejected: Ayes _____ Abs. _____ Noes _____
		_____	Referred: _____

**BUDGET AMENDMENT FOR RATIFIED AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND THE NIAGARA COUNTY SEWER DISTRICT #1 AND TEAMSTERS LOCAL #264**

WHEREAS, the County of Niagara, and the Sewer District #1, and the Teamsters Local #264 have ratified an agreement for the period of January 1, 2012 through December 31, 2020 (resolution CW-001-17), and

WHEREAS, funds are available in fund balance to carry out the fiscal obligations of the agreement, now, therefore, be it

RESOLVED, that the County Manager is authorized to direct the Departments of Human Resources, Risk Management, Budget, and the Treasurer's Office to implement and administer the provisions of the Agreement, and be it further

RESOLVED, that the following budget modification be effectuated.

INCREASE APPROPRIATED FUND BALANCE:

G 40599.00	Appropriated Fund Balance	\$90,413.06
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INCREASE APPROPRIATIONS:

G.32.8130.000 71020.00	Contract Settlement	\$49,141.78
G.32.8130.000 71010.00	Positions	27,384.00
G.32.8130.000 71050.00	Overtime	1,760.00
G.32.8130.000 78100.00	Retirement	11,773.91
G.32.8130.000 78200.00	FICA	6,006.37
G.32.8130.000 78300.00	Worker's Comp	397.00

DECREASE APPROPRIATION:

G.32.8130.000 78400.01	Active Hospital/Medical Ins.	\$ 6,050.00
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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee and Administration Committee DATE: 02/21/17 RESOLUTION # CS-002-17

APPROVED CO. ATTORNEY REVIEWED CO. MANAGER COMMITTEE ACTION LEGISLATIVE ACTION

Handwritten signature and date 2/16/17

DSS BUDGET MODIFICATION CO-LOCATION/COLLABORATION OF BEHAVIORAL HEALTH & CHILD PROTECTIVE SERVICES

WHEREAS, extensive research has identified numerous barriers impacting the preservation of family units and the protection of children, and

WHEREAS, executive budget did make federal funds available to local districts for the provision of services in accordance with the Child Abuse Prevention and Treatment Act, with regard to mental and/or behavioral health, and

WHEREAS, these funds have allowed for the formation of professional partnerships to provide effective support and coordination of services between the behavioral health systems for adults and/or children and the child welfare system, and

WHEREAS, Niagara County did receive an additional allocation, which is 100% federally funded, effective May 1, 2016 – April 30, 2017, which is not fully expended, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services will continue to contract with the Niagara County Department of Mental Health to reimburse for the cost of a Mental Hygiene Practitioner, which is co-located amongst the Child Protective Services staff at DSS, and be it further

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

INCREASE REVENUE:

A.22.6010.000 44610.00 DSS Admin Revenue \$ 24,471

INCREASE APPROPRIATION:

A.22.6010.000 74500.01 Contractual Exp – Contractual \$ 24,471

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE



NIAGARA COUNTY LEGISLATURE

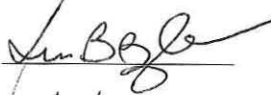
FROM: Community Services Committee      DATE: 02/21/17      RESOLUTION # CS-003-17  
and Administration Committee

APPROVED  
CO. ATTORNEY

REVIEWED  
CO. MANAGER

COMMITTEE ACTION  
CS - 2/13/17  
AD - 2/13/17

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

  
2/15/17

**BUDGET MODIFICATION  
CHILD CARE AND DEVELOPMENT FUND**

WHEREAS, Executive Budget did make federal funds available to local districts for the provision of early childhood development and before-and-after school child care services and of quality improvement activities under the Federal Child Care and Development Block Grant Program, and

WHEREAS, these funds enable Niagara County to direct resources to satisfy federal requirements, as they relate to the registration and inspection of Child Care Centers, as well as the corresponding reporting requirements, and

WHEREAS, Niagara County did receive a renewed allocation which is 100% federally funded, effective January 1, 2017, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services will continue to contract with Niagara Community Action Program, Inc. to carry out the required roles and responsibilities under the Child Care and Development Program, and be it further

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

INCREASE REVENUE:

A.22.6010.000 44610.00      DSS Admin Revenue      \$174,084

INCREASE APPROPRIATION:

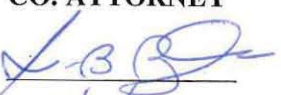
A.22.6010.000 74500.01      Contractual Exp – Contractual      \$174,084

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COMMUNITY SERVICES COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee      DATE: 02/21/17      RESOLUTION # CS-004-17  
and Administration Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>CS - 2/13/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
 2/16/17		<u>AD - 2/13/17</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**BUDGET MODIFICATION  
FLEXIBLE FUND FOR FAMILY SERVICES**

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

WHEREAS, these funds enable Niagara County to direct resources toward a number of areas of program needs, including, but not limited to employment related activities, child welfare services, PINS detention diversion services, substance abuse assessments, domestic violence screenings & non-residential domestic violence services, Title XX Services, JD/PINS Fostercare Costs, Child Care & Development, and

WHEREAS, Niagara County did receive a 100% federally funded allocation, effective July 2016 – June 2017, not all of which has been expended, therefore, be it

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

RESOLVED, that the following budget modification be effectuated to the Social Services 2016 budget:

INCREASE REVENUE:

A.22.6010.000 44610.00      DSS Admin Revenue      \$295,000

INCREASE APPROPRIATION:

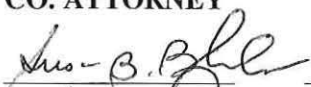
A.22.6010.000 74500.01      Contractual Exp-Contractual      \$295,000

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COMMUNITY SERVICES COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee and Administration Committee DATE: 02/21/17 RESOLUTION # CS-005-17

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>CS - 2/13/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
	_____	<u>AD - 2/13/17</u>	Rejected: Ayes _____ Abs. _____ Noes _____
		_____	Referred: _____

**BUDGET MODIFICATION  
SAFE HARBOR INITIATIVE**

WHEREAS, 2008 New York State legislation, The Safe Harbor for Exploited Children Act, ended the prosecution of minors under prostitution charges and instead identified minors as victims of commercial sexual exploitation by adults, and

WHEREAS, The Safe Harbor Act is the result of years of advocacy work in New York and around the country in advancing the cause for child victims; the number of sexually exploited children, in addition to data surrounding the correlation between abuse and mental health concerns, highlighted the need for a model shift from criminalizing to protecting victims, and

WHEREAS, resources have been made available for the identification of Commercially Sexually Exploited (CSE) youth, the provision of case coordination and advocacy for CSE youth, assisting youth with access to medical care, mental health counseling, financial assistance, emergency shelter and other basic living and safety needs, crisis intervention, problem solving, action planning, and skill building, and

WHEREAS, Niagara County was selected as one of few counties across the state to receive funds to support the Safe Harbor program, and did receive a renewed allocation of \$120,000, effective January 1, 2017 – December 31, 2017, which is 100 % state funded, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services will continue to contract and collaborate with Niagara Falls Memorial Medical Center - Child Advocacy Center, with the goal of providing immediate and intensive services to youth who are sexually exploited, and reduce the risk of continued sexual exploitation and abuse, in accordance with the Safe Harbor Initiative, and be it further

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

INCREASE REVENUE:

A.22.6010.000 43610.01 DSS Admin General \$120,000

INCREASE APPROPRIATION:

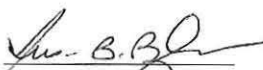
A.22.6010.000 74500.01 Contractual Exp-Contractual \$120,000

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee      DATE: 02/21/17      RESOLUTION # CS-006-17  
and Administration Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>CS - 2/13/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
		<u>AD - 2/13/17</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**BUDGET MODIFICATION  
HEALTHY FAMILIES NEW YORK PROGRAM**

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

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

WHEREAS, effective July 1, 2016, Niagara County did receive a revised 100% State funded allocation of \$481,710, not all of which has been fully expended, now, therefore be it

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

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

INCREASE REVENUE:

A.22.6010.000 43610.01      DSS Admin General      \$240,855

INCREASE APPROPRIATION:

A.22.6010.000 74500.01      Contractual Exp-Contractual      \$240,855

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COMMUNITY SERVICES COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee      DATE: 02/21/17      RESOLUTION # CS-007-17  
and Administration Committee

APPROVED  
CO. ATTORNEY

REVIEWED  
CO. MANAGER

COMMITTEE ACTION  
CS - 2/13/17  
AD - 2/13/17

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

*for B38  
2/16/17*

**BUDGET MODIFICATION -ACCEPT PUBLIC HEALTH  
ACTIVITIES AND SERVICES TRACKING PROJECT FUNDS  
ADMINISTRATION DIVISION DEPARTMENT OF HEALTH**

WHEREAS, the Administration Division of the Niagara County Department of Health provides a wide array of essential support services, and

WHEREAS, the Niagara County Department of Health received funding from the Robert Wood Johnson Foundation to work in collaboration with other public health partners to develop a uniform chart of accounts now, therefore, be it

RESOLVED, that the following budget modification, be effectuated:

INCREASE REVENUE:

A.20.4010.000 41689.01      Other Health Dept. Income Other agencies      \$7,500.00

INCREASE APPROPRIATIONS:

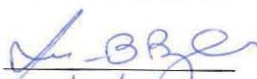
A.20.4010.000 72100.01      Machinery and Equip Furniture & Fix      \$800.00  
A.20.4010.000 74250.01      Office Supplies      3,600.00  
A.20.4010.000 74375.05      Cellular Phone      350.00  
A.20.4010.000 74600.03      Training & Education      2,250.00  
A.20.4010.000 74750.21      Gas & Oil      500.00

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COMMUNITY SERVICES COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee      DATE: 02/21/17      RESOLUTION # CS-008-17  
and Administration Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>CS - 2/13/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
	_____	<u>AD - 2/13/17</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**BUDGET MODIFICATION – REAPPROPRIATE GRANT FUNDING  
NURSING DIVISION - DEPARTMENT OF HEALTH**

WHEREAS, the Nursing Division of the Niagara County Department of Health provides a wide array of essential services, and

WHEREAS, the National Association of County and City Health Officials has awarded the Nursing Division funds to increase human papillomavirus (HPV) vaccination rate in Western New York approved through Resolution CS-003-16, and

WHEREAS, the Department of Health requests re-appropriation of fund balance, now, therefore, be it

RESOLVED, that the following budget modification, be effectuated:

INCREASE REVENUE:

A.20.4189.401 44401.00 Public Health Federal Aid	\$17,106.68
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INCREASE APPROPRIATIONS:

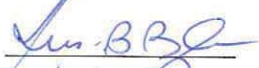
A.20.4189.401 71050.00	Overtime	\$939.00
A.20.4189.401 74250.01	Office Supplies	201.68
A.20.4189.401 74250.03	Printing	8,992.00
A.20.4189.401 74375.01	Advertising & Promotion	6,397.00
A.20.4189.40174500.02	Maintenance Service Contracts	316.00
A.20.4189.401 78100.00	Retirement Expense	176.49
A.20.4189.401 78200.00	FICA	71.83
A.20.4189.401 78300.00	Workers Comp	12.68

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COMMUNITY SERVICES COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee      DATE: 02/21/17      RESOLUTION # CS-009-17  
and Administration Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>CS - 2/13/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
 <u>2/16/17</u>		<u>AD - 2/13/17</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**BUDGET MODIFICATION – REAPPROPRIATE AWARD FUNDING  
EMERGENCY PLANNING - DEPARTMENT OF HEALTH**

WHEREAS, the Emergency Planning Division of the Niagara County Department of Health provides a services, information and training to protect the health and safety of the citizens of Niagara County, and

WHEREAS, the National Association of County and City Health Officials has awarded the Emergency Planning Division funds to support the strength of the medical reserve corps (passed through from the Department of Health and Human Services) approved through resolution CS-027-16, and

WHEREAS, the Department of Health requests re-appropriation of fund balance, now, therefore, be it

RESOLVED, that the following budget modification, be effectuated:

INCREASE REVENUE:

CM.20.4189.406 44489.24	Other Health MRC	\$2,866.39
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INCREASE APPROPRIATIONS:

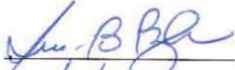
CM.20.4189.406 7400.02	Misc Fees	\$1,114.40
CM.20.4189.406 74250.01	Office Supplies	70.44
CM.20.4189.406 74300.03	Mileage	22.61
CM.20.4189.406 74600.03	Training & Education	1,119.50
CM.20.4189.406 74750.02	General Supplies	539.44

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COMMUNITY SERVICES COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee      DATE: 02/21/17      RESOLUTION # CS-010-17  
and Administration Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>CS - 2/13/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
	_____	<u>AD - 2/13/17</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**AUTHORIZING THE CHAIR TO EXECUTE INTER-MUNICIPAL AGREEMENT WITH THE COUNTIES OF ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, GENESEE, ORLEANS AND WYOMING FOR PUBLIC HEALTH EMERGENCY PLANNING AND RESPONSE**

WHEREAS, the counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming are collectively referred to as the "Western New York Counties", and

WHEREAS, the County Health Departments of the Western New York Counties all have responsibilities for public health emergency planning and response, and

WHEREAS, the County Health Departments of the Western New York Counties are desirous of establishing an inter-municipal agreement to provide mutual aid to each other during a public health emergency, now, therefore, be it

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized and directed to execute an inter-municipal agreement, on behalf of Niagara County, with the counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Orleans and Wyoming, for the provision of the public health emergency planning response, for a term commencing July 1, 2015 and terminating June 30, 2020, according to the above-described terms.

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COMMUNITY SERVICES COMMITTEE

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



NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee and Administration Committee DATE: 02/21/17 RESOLUTION# CS-011-17

Table with 4 columns: APPROVED CO. ATTORNEY, REVIEWED CO. MANAGER, COMMITTEE ACTION, LEGISLATIVE ACTION. Includes handwritten signature and date 2/16/17.

MENTAL HEALTH DEPARTMENT – A4310 ABOLISH & CREATE POSITION

WHEREAS, the Department of Mental Health is obligated to provide efficient financial oversight and quality treatment services to County residents in need, and

WHEREAS, the department is mandated to identify, plan and monitor financials for the provision of care coordination, emergency services, treatment and other needed services for persons who are identified as “high need,” and

WHEREAS, these services are provided by contract agencies with mandated contracting and oversight by the Niagara County Department of Mental Health, from New York State and all funding, and

WHEREAS, there has been a consistent increase in the amount of dollars that come to, pass through and are contract for, within the Niagara County Department of Mental Health to provide a variety of community based services, and

WHEREAS, the growth of dollars coming into department operations and being managed through contract agencies have greater rules and regulations that drive receipt and management of the funds, and

WHEREAS, Niagara County Department of Mental Health has managed the flow of these growing funds and increased responsibilities in the current structure with a budget clerk being supervised by the Deputy Director since 2008, but recognizing the need for a fiscal administrator with both financial and programmatic experience and education, and

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

WHEREAS, there will be a small increase in cost covered by revenue in 2017 and there will be an overall long-term savings in 2018 and after, with no additional County cost, now, therefore, be it

RESOLVED, that (1) current position of Budget Clerk, Job Group X, position number MHD30100.10448, salary range \$42,933.80-\$50,377.60, be abolished effective April 9, 2017, and be it further

RESOLVED, that (1) position of Mental Health Services Fiscal Administrator, Flat Salary Job Group XI, position number MHD300100.XXXXX, salary range \$54,651 – \$71,048, be created and filled effective April 9, 2017, and be it further

RESOLVED, the following 2017 budget transfer be effectuated:

## INCREASE REVENUE:

A.21.4310.000.41620.00	Substance Abuse Fees	\$529
A.21.4310.000.41630.01	Mental Health Fees	3,171
A.21.4310.000.43490.05	Reinvestment Programs	6,870

## INCREASE APPROPRIATIONS:

A.21.4310.000.71010.00xxxxx	Fiscal Administrator	\$44,730
A.21.4310.000.78100.00	Retirement Expense	4,160
A.21.4310.000.78200.00	FICA	3,422
A.21.4310.000.78300.00	Worker's Comp	604
A.21.4310.000.78400.05	Insurance HRS Employer Contribution	850
A.21.4310.000.78800.00	Flex 125 Employer Contribution Expense	355

## DECREASE APPROPRIATIONS:

A.21.4310.000.71010.0010448	Budget Clerk	\$36,814
A.21.4310.000.78100.00	Retirement Expense	3,424
A.21.4310.000.78200.00	FICA	2,816
A.21.4310.000.78300.00	Worker's Comp	497

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COMMUNITY SERVICES COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security DATE: 02/21/17 RESOLUTION # CSS-004-17  
Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>CSS - 2/13/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
<u><i>James B. Borker</i></u>			Rejected: Ayes _____ Abs. _____ Noes _____
<u>2/15/17</u>			Referred: _____

**FEDERAL EQUITABLE SHARING PROGRAM AGREEMENT  
AND ANNUAL CERTIFICATION REPORT**

WHEREAS, the United States Department of Justice requires that the Niagara County District Attorney's Office file an annual Federal Equitable Sharing Program Agreement and Certification Report to be eligible to submit requests for federally forfeited property or proceeds, and

WHEREAS, said Agreement is entered into by the United States Department of Justice, the County of Niagara, and the Niagara County District Attorney's Office, now, therefore, be it

RESOLVED, that the Niagara County District Attorney's office be authorized to participate in the Federal Equitable Sharing Program, and be it further

RESOLVED, that prior to the execution of the Federal Equitable Sharing Agreement and Certification, the County Attorney will review the Federal Equitable Sharing Agreement and Certification 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 an Agreement between the County of Niagara on behalf of the Niagara County District Attorney's Office and the United States Department of Justice.

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COMMUNITY SAFETY & SECURITY  
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security DATE: 02/21/17 RESOLUTION # CSS-005-17  
Committee and Administration Committee

APPROVED  
CO. ATTORNEY

REVIEWED  
CO. MANAGER

COMMITTEE ACTION  
CSS - 2/13/17  
AD - 2/13/17

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

*Jim BBG*  
*2/16/17*

**CONTINUATION OF SERVICES OF MASIELLO MARTUCCI CALABRESE  
AND ASSOCIATES TO PROVIDE NIAGARA COUNTY HOMELAND SECURITY  
CONSULTING AND LOBBYING SERVICES**

WHEREAS, Niagara County wishes to continue its commitment to Masiello Martucci Calabrese and Associates ("MMCA") initiatives as outlined in Resolution CSS-013-016, and

WHEREAS, RFP #2015-60 was issued by Niagara County for Homeland Security Consulting and Lobbying Services, and

WHEREAS, MMCA was the sole bidder for this RFP, and

WHEREAS, Masiello Martucci Calabrese and Associates (MMCA) is developing strategy for securing the future of the Niagara Falls Air Reserve Station (NFARS) by continuing their participation and involvement in a special working group of county elected and business leaders to retain the base and expand its mission at federal and state levels, and

WHEREAS, MMCA is pursuing leads of new sources of funding for planning, training and equipment in response to the increased threat of domestic terrorism as it relates to Niagara County's local major power generation plants, fuel storage and distribution facilities and chemical manufacturers, and

WHEREAS, MMCA is responsible for drafting all policy summary memos that County officials require and request, and

WHEREAS, MMCA is working with and reporting to the Niagara County Legislature/CSS Committee on a regular basis to submit a Monthly Activity Report to the County Manager for the length of this contract, and

WHEREAS, funding is available in the Emergency Management (3640) budget, now, therefore, be it

RESOLVED, that the County enter into an extension of the agreement with Masiello Martucci Calabrese and Associates in an amount not to exceed \$60,000 annually at a fixed monthly fee of \$5,000 plus travel expenses to provide consulting and lobbying services to Niagara County for a period of one year with the option to renew for one more additional 1-year period, and be it further

RESOLVED, that prior to the execution of this agreement, the County Attorney will review the proposal 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 Legislature be, and hereby is, authorized to execute the extension of the Masiello Martucci Calabrese and Associates (MMCA) contract.

COMMUNITY SAFETY AND SECURITY  
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee and Administration Committee DATE: 02/21/17 RESOLUTION # CSS-006-17

APPROVED CO. ATTORNEY REVIEWED CO. MANAGER COMMITTEE ACTION CSS - 2/13/17 AD - 2/13/17 LEGISLATIVE ACTION Approved: Ayes Abs. Noes Rejected: Ayes Abs. Noes Referred:

Handwritten signature and date: 2/14/17

ACCEPTANCE OF STATE AND MUNICIPAL FACILITIES PROGRAM ("SAM") GRANT

WHEREAS, the County of Niagara is required to certify its acceptance of the State and Municipal Facilities Program ("SAM") grant through the Dormitory Authority State of New York (DASNY) at no cost to the County, and

WHEREAS, the "SAM" grant is in the amount of \$100,000 and the funds will be used to purchase a Technical Rescue Team Emergency Response Vehicle, Project ID #7929, and

WHEREAS, this vehicle will be equipped for specialized response with confined space and high-angle rope equipment pre-staged to be easily and rapidly deployed at an incident, and

WHEREAS, this vehicle will help the team respond rapidly when time is of the essence for all Niagara County residents now, therefore, be it

RESOLVED, that the Department of Emergency Services is given authorization to accept the grant with the effectuation of the following budget modification, effective immediately:

INCREASE REVENUE:

A.19.3640.000 43097.01 State Aid Capitol Projects - SAMS Grant \$100,000.00

INCREASE APPROPRIATIONS:


A.19.3640.000 72100.11 Other Vehicles \$100,000.00

COMMUNITY SAFETY & SECURITY COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security DATE: 02/21/17 RESOLUTION # CSS-007-17  
Committee and Administration Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>CSS - 2/13/17</u>	Approved: Ayes <u>    </u> Abs. <u>    </u> Noes <u>    </u>
		<u>AD - 2/13/17</u>	Rejected: Ayes <u>    </u> Abs. <u>    </u> Noes <u>    </u>
<u>2/15/17</u>			Referred: <u>                    </u>

**2017 MOTOROLA SOLUTIONS SERVICES AGREEMENT FOR  
REPAIR AND MAINTENANCE OF COUNTYWIDE RADIO COMMUNICATION SYSTEM**

WHEREAS, Motorola Solutions has provided equipment, software and service for interoperable communications for all Niagara County First Responders and local public works departments, and

WHEREAS, continued customer support, maintenance, equipment support and repair service is essential to the system, and

WHEREAS, customer support services include dispatch services for issue support, total radio network monitoring, onsite infrastructure response for hands-on support, infrastructure repair, advanced replacement for malfunctioning units, technical support 7 days a week, 24 hours a day for Severity 1 issues, Network preventative maintenance and NICE Gold logging equipment maintenance, and

WHEREAS, the provision of the needed services involves a high degree of specialized knowledge, skills, and expertise, and thus constitute "professional services," and

WHEREAS, Motorola Solutions has provided these professional services during the warranty period of the original agreement pursuant to the terms of such agreement, said warranty period expiring January 1, 2017, and the uninterrupted provision of these services is critical to the provision of County emergency services, and

WHEREAS, Motorola Solutions has agreed to provide the required services pursuant to a Service Agreement in the amount of \$269,607.24 for the timeframe of January 1, 2017 through December 31, 2017, and

WHEREAS, funding for this service is in the current Fire Coordinator's budget (A.19.3410.74500.01), now, therefore, be it

RESOLVED, that Niagara County enter into the 2017 services agreement with Motorola Solutions for the amount of \$269,607.24 for the period from January 1, 2017 through December 31, 2017 to provide the above-referenced professional services to Niagara County's Emergency Management Services, and be it further

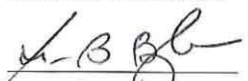
RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the Motorola Solutions Services Agreement.

COMMUNITY SAFETY & SECURITY  
COMMITTEE

ADMINISTRATION COMMITTEE

**NIAGARA COUNTY LEGISLATURE**

**FROM:** Community Safety & Security      **DATE:** 02/21/17      **RESOLUTION #** CSS-008-17  
Committee and Administration Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>CSS - 2/13/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
 2/15/17		<u>AD - 2/13/17</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**2017 BUDGET MODIFICATION  
HOMELAND SECURITY**

WHEREAS, Homeland Security funds were not fully expended in 2016, now, therefore, be it

RESOLVED, that the remaining funds from the Homeland Security grants be re-appropriated into the 2017 budget, and be if further

RESOLVED, that the following 2017 budget modification be effectuated:

INCREASE REVENUE: **\*\*CI15\*\***

A.19.3645.000 44305.02	Civil Defense Homeland Security	\$21,578.00
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INCREASE APPROPRIATION: **\*\*CI15\*\***

A.19.3645.000 72100.14	Machinery/Equip-Misc. Equip	\$21,578.00
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INCREASE REVENUE: **\*\*SHSP15\*\***

A.19.3645.000 44305.02	Civil Defense Homeland Security	\$ 486,027.39
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INCREASE APPROPRIATIONS: **\*\*SHSP15\*\***

A.19.3645.000 72100.05	M&E Computer Equipment	\$40,000.00
A.19.3645.000 72100.14	M&E Equipment Misc Equipment	43,459.00
A.19.3645.000 72100.15	M&E Communications Equipment	197,911.28
A.19.3645.000 74300.01	Reimbursements Travel, Conference	4,360.86
A.19.3645.000 74375.04	Communications Leased Lines	31,975.00
A.19.3645.000 74500.01	Contractual Expenses	38,595.77
A.19.3645.000 74500.02	Contractual Exp. Maint. Service Contracts	59,521.71
A.19.3645.000 74800.01	Maint. Communication Supplies/Service	37,243.21
A.19.3645.000 74800.10	Maint. Misc Equip Under \$500	28,540.73
A.19.3645.000 71010.00	Positions Expense	1,534.58
A.19.3645.000 78100.00	Retirement Expense	1,258.21
A.19.3645.000 78200.00	FICA Expense	144.52
A.19.3645.000 78300.00	Worker's Compensation Expense	8.17
A.19.3645.000 78400.01	Health Active Hospital/Medical Ins.	1,468.60
A.19.3645.000 78700.00	NYS Disability Expense	5.25
A.19.3645.000 78800.00	Flex 125 Employer Contribution	.50

INCREASE REVENUE: **\*\*EMPG15\*\***

A.19.3645.000 44305.02	Civil Defense Homeland Security	\$86,191.32
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INCREASE APPROPRIATIONS: \*\*EMPG15\*\*

A.19.3645.000 74300.01	Reimbursements-Travel/Conf	\$2,484.65
A.19.3645.000 74650.08	Professional Consultants/Expert Services	164,898.00
A.19.3645.000 74800.01	Communication-Supplies/Service	5,000.00

DECREASE APPROPRIATIONS: \*\*EMPG15\*\*

A.19.3645.000 74300.01	Reimbursements-Travel/Conf	\$1,242.32
A.19.3645.000 74650.08	Professional Consultants	82,449.00
A.19.3645.000 74800.01	Communication-Supplies/Service	2,500.0

INCREASE REVENUE: \*\*HMEP15\*\*

A.3645.000 44305.02	Civil Defense Homeland Security	\$11,740.00
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INCREASE APPROPRIATION: \*\*HMEP15\*\*

A.3645.000 74800.10	Misc. Equipment Under \$500	\$14,675.00
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DECREASE APPROPRIATION: \*\*HMEP15\*\*

A.3640.000 74800.10	Misc. Equipment Under \$500	\$2,935.00
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COMMUNITY SAFETY & SECURITY  
COMMITTEE

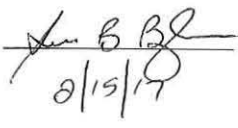
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ADMINISTRATION COMMITTEE



NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security DATE: 02/21/17 RESOLUTION # CSS-009-17  
Committee and Administration Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>CSS - 2/13/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
 2/15/17		<u>AD - 2/13/17</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**2017 BUDGET MODIFICATION  
FIRE COORDINATOR'S OFFICE**

WHEREAS, when one of the County Teams responds to an incident, supplies are used and some of the supplies are not reusable, and

WHEREAS, under New York State's Navigation and Environmental Conservation Laws the responsible party is liable for all costs associated with a release, including relocation costs and third-party damages, and

WHEREAS, the Fire Coordinator's Office is in receipt of payment in the amount of \$5,702.02 for the replacement of supplies for the Haz-Mat team during the large tire fire incident which occurred on August 10, 2016 in the City of Lockport, and

WHEREAS, the Fire Coordinator's Office will replenish the supplies used at no cost to the County, now, therefore, be it

RESOLVED, that the following 2017 budget modifications be effectuated:

INCREASE REVENUE:

A.19.3410.000 42690.02	Other Compensation for Loss Reimbursements	\$5,702.02
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INCREASE APPROPRIATION:

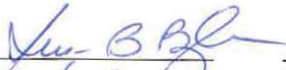
A.19.3410.000 74750.10	Supplies, Gen Hazmat Inventory	\$5,702.02
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COMMUNITY SAFETY & SECURITY  
COMMITTEE

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

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security DATE: 02/21/17 RESOLUTION # CSS-010-17  
Committee and Administration Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>CSS - 2/13/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
 <u>2/16/17</u>		<u>AD - 2/13/17</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**ADOPTION OF THE NIAGARA COUNTY  
HAZARD MITIGATION PLAN**

WHEREAS, the goal of Niagara County is to improve the safety and security of local residents, businesses and visitors and to reduce the impact of natural and manmade hazards on life, safety and property throughout the county by identifying community policies, actions and tools for implementation over the long-term that will result in a reduction of risk and future disaster-related losses within Niagara County, and

WHEREAS, the Niagara County Department of Emergency Services with assistance of local jurisdictions and from Witt O'Brien's, has gathered information and prepared the Niagara County Hazard Mitigation Plan, and

WHEREAS, the Niagara County Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000, and

WHEREAS, Niagara County is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan, and

WHEREAS, Niagara County has reviewed the Plan and affirms that the Plan will be updated no less than every five years now, therefore, be it

RESOLVED, that Niagara County adopts the Niagara County Hazard Mitigation Plan as this jurisdiction's guide to implementation of efforts to reduce the impact of likely natural and manmade disasters Countywide and resolves to execute the actions in the Plan.

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COMMUNITY SAFETY & SECURITY  
COMMITTEE

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

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee and Administration Committee DATE: 02/21/17 RESOLUTION # CSS-011-17

APPROVED CO. ATTORNEY REVIEWED CO. MANAGER COMMITTEE ACTION CSS - 2/13/17 AD - 2/13/17 LEGISLATIVE ACTION Approved: Ayes Abs. Noes Rejected: Ayes Abs. Noes Referred:

Handwritten signature and date 2/15/17

ABOLISH D.S. FORENSIC CHEMIST/CREATE FORENSIC CRIMINALIST I NIAGARA COUNTY SHERIFF'S OFFICE FORENSIC LABORATORY

WHEREAS, Niagara County has a forensic laboratory which is accredited by New York State and must maintain high standards to ensure accuracy and credibility within the law enforcement community as well as the court system, and

WHEREAS, the Niagara County Sheriff's Office forensic laboratory will be experiencing another vacancy due to retirement within the next 3 months, and

WHEREAS, to continue to maintain the integrity of the laboratory we need to plan for a smooth transition, and

WHEREAS, the position of Deputy Sheriff Forensic Chemist has been reclassified by Civil Service as a civilian position upon the incumbent vacating, and

WHEREAS, we have been notified that one Deputy Sheriff Forensic Chemist will be retiring in April 2017, and

WHEREAS, with this retirement there is a need for a civilian position (Forensic Criminalist I), and

WHEREAS, the Sheriff's Office wishes to abolish one Deputy Sheriff Forensic Chemist, and

WHEREAS, due to the highly technical nature of the forensic laboratory positions the ability to attract qualified candidates within Niagara County may be limited, now, therefore, be it

RESOLVED, that the Deputy Sheriff Forensic Chemist position #429, at an hourly rate of \$36.59, be abolished effective May 6, 2017, and be it further

RESOLVED, that one Forensic Criminalist I (40 hours per week) position be created and filled in job group 12, step 1 at an hourly rate of \$27.81, effective May 7, 2017, and be it further

RESOLVED, that the Niagara County Sheriff's Office be granted a one-time residency waiver to fill the Forensic Criminalist I position if the most qualified candidate resides outside of Niagara County and be it further

RESOLVED, that the personnel changes will result in an approximate savings to the county of \$14,533, and be it further

RESOLVED, that the following line item transfers be effectuated:

FROM:

A.17.3110.000.71010.00	Positions (D.S. Forensic Chemist #429)	\$49,762
A.17.3110.000.71032.00	Training Allowance	603
A.17.3110.000.71034.00	Briefing Time	1,990

TO:

A.17.3110.000.71010.00	Positions (Forensic Criminalist I-#XXXXX)	\$37,822
A.17.3110.000.74500.01	Contractual Expenses	14,533

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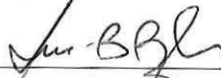
COMMUNITY SAFETY & SECURITY  
COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security      DATE: 02/21/17      RESOLUTION # CSS-012-17  
Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>CSS - 2/13/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
 <u>2/15/17</u>	_____	_____	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**NIAGARA REGIONAL TRAFFIC SAFETY PROGRAM**

WHEREAS, the Niagara Regional Traffic Safety Program will be held from May 9 – May 12, 2017 and May 15 – May 18, 2017, and

WHEREAS, young men and women need to know that the choices they make every day affect their lives and the lives of the people around them, and

WHEREAS, high school juniors and seniors from Niagara County schools will participate in the above-referenced program at the Cornell Cooperative Extension, and

WHEREAS, Erie County will be invited to send students during this time, along with Orleans, Cattaraugus and Alleghany Counties, and

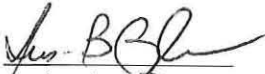
WHEREAS, each school will be responsible for their own expenses incurred throughout the program, now, therefore, be it

RESOLVED, that the 22<sup>nd</sup> annual Niagara Regional Traffic Safety Program be held from May 9 – May 12, 2017 and May 15 – May 18, 2017.

\_\_\_\_\_  
COMMUNITY SAFETY & SECURITY  
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee DATE: 02/21/17 RESOLUTION # CSS-013-17

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>CSS - 2/13/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
 <u>2/15/17</u>	_____	_____	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**RESOLUTION PERMITTING NIAGARA COUNTY SHERIFF'S LIEUTENANT JAMES HILDRETH TO TAKE CARE AND CUSTODY OF K-9, SARGE**

WHEREAS, the Niagara County Sheriff's Office purchased K-9, Sarge, on January 9, 2009 and paid for its training, which cost the County \$7,000, and

WHEREAS, Sarge has diligently served the county as a K-9 Officer for the Niagara County Sheriff's Office since that date, and

WHEREAS, Sarge has exceeded his determined work life for functional performance, and

WHEREAS, the Niagara County Sheriff's Office intends to purchase and train another K-9 unit, and

WHEREAS, due to its specialized training in law enforcement, Sarge cannot be reasonably managed by an untrained individual, now, therefore, be it

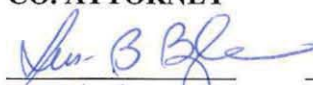
RESOLVED, that Sarge be retired from service to the County, and be it further

RESOLVED, that Sarge's trainer, Lt. James Hildreth, be permitted to take custody and control over Sarge; to house and maintain care over Sarge at no cost to the County, as an alternative to euthanizing the dog, and that Lt. James Hildreth sign a release absolving the County from all liability related thereto.

COMMUNITY SAFETY & SECURITY  
COMMITTEE

**NIAGARA COUNTY LEGISLATURE**

**FROM:** Economic Development Committee and Administration Committee    **DATE:** 02/21/17    **RESOLUTION #** ED-001-17

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>ED - 2/8/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
 <u>2/15/17</u>		<u>AD - 2/13/17</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**BUDGET MODIFICATION - TO COVER  
EMPOWER NIAGARA ALLOCATION ALESSI LEATHER CORP.**

WHEREAS, Alessi Leather Corp. 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 Alessi Leather Corp. 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>
<b>INCREASE REVENUE:</b>				
A.15.1620.108 42655.03	Sale of Excess Power	\$24,499.50	Value of of 75 kw at 70% load factor for 12 months	Value of of 75 kw at 70% load factor for 12 months
<b>INCREASE APPROPRIATION:</b>				
A.15.1620.108 74500.01	Contractual	\$24,499.50	Value of of 75 kw at 70% load factor for 12 months	Value of of 75 kw at 70% load factor for 12 months
<b>INCREASE REVENUE:</b>				
A.28.8020.000 42189.01	Activities – Economic Development	\$24,499.50	Value of of 75 kw at 70% load factor for 12 months	Value of of 75 kw at 70% load factor for 12 months
<b>INCREASE APPROPRIATION:</b>				
A.28.8020.000 74550.30	Empower Niagara	\$24,499.50	Value of of 75 kw at 70% load factor for 12 months	Value of of 75 kw at 70% load factor for 12 months

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee and Administration Committee DATE: 02/21/17 RESOLUTION # ED-002-17

APPROVED CO. ATTORNEY REVIEWED CO. MANAGER COMMITTEE ACTION LEGISLATIVE ACTION

Handwritten signature and date: 2/15/17

BUDGET MODIFICATION - REAPPROPRIATE GRANT FUNDS EPA BROWNFIELD HAZARDOUS SUBSTANCES ASSESSMENT

WHEREAS, Resolution ED-019-15 authorized acceptance of a grant in the amount of two hundred thousand dollars (\$200,000) from the United States Environmental Protection Agency for a Brownfield Hazardous Substances Assessment Project, and

WHEREAS, two thousand eight hundred ninety-nine dollars (\$2,899) was budgeted for the 2017 Budget, and

WHEREAS, work was ahead of schedule and the remaining grant funds were allocated from the 2016 Budget in the amount of two thousand eight hundred ninety-nine dollars (\$2,899), now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

DECREASE REVENUE:

CM.28.6989.611.44989.04 Other Home and Community Service EPA Brownfield Revenue \$2,899

DECREASE APPROPRIATION:

CM.28.6989.611.74300.03 Reimbursements Travel, Mileage \$ 100
CM.28.6989.611.74500.01 Contractual Expenses \$2,799

ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE



NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee and Administration Committee DATE: 02/21/17 RESOLUTION # ED-003-17

APPROVED  
CO. ATTORNEY

REVIEWED  
CO. MANAGER

COMMITTEE ACTION  
ED - 2/8/17  
AD - 2/13/17

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

*James B. Bl...*  
2/15/17

BUDGET MODIFICATION - REAPPROPRIATE GRANT FUNDS  
EPA BROWNFIELD PETROLEUM ASSESSMENT

WHEREAS, Resolution ED-020-15 authorized acceptance of a grant in the amount of Two hundred thousand dollars (\$200,000) from the United States Environmental Protection Agency for a Brownfield Petroleum Assessment Project that is 100% reimbursable, and

WHEREAS, Sixty-seven thousand seven hundred two dollars (\$67,204) was budgeted for the 2017 Budget, and

WHEREAS, projects were under budget and less money was spent than anticipated from the 2016 Budget, in the amount of Twenty-four thousand five hundred seven dollars (\$24,507), now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

CM.28.6989.612.44989.04 Other Home and Community Services \$24,507  
EPA Brownfields Revenue

INCREASE APPROPRIATION:


CM.28.6989.612.74500.01 Contractual Expenses \$24,507

ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

**NIAGARA COUNTY LEGISLATURE**

**FROM:** Economic Development Committee and Administration Committee    **DATE:** 02/21/17    **RESOLUTION #** ED-004-17

<b>APPROVED</b> <b>CO. ATTORNEY</b>   2/15/17	<b>REVIEWED</b> <b>CO. MANAGER</b>  _____	<b>COMMITTEE ACTION</b> <u>ED - 2/8/17</u> <u>AD - 2/13/17</u>  _____	<b>LEGISLATIVE ACTION</b> Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS  
GRANT FOR FARMLAND PROTECTION PLAN UPDATE**

WHEREAS, the Niagara County Legislature recognizes the importance of agriculture to the citizens and economy of Niagara County and is committed to providing the leadership necessary to ensure growth and prosperity, and

WHEREAS, the Niagara County Legislature adopted the current Niagara County Agricultural and Farmland Protection Plan through Resolution CT-043-99 on September 21, 1999, and

WHEREAS, the Niagara County Agriculture and Farmland Protection Board determined that the current Niagara County Agricultural and Farmland Protection Plan is outdated for the needs of Niagara County and should be updated, and

WHEREAS, Niagara County on behalf of Cornell Cooperative Extension of Niagara County applied for and received on April 15, 2016, a Thirty thousand dollar (\$30,000) grant from the New York State Department of Agriculture and Markets to update the Niagara County Agricultural and Farmland Protection Plan, and

WHEREAS, the Niagara County Legislature passed Resolution IL-085-15 on September 15, 2015 authorizing Six thousand five hundred dollars (\$6,500) from the Seneca Niagara Community Development Fund to be used for updating the Niagara County Agricultural and Farmland Protection Plan, and

WHEREAS, Cornell Cooperative Extension of Niagara County has been engaged to update the Niagara County Agricultural and Farmland Protection Plan and will be responsible for all work identified in Section C-1, Scope of Work in the contract between Niagara County and New York State Department of Agriculture and Markets and any other tasks required by New York State Department of Agriculture and Markets, and

WHEREAS, Cornell Cooperative Extension of Niagara County will oversee and manage all aspects of the consultant(s) who are performing work in conjunction with the Niagara County Agricultural and Farmland Protection Plan update, and

WHEREAS, Cornell Cooperative Extension of Niagara County will be responsible for preparing all reports, including but not limited to quarterly narrative reports, progress reports, semi-annual expenditure reports, and a final report in accordance with the provisions of the contract between Niagara County and New York State Department of Agriculture and Markets, and

WHEREAS, Cornell Cooperative Extension of Niagara County will prepare the required reports and submit the reports to the Niagara County Manager for approval and signature if required a minimum of ten days before the due date to ensure timely submission to New York State Department of Agriculture and Markets, and

WHEREAS, on Page 12, Form B-1 in the grant application it was stated that the Niagara County Department of Economic Development would allocate fifty (50) hours of existing staff time equating to \$1,650 of in-kind services towards the plan update, and

WHEREAS, Niagara County Department of Economic Development will serve as the financial manager for the plan update and will process invoices only after all documentation is provided by Cornell Cooperative Extension of Niagara County as required by the provisions of the contract between Niagara County and New York State Department of Agriculture and Markets, and

WHEREAS, there is a separation of services provided by Cornell Cooperative Extension of Niagara County and by the County of Niagara which will be documented in a Memorandum of Understanding drafted by the Niagara County Attorney's Office and signed by both parties, now, therefore, be it

RESOLVED, that the County Manager for the County of Niagara is authorized to execute the Memorandum of Understanding with Cornell Cooperative Extension of Niagara County after review and approval by the Niagara County Attorney's Office, and be it further

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

INCREASE REVENUE:

A.28.8020.000 43989.04	Other Home and Community Service	\$30,000
A.28.8020.000 41289.02	Other General Gov Income Misc Reimbursement	\$6,500

INCREASE APPROPRIATION:

A.28.8020.000 74500.01	Contractual	\$ 36,500
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ECONOMIC DEVELOPMENT COMMITTEE

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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee DATE: 02/21/17 RESOLUTION # IF-002-17

APPROVED CO. ATTORNEY REVIEWED CO. MANAGER COMMITTEE ACTION IF - 1/23/17 LEGISLATIVE ACTION Approved: Ayes Abs. Noes Rejected: Ayes Abs. Noes Referred:

Handwritten signature and date 2/15/17

AWARD OF CONTRACT - LOCKPORT ROAD RESURFACING PROJECT PHASE 3, TOWNLINE ROAD TO BEAR RIDGE ROAD

WHEREAS, the Department of Public Works, Engineering Division has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Lockport Road Resurfacing Project, Phase 3, Townline Road to Bear Ridge Road, and

WHEREAS, funds are available in the 2017 capital budget, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on December 8, 2016 as tabulated below:

- 1. Keeler Construction Co., Inc. \$1,389,183.10
2. Amherst Paving \$1,424,464.00
3. Concrete Applied Technologies Corp. \$1,486,080.20
4. Anastasi Trucking & Paving \$1,665,486.76
5. Mark Cerrone Inc. \$1,693,542.00
6. Zoladz Construction Co., Inc. \$1,734,214.92
7. Accadia Site Contracting \$1,802,245.30

and

WHEREAS, the Infrastructure & Facilities Committee has examined the bid, and

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

RESOLVED, that the contract for the Lockport Road Resurfacing Project, Phase 3, Townline Road to Bear Ridge Road, be awarded to the lowest responsible bidder, Keeler Construction Co., Inc., in the amount of \$1,389,183.10, and be it further

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

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INFRASTRUCTURE & FACILITIES  
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities      DATE: 02/21/17      RESOLUTION # IF-003-17  
Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>IF - 1/23/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
<u><i>[Signature]</i></u>	_____	_____	Rejected: Ayes _____ Abs. _____ Noes _____
<u>2/15/17</u>	_____	_____	Referred: _____

**AWARD ANGELO DELSIGNORE CIVIC BUILDING WINDOW UPGRADE PROJECT**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Angelo DelSignore Civic Building Window Upgrade project, and

WHEREAS, funds are available in account H623.15.1620.000 72200.01, Building Improvements, 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 for the Angelo DelSignore Civic Building Window Upgrade project be awarded to Watts Engineering and Architecture PC, 95 Perry Street, Suite 300, Buffalo, NY 14203, for a contract amount not to exceed \$7,500.00, 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.

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

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee DATE: 02/21/17 RESOLUTION # IF-004-17

APPROVED CO. ATTORNEY REVIEWED CO. MANAGER COMMITTEE ACTION IF - 1/23/17 LEGISLATIVE ACTION Approved: Ayes Abs. Noes Rejected: Ayes Abs. Noes Referred:

Handwritten signature and date 2/16/17

AWARD TROTT ACCESS CENTER SPACE RENOVATIONS PROJECT

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with construction documents for the Trott Access Center Space Renovations project, and

WHEREAS, funds are available in account H649.25.1620.000 72200.01, Building Improvements, 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 Trott Access Center Space Renovations Project be awarded to Foit Albert Associates, 763 Main Street, Buffalo, NY 14203, for a contract amount not to exceed \$49,089, and be it further

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

INFRASTRUCTURE & FACILITIES COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 02/21/17 RESOLUTION # IF-005-17  
Committee and Administration Committee

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	IF - 1/23/17	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 2/13/17	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

*See BBG*  
*2/16/17*

**BRIDGE WEARING COURSES AND JOINT REPLACEMENTS  
CONSULTANT AMENDMENT NO. 1**

WHEREAS, Resolution No. IF-028-16, dated February 23, 2016, authorized the contract for consultant services for the Bridge Wearing Courses and Joint Replacements project to Mott MacDonald NY Inc., f/k/a Hatch Mott MacDonald NY, Inc., 438 Main Street, Suite 300, Buffalo, NY 14202, for a fee not to exceed \$70,000, and

WHEREAS, it is necessary to amend the contract to allow for additional construction administration and construction inspection, in the amount of \$21,089.77, for a revised contract amount of \$91,089.77, and it is necessary to extend the contract completion date to December 31, 2017, and

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

RESOLVED, that the contract for consulting services for the Bridge Wearing Courses and Joint Replacements project be amended by \$21,089.77 for additional construction administration and construction inspection, to Mott MacDonald NY Inc., f/k/a Hatch Mott MacDonald NY, Inc., 438 Main Street, Suite 300, Buffalo, NY 14202, for a fee not to exceed \$91,089.77, and the contract completion date is extended to December 31, 2017, and be it further

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

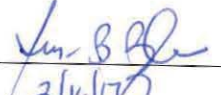
\_\_\_\_\_  
INFRASTRUCTURE & FACILITIES  
COMMITTEE

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



**NIAGARA COUNTY LEGISLATURE**

**FROM:** Infrastructure & Facilities      **DATE:** 02/21/17      **RESOLUTION #** IF-006-17  
Committee and Administration Committee

<b>APPROVED</b> <b>CO. ATTORNEY</b>   <u>2/16/17</u>	<b>REVIEWED</b> <b>CO. MANAGER</b>  _____	<b>COMMITTEE ACTION</b> <u>IF - 1/23/17</u> <u>AD - 2/13/17</u>  _____	<b>LEGISLATIVE ACTION</b> Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**NIAGARA COUNTY JAIL SALLY PORT  
CONSULTANT AMENDMENT NO. 2**

WHEREAS, by Resolution No. IF-003-16, dated February 23, 2016, the Legislature awarded the design for the enclosure of the existing Niagara County Jail Sally Port to Foit Albert Associates, 763 Main Street, Buffalo, NY 14203, for a fee not to exceed \$80,997, and

WHEREAS, Resolution No. IF-072-16, dated August 2, 2016, authorized Amendment No. 1, to decrease the contract by \$35,487, for a revised contract amount of \$45,510, and

WHEREAS, it is necessary to amend the contract for construction administration and construction inspection, in the amount of \$21,198, for a revised contract amount of \$66,708, 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 Amendment No. 2 to increase the contract by \$21,198 for the Niagara County Jail Sally Port, for a revised contract amount of \$66,708, to Foit Albert Associates, 763 Main Street, Buffalo, NY 14203, be approved, and be it further

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

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

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

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 02/21/17 RESOLUTION # IF-007-17  
Committee and Administration Committee

APPROVED  
CO. ATTORNEY

REVIEWED  
CO. MANAGER

COMMITTEE ACTION  
IF - 1/23/17  
AD - 2/13/17

LEGISLATIVE ACTION

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

*Jan B [Signature]*  
*2/10/17*

**CHESTNUT STREET BRIDGE OVER EAST BRANCH OF TWELVE MILE CREEK  
CONSULTANT AMENDMENT NO. 2-FINAL**

WHEREAS, Resolution No. PW-104-14, dated August 5, 2014, selected Hatch Mott MacDonald NY Inc., n/k/a Mott MacDonald NY Inc., 438 Main Street, Suite 700, Buffalo, NY 14202, to assist the County with surveying, mapping, and hydraulic services for the Chestnut Street Bridge over the east branch of Twelve Mile Creek, in the amount of \$37,045, and

WHEREAS, Resolution No. PW-047-15, dated April 21, 2015, amended the contract to allow for the preliminary design and final design phases of the project, in the amount of \$222,888.38, for a revised contract amount of \$259,933.38, and

WHEREAS, it is necessary to decrease the contract by \$228,140.32, for a revised contract amount of \$31,793.06, 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 with Hatch Mott MacDonald NY Inc., n/k/a Mott MacDonald NY Inc., 438 Main Street, Suite 700, Buffalo, NY 14202, be decreased by \$228,140.32, for a revised contract amount of \$31,793.06, and be it further

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

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

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

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 02/21/17 RESOLUTION # IF-008-17  
Committee and Administration Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>IF - 1/23/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
<i>Jim B. Bgl</i>		<u>AD - 2/13/17</u>	Rejected: Ayes _____ Abs. _____ Noes _____
<i>2/16/17</i>			Referred: _____

**TONAWANDA CREEK ROAD SLIDE AREA  
CONSULTANT AMENDMENT NO. 1-FINAL**

WHEREAS, Resolution No. IF-002-16, dated February 23, 2016, authorized the contract for consultant services to assist the County with the Tonawanda Creek Road Slide Area project design of preservation of highway right-of-way to Greenman-Pedersen Inc., 4950 Genesee Street, Suite 100, Buffalo, NY 14225, for a fee not to exceed \$175,935, and

WHEREAS, it is necessary to reduce the contract in the amount of \$96,166.34, for a revised contract amount of \$79,768.66, 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 Amendment No. 1-Final to deduct \$96,166.34 from the contract for the Tonawanda Creek Road Slide Area project design of preservation of highway right-of-way, for a revised contract amount of \$79,768.66, to Greenman-Pedersen Inc., 4950 Genesee Street, Suite 100, Buffalo, NY 14225, be approved, and be it further

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

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

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

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 02/21/17 RESOLUTION # IF-009-17  
Committee and Administration Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	IF - 2/13/17	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 2/13/17	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

*J. B. B.*  
*2/16/17*

LINCOLN AVENUE RECONSTRUCTION  
CONSULTANT AMENDMENT NO. 5-FINAL

WHEREAS, Resolution No. PW-092-08, dated September 2, 2008, awarded the contract for consulting services to Bergmann Associates, P.O. Box 8000, Buffalo, NY 14267, in the amount of \$555,113.28, and

WHEREAS, Resolution No. PW-073-09, dated May 5, 2009, amended the contract for subsurface exploration relative to hazardous waste/contaminated materials, in the amount of \$8,353.33, for a revised contract amount of \$563,466.61, and

WHEREAS, Resolution No. PW-077-11, dated July 26, 2011, amended the contract for right-of-way, temporary easements, and permanent easement services, in the amount of \$89,566.22, for a revised contract amount of \$653,032.83, and

WHEREAS, Resolution No. PW-078-12, dated September 4, 2012, amended the contract for waterline replacement that was not part of the original design, in the amount of \$41,587, for a revised contract amount of \$694,619.83, and

WHEREAS, Resolution No. PW-086-14, dated June 17, 2014, amended the contract for construction inspection and construction administration services, in the amount of \$1,000,007.00, for a revised contract amount of \$1,694,626.83, and also extended the completion date to December 31, 2015, and

WHEREAS, it is necessary to decrease the contract by \$329,804.74, for a revised contract amount of \$1,364,822.09, 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 with Bergmann Associates, P.O. Box 8000, Buffalo, NY 14267, be decreased by \$329,804.74, for a revised contract amount of \$1,364,822.09, and be it further

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

INFRASTRUCTURE & FACILITIES  
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities DATE: 02/21/17 RESOLUTION # IF-010-17  
Committee and Administration  
Committee

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	IF - 1/23/17	Approved: Ayes _____ Abs. _____ Noes _____
<i>[Signature]</i>		AD - 2/13/17	Rejected: Ayes _____ Abs. _____ Noes _____
<i>2/16/17</i>			Referred: _____

LOCKPORT ROAD BRIDGE OVER BULL CREEK  
CONSULTANT AMENDMENT NO. 3-FINAL

WHEREAS, Resolution No. PW-067-14, dated May 6, 2014, awarded the contract for consulting services for the survey and hydraulics analysis of Lockport Road Bridge over Bull Creek to Bergmann Associates, Waterfront Village Center, 40 LaRiviere Drive, Suite 150, Buffalo, NY 14202, for a fee not to exceed \$29,100, and

WHEREAS, Resolution No. IF-069-15, dated May 5, 2015, amended the contract for consultant services for property acquisition, for an additional \$9,200, for a revised contract amount of \$38,300, and

WHEREAS, Resolution No. IF-005-16, dated February 23, 2016, amended the contract by \$164,770 to allow the project to proceed, for a revised contract amount of \$203,070, and

WHEREAS, it is necessary to decrease the contract by \$75,138.65, for a revised contract amount of \$127,931.35, 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 with Bergmann Associates, Waterfront Village Center, 40 LaRiviere Drive, Suite 150, Buffalo, NY 14202, be decreased by \$75,138.65, for a revised contract amount of \$127,931.35, and be it further

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

INFRASTRUCTURE & FACILITIES  
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastrure & Facilities                      DATE: 02/21/17                      RESOLUTION # IF-011-17  
Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>IF - 1/23/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
		_____	Rejected: Ayes _____ Abs. _____ Noes _____
		_____	Referred: _____

*Lu-338*  
*2/16/17*

**DPW - HIGHWAY**  
**EXPENDITURE OF COUNTY ROAD FUND MONIES**

WHEREAS, the Commissioner of Public Works recommends the expenditure of County Road Fund monies for maintenance of roads under Section 129 of the Highway Law, as set forth on the attached form, in the sum of \$7,209,710, and

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

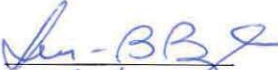
RESOLVED, that the recommendation of the Commissioner of Public Works be approved and the sum of \$7,209,710 be appropriated from the County Road Fund for maintenance during the year 2017, and be it further

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

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INFRASTRUCTURE & FACILITIES  
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities      DATE: 02/21/17      RESOLUTION # IF-012-17  
Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>IF - 1/23/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
<u>2/16/17</u>			Referred: _____

**AWARD OF CONTRACT – AT NIAGARA COUNTY COURT HOUSE, LOCKPORT, NY**

WHEREAS, the Buildings and Grounds Department has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Asbestos Abatement and Floor Preparation project at the Niagara County Court House, Lockport, NY, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on January 10, 2017, as tabulated below:

- |  |             |
|--|-------------|
| 1. Regional Environmental Demolition Inc.<br>6281 Wendt Drive<br>Niagara Falls, NY 14304 | \$32,200.00 |
| 2. Metro Environmental<br>2939 Lockport Road<br>Niagara Falls, NY 14305                  | \$73,000.00 |

and

WHEREAS, the Infrastructure & Facilities Committee has examined the bid, and

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

RESOLVED, that the contract for the Asbestos Abatement and Floor Preparation project be awarded to the lowest responsible bidder, Regional Environmental Demolition, Inc., 6281 Wendt Drive, Niagara Falls, NY 14304, in the amount of \$32,200.00, 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.

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INFRASTRUCTURE & FACILITIES  
COMMITTEE





**NIAGARA COUNTY LEGISLATURE**

**FROM:** Infrastructure & Facilities Committee      **DATE:** 02/21/17      **RESOLUTION #** IF-014-17

<b>APPROVED</b> CO. ATTORNEY	<b>REVIEWED</b> CO. MANAGER	<b>COMMITTEE ACTION</b> <u>IF - 1/23/17</u>	<b>LEGISLATIVE ACTION</b> Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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*Aug - B Bli*  
*2/21/17*

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND THE SOCCER SHOTS BUFFALO**

WHEREAS, Soccer Shots Buffalo has requested that the County of Niagara grant them exclusive rights to operate a youth soccer program in a section of Oppenheim Park, and also a section at the West Canal Marina, and

WHEREAS, such program is operated on a not-for-profit basis, 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, prior to the execution of the license agreement between the County of Niagara and Soccer Shots Buffalo, the County Attorney will review said agreement for approval as to legal form, language and compliance, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with Soccer Shots Buffalo, now, therefore, be it


RESOLVED, that the terms and conditions of the agreement between the County of Niagara and Soccer Shots Buffalo, as appears on the proposed agreement, is hereby approved in all respects, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the County Legislature be, and hereby is, authorized to execute the license agreement between the County of Niagara and Soccer Shots Buffalo.

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INFRASTRUCTURE & FACILITIES  
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities      DATE: 02/21/17      RESOLUTION # IF-015-17  
Committee

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	<u>IF - 1/23/17</u>	Approved: Ayes _____ Abs. _____ Noes _____
 2/16/17		_____	Rejected: Ayes _____ Abs. _____ Noes _____
		_____	Referred: _____

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND  
THE TOWN OF WHEATFIELD**

WHEREAS, the town of Wheatfield has requested that the County of Niagara grant them permission to use Oppenheim Park for the purpose of holding a July 4th fireworks display, and

WHEREAS, it is the wish of the town of Wheatfield to hold the fireworks display on July 4, 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 the town of Wheatfield, now, therefore, be it

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the Town of Wheatfield, as appears on the proposed agreement, is hereby approved in all respects, and be it further

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

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INFRASTRUCTURE & FACILITIES  
COMMITTEE