

Resolution No. FN-079-99

From: Finance Committee

Dated: December 21, 1999

TOBACCO SETTLEMENT FOR ROAD FUND

WHEREAS, we have received the first installment of the tobacco settlement, and

WHEREAS, the first installment is in excess of \$1,430,000, and

WHEREAS, it is necessary to account for revenue in the fiscal year it is received, now, therefore, be it

RESOLVED, to make the following budget modification to the 1999 budget:

INCREASE REVENUE:

D5110.42691	Tobacco Settlement	\$1,430,000
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INCREASE APPROPRIATIONS:

D5112.72233	Fitch Road Bridge	\$ 250,000
D5112.72234	Porter Center Road Bridge	200,000
D5112.72410	Beach Ridge Road	<u>980,000</u>
		\$1,430,000

Finance Committee

Signed: Urtel

Moved by Urtel.

Carried.

Resolution No. PW-069-00 (Amended)

From: Public Works and Finance Committees

Dated: December 19, 2000

**RESOLUTION TO APPROPRIATE TOBACCO MONIES TO COMPLETE FINANCING OF
GOLF COURSE IRRIGATION PROJECT**

WHEREAS, the Niagara County Legislature by Resolution #PK-001-99 and Bond Resolution #FN-022-99 approved the installation of an irrigation system at the Niagara County Golf Course at a cost of \$500,000, and

WHEREAS, the Niagara County Legislature by Resolution #PK-004-00 authorized the Niagara County Treasurer to request bond counsel to prepare an additional bond in the amount of \$250,000, and

WHEREAS, the original bond (\$500,000) was issued on September 23, 1999 and said bonds were defeased as a result of the tobacco securitization, and

WHEREAS, the Niagara County Treasurer recommends that monies available through tobacco securitization be used to complete the financing of the project, as approved to further bonding, which would eliminate the cost of issuing said bonds now, therefore, be it

RESOLVED, that the following budget modification be approved, and be it further

RESOLVED, that the Six Year Capital Plan be amended and the following projects be established:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$250,000
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INCREASE APPROPRIATION:

A9950.79010	Capital	\$250,000
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TO:

H0522.73392	Irrigation	\$250,000
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Amendment:

“RESOLVED, that funds from surcharges will be used to pay general fund.”

Public Works Committee

Signed: Farnham

Finance Committee

Signed: Urtel

Moved by Farnham.

Moved by Virtuoso to amend the resolution to add a resolved stating that funds from surcharges will be used to pay general fund.

Carried.

The resolution as amended was approved.

Resolution No. PW-070-00

From: Public Works and Finance Committees

Dated: December 19, 2000

**VEHICLE AND EQUIPMENT PURCHASE
TOBACCO SETTLEMENT FUNDS**

WHEREAS, several of the county owned vehicles and pieces of equipment are in need of replacement, and

WHEREAS, the Niagara County Legislature's Public Works and Finance Committees recommend that monies available through the tobacco securitization be used to fund these purchases, now, therefore, be it

RESOLVED, that the following fund transfer is authorized:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$2,050,000
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INCREASE APPROPRIATION:

A9950.79010	Transfer to Capital	\$2,050,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended and the following projects be established:

H0522.73404	Sheriff Vehicles	\$ 500,000
H0522.73405	County Vehicle Replacement Plan	\$ 750,000
H0522.73406	Highway Heavy Equipment	\$ 800,000

Public Works Committee

Signed: Farnham

Finance Committee

Signed: Urtel

Moved by Farnham.

Carried.

Resolution No. PW-010-01

From: Public Works Committee

Dated: January 31, 2001

**TOBACCO SETTLEMENT FUNDS FOR
EMERGENCY SERVICES TRAINING FACILITY**

WHEREAS, the Niagara County Legislature's Public Works Committee recommends that monies available through the tobacco securitization be used to construct an Emergency Services Training Facility, now, therefore, be it

RESOLVED, that the following funds be transferred to the Emergency Services Training Facility, account H0522.73389

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$2,500,000
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INCREASE APPROPRIATION:

A9950.79010	Transfer to Capital	\$2,500,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Public Works Committee

Signed: Farnham

Approved for submission: Burmaster, Urtel, Seger

Moved by Farnham.

Carried.

Resolution No. IL-021-01

From: Legs. Burmaster, Urtel and Seger

Dated: February 21, 2001

**TOBACCO SETTLEMENT FUNDS FOR
EMERGENCY SERVICES TRAINING FACILITY**

WHEREAS, the Legislature, by Resolution PW-010-01, did authorize the transfer of funds from tobacco revenue to capital expenditures in the amount of \$2,500,000 for the purpose of constructing an Emergency Services Training Facility, and

WHEREAS, it is now anticipated that the necessary expenditures for the cost of the construction of such Emergency Services Training Facility will be \$2,800,000, now, therefore, be it

RESOLVED, that Resolution PW-010-01 be amended so that the total cost will be \$2,800,000 and that the following additional funds be transferred to the Emergency Services Training Facility, account H0522.73389:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$300,000
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INCREASE APPROPRIATION:

A9950.79010	Transfer to Capital	\$300,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Signed: Burmaster, Seger, Urtel

Approved for submission: Burmaster, Urtel, Seger

Moved by Urtel to implement Rule 15 waiving referral to committee.

Carried.

Moved by Urtel.

Carried.

Resolution No. IL-022-01

From: Legs. Burmaster, Urtel and Seger

Dated: February 21, 2001

**CAPITAL PROJECTS
TOBACCO SETTLEMENT FUNDS**

WHEREAS, the Niagara County Legislature recommends that monies available through the tobacco securitization be used to reconstruct Beach Ridge Road, and

WHEREAS, the Niagara County Legislature recommends that monies available through the tobacco securitization be used for the reconstruction of Loveland Road and Bridge Replacement, and

WHEREAS, the Niagara County Legislature recommends that monies available through the tobacco securitization be used for various renovations and improvements at Niagara County Community College, and

WHEREAS, the Niagara County Legislature recommends that monies available through the tobacco securitization be used for various technology upgrades and improvements for the various Niagara County Agencies, and

WHEREAS, the Niagara County Legislature recommends that monies available through the tobacco securitization be used to purchase heavy equipment, now, therefore, be it

RESOLVED, that the following funds be transferred to D5112.72410, Beach Ridge Road:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$2,300,000
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INCREASE APPROPRIATION:

A9950.79010	Transfer to Capital	\$2,300,000
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and be it further

RESOLVED, that the following funds be transferred to D5112.72280, Loveland Road and Bridge Replacement:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$1,200,000
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INCREASE APPROPRIATION:

A9950.79010	Transfer to Capital	\$1,200,000
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and be it further

RESOLVED, that the following funds be transferred to H0522.73410, Niagara County Community College Renovations and Improvements:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$1,771,000
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INCREASE APPROPRIATION:

A9950.79010	Transfer to Capital	\$1,771,000
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and be it further

RESOLVED, that the following funds be transferred to H0522.73414, Technology Equipment:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$1,000,000
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INCREASE APPROPRIATION:

A9950.79010	Transfer to Capital	\$1,000,000
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and be it further

RESOLVED, that the following funds be transferred to H0522.73406, Highway Heavy Equipment:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$2,000,000
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INCREASE APPROPRIATION:

A9950.79010	Transfer to Capital	\$2,000,000
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RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Signed: Burmaster, Seger, Urtel

Approved for submission: Burmaster, Urtel

Moved by Seger to implement Rule 15 waiving referral to committee.

Carried.

Moved by Seger.

Carried.

Resolution No. IL-048-01

From: Legs. Burmaster, Urtel and Seger

Date: May 1, 2001

**CAPITAL PROJECTS
TOBACCO SETTLEMENT FUNDS**

WHEREAS, Niagara County has received a windfall in the form of revenues securitized through the New York State Tobacco Settlement Agreement, and

WHEREAS, due to the securitization process, it is necessary for Niagara County to adhere to strict criteria as to the time frame in which these monies may be spent and how tobacco funds may be spent, and

WHEREAS, it is in the best interest of Niagara County and its citizens to allocate and spend down the tobacco funds in a thoughtful, but expeditious manner, and

WHEREAS, on Wednesday, April 18, 2001, the Niagara County Legislature held a special session of the Legislature to discuss and allocate a portion of these funds, and

WHEREAS, at that meeting, various projects were discussed and approved by a vote of the Legislature, now, therefore, be it

RESOLVED, that the following funds be transferred to H0522.73418, Switzer Building Renovations:

INCREASE REVENUE:

A1325.42630	Tobacco	\$15,000
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INCREASE APPROPRIATIONS:

A9960.79020	Transfer to Capital Projects	\$15,000
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INCREASE REVENUE:

H0522.41500	Interfund Transfer	\$15,000
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INCREASE APPROPRIATIONS:

H0522.73418	Switzer Building Renovations	\$15,000
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and be it further

RESOLVED, that the following funds be transferred to H0522.73419, Mt. View Boiler Room Repairs:

INCREASE REVENUE:

A1325.42630	Tobacco	\$75,000
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INCREASE APPROPRIATIONS:

A9960.79020	Transfer to Capital Projects	\$75,000
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INCREASE REVENUE:

H0522.41500	Interfund Transfer	\$75,000
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INCREASE APPROPRIATIONS:
H0522.73419 Mt. View Boiler Room Repairs \$75,000

and be it further

RESOLVED, that the following funds be transferred to H0522.73408, County Building Renovations:

INCREASE REVENUE:
A1325.42630 Tobacco \$400,000

INCREASE APPROPRIATIONS:
A9960.79020 Transfer to Capital Projects \$400,000

INCREASE REVENUE:
H0522.41500 Interfund Transfer \$400,000

INCREASE APPROPRIATIONS:
H0522.73408 County Building Renovations \$400,000

and be it further

RESOLVED, that the following funds be transferred to H0522.73417, Public Address System:

INCREASE REVENUE:
A1325.42630 Tobacco \$20,000

INCREASE APPROPRIATIONS:
A9960.79020 Transfer to Capital Projects \$20,000

INCREASE REVENUE:
H0522.41500 Interfund Transfer \$20,000

INCREASE APPROPRIATIONS:
H0522.73417 Public Address System \$20,000

and be it further

RESOLVED, that the following funds be transferred to H0522.73420, NCCC Computers:

INCREASE REVENUE:
A1325.42630 Tobacco \$60,000

INCREASE APPROPRIATIONS:
A9960.79020 Transfer to Capital Projects \$60,000

INCREASE REVENUE:
H0522.41500 Interfund Transfer \$60,000

INCREASE APPROPRIATIONS:

H0522.73420

NCCC Computers

\$60,000

and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Signed: Burmaster, Urtel, Seger

Moved by Seger.

Kimble voted no.

Carried.

Resolution No. PW-039-01

From: Public Works and Finance Committees

Dated: June 19, 2001

AUTHORIZATION ALLOCATING FUNDS TO COVER SITE INVESTIGATION COSTS FOR THE FORMER FLINTKOTE SITE UNDER THE CLEAN WATER/CLEAN AIR BOND ACT APPLICATION

WHEREAS, it has been determined that Niagara County has taken title to the former Flintkote property, and

WHEREAS, the objective of the Niagara County Brownfields Program Grant is to link brownfields redevelopment to the economic, social and ecological restoration of our municipalities, and

WHEREAS, Clean Water/Clean Air Bond Act grant funds will assist the Niagara County to investigate the former Flintkote site in the City of Lockport, and

WHEREAS, investigating and cleaning up the former Flintkote brownfields site would benefit the citizens of the County by improving the environment, redeveloping a vacant site, and creating jobs, and

WHEREAS, pursuant with a Clean Water/Clean Air Bond Act site investigation grant, Niagara County will benefit from liability relief provisions enclosed within the Clean Water/Clean Air Bond Act, and

WHEREAS, the New York State Department of Environmental Conservation is authorized to provide Niagara County with grant funds to investigate the former Flintkote site, providing Niagara County with clean-up options and reuse alternatives resulting in redevelopment of the former Flintkote site, and

WHEREAS, that the cost of the investigation is \$110,000 and New York State will pay seventy-five percent (75%) of the cost (\$82,500), which will be matched by a twenty-five percent (25%) cost share by Niagara County totaling \$27,500, now, therefore, it is

RESOLVED, that Niagara County and the Niagara County Brownfields Working Group will proceed with a site investigation of the former Flintkote site, and be it further

RESOLVED, that Niagara County will allocate funds not to exceed \$27,500 to cover Niagara County's twenty-five percent (25%) share of the \$110,000 former Flintkote site investigation, and be it further

RESOLVED, that the following funds be transferred to H0522.73409:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$27,500
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INCREASE APPROPRIATION:

A9950.79010	Transfer to Capital	\$27,500
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and be it further

RESOLVED, the Chairman of the Legislature, with the approval of the County Attorney and Bond Counsel, be, and hereby is, authorized to execute a project agreement with the New York State Department of Environmental Conservation, and be it further

RESOLVED, that the Chairman of the Legislature execute and forward copies of this resolution to the New York State Department of Environmental Conservation.

Public Works Committee

Signed: Farnham

Finance Committee

Signed: Urtel

Moved by Farnham, seconded by DeFlippo.

Carried.

Resolution No. PW-053-01

From: Public Works and Finance Committees

Dated: October 16, 2001

**CONSTRUCTION OF JAIL RAMP
ACCESS FOR OFFICE OF THE AGING DELIVERY VEHICLES**

WHEREAS, the Niagara County Office of the Aging's kitchen has consolidated with the Niagara County Jail's kitchen at the Jail Facility, and

WHEREAS, a ramp is needed to allow for easy access to load the vehicles used in the delivery of the meals, and

WHEREAS, the Niagara County Legislature's Public Works and Finance Committees recommend that monies available through the tobacco securitization be used to construct this ramp, now, therefore, be it

RESOLVED, that the following funds be transferred to H0522.73413.

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$50,000
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INCREASE APPROPRIATION:

A9960.79020	Transfer to Capital from Tobacco Reserve	\$50,000
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INCREASE REVENUE:

H0522.41500	Interfund Transfer	\$50,000
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INCREASE APPROPRIATIONS:

H0522.73413	Jail Kitchen Loading Ramp	\$50,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Public Works Committee

Signed: Farnham

Finance Committee

Signed: Urtel

Moved by Farnham, seconded by DeFlippo.

Carried.

Resolution No. B-39-01

From: Public Safety Committee

Dated: December 18, 2001

VEHICLE LEASE – TOBACCO FUNDS

WHEREAS, the tentative budget deleted the funds to pay for the Sheriff's Department vehicle leases, and

WHEREAS, it has been recommended that the vehicles be paid in full from tobacco funds, and

WHEREAS, it is imperative that these vehicles be paid for on time, now, therefore, be it

RESOLVED, that \$175,000 in tobacco funds be set aside to cover the payout of the Sheriff's Department vehicle leases.

Public Safety Committee

Signed: DeFlippo

Moved by Erck, seconded by Seger.

Carried.

Resolution No. FN-073-01

From: Finance Committee

Dated: December 19, 2001

TOBACCO FUNDS TRANSFER

WHEREAS, the Public Safety Commission has approved the use of tobacco funds to purchase sheriff cars now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$175,000
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INCREASE APPROPRIATION:

A9900.79020	Transfer to Capital	\$175,000
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INCREASE REVENUE:

H0522.41500	Interfund Transfer	\$175,000
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INCREASE APPROPRIATIONS:

H0522.73404	Sheriff Vehicles	\$175,000
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and be it further

RESOLVED, that the six year capital program be amended to include this capital project.

Finance Committee

Signed: Urtel

Approved for submission: Burmaster, Urtel, Seger

Moved by Urtel, seconded by O'Connor.

Carried.

Resolution No. PW-088-01

From: Public Works Committee

Dated: December 19, 2001

**TRANSFER OF TOBACCO FUNDS TO
SLAYTON SETTLEMENT ROAD PROJECT**

WHEREAS, Public Works Committee has approved the use of tobacco funds for the Slayton Settlement Road project, now, therefore, be it

RESOLVED, the following funds be transferred to D5112.72248, Slayton Settlement Road

INCREASE REVENUE :

A1325.42630	Tobacco Revenue	\$79,615
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INCREASE APPROPRIATIONS :

A9900.79011	Transfer to County Road Fund	\$79,615
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INCREASE REVENUE:

D5112.45031	Interfund Transfer	\$79,615
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INCREASE APPROPRIATIONS:

D5112.72248	Slayton Settlement Road	\$79,615
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Public Works Committee

Signed: Farnham

Finance Committee

Signed: Urtel

Approved for submission: Burmaster, Urtel, Seger

Moved by Farnham, seconded by Meal.

Erck, Granieri, Kimble, Seger, Tylec voted no.

Carried.

Resolution No. CT-003-02

From: Commerce, Tourism & Agriculture and Finance Committees and Legs. Bradley Erck

Dated: January 15, 2002

RESOLUTION AUTHORIZING USE OF TOBACCO BOND SETTLEMENT FUNDS TO ASSIST IN FUNDING EIGHTEEN MILE CREEK WATERSHED RESTORATION PROJECT GRANT

WHEREAS, the Niagara County Planning Department has proposed to undertake a grant application to begin the restoration of the chemical, physical and biological integrity of the Eighteen Mile Creek ecosystem, and

WHEREAS, such ecosystem has been designated by the International Joint Commission as a Remedial Action Plan watershed in the Great Lakes Basin, and

WHEREAS, such a grant application and the project contemplated thereby would directly benefit the environmental well being of the County of Niagara, and

WHEREAS, total projects in costs, which are estimated to be in excess of \$75,000, would be funded through a multiple of sources, including Trout Unlimited Technical Assistance in the amount of \$10,000, donated materials and plants in the estimated amount of \$4,000, donated monitoring equipment in the estimated amount of \$15,000, USEPA GLNPO Workshop Grant in the estimated amount of \$10,500, and the balance funded through the use of tobacco settlement bond proceeds not to exceed the sum of \$75,000, now, therefore, be it

RESOLVED, that, subject to final review by Niagara County bond counsel with respect to the use of tobacco bond settlement proceeds, the Niagara County Legislature hereby endorses the Niagara County Planning Department do all things reasonable and necessary to formulate, and submit for all available grant funding, a program known as the Eighteen Mile Creek Watershed Restoration Project, and be it further

RESOLVED, that, subject to the foregoing bond counsel approval, the Niagara County Legislature hereby approves the use of tobacco bond proceeds to assist in the funding of the Eighteen Mile Creek Watershed Restoration Project in an amount not to exceed the sum of \$75,000.

Commerce, Tourism & Agriculture Committee

Signed: Andrews

Finance Committee

Signed: Mocniak

Signed: Erck

Approved for submission: Erck, Granieri, Farnham

Moved by Granieri, seconded by Ward.

Carried.

Resolution No. PS-005-02

From: Public Safety and Finance Committees

Dated: February 5, 2002

**TOBACCO FUNDS – NIAGARA COUNTY SHERIFF’S DEPARTMENT
BUILDING 1 BOILER REPLACEMENT**

WHEREAS, the Niagara County Jail operates two separate systems for HVAC, and

WHEREAS, when the new jail was constructed, the old section was not upgraded nor any of the boilers or hot water tanks replaced, and

WHEREAS, Building 1 which consists of the old jail is in desperate need of having the boiler and hot water tank replaced, and

WHEREAS, only one of the two boilers is currently operational and the hot water tank has failed on repeated occasions, now, therefore, be it

RESOLVED, that the boilers be replaced with two (2) Weil McClain Steamboilers 1.7 million BTU’s and the hot water tank be replaced with a 1.5 million BTU domestic hot water tank and a lead lag system be installed, and be it further

RESOLVED, that the \$45,000 estimated cost of this project be funded from tobacco funds, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$45,000
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INCREASE APPROPRIATION:

A9900.79020	Transfer to Capital	\$45,000
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INCREASE REVENUE:

HO522.41500	Interfund Transfer	\$45,000
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INCREASE APPROPRIATION:

HO522.73422	Sheriff Boiler	\$45,000
	Boiler-County Jail	

Public Safety Committee

Signed: Apolito

Finance Committee

Signed: Mocniak

Moved by Apolito, seconded by Cole.

Carried.

Resolution No. PW-005-02

From: Public Works, Administration and Finance Committees

Dated: February 20, 2002

**111 MAIN STREET
FUNDING FOR COMMUNICATIONS AND DEPARTMENTAL RELOCATIONS**

WHEREAS, the Public Works and Data Processing Departments desire to place a fiber cable to connect the Court House, 175 Hawley Street, and 111 Main Street, and

WHEREAS, there is not a direct conduit path available to connect these two sites, and

WHEREAS, the alternative plan is to connect the two facilities by placing the fiber cable on utility poles owned by NYSEG and Verizon and occupying conduit space from Verizon, and

WHEREAS, due to the fact that there are no utility poles along Main Street the path goes eastward from 59 Park to Transit Street/Route 78, southward to cross the Erie Canal to Walnut Street, easterly on Walnut to Elm Street, north on Elm Street to enter Verizon's conduit system into 111 Main Street, and

WHEREAS, pole attachment agreements are required by both NYSEG and Verizon, and

WHEREAS, permits are required by the New York State Department of Transportation, the City of Lockport and New York State Thruway Authority, and

WHEREAS, additional funds are required to prepare the path for cable placement and for the relocation expenses associated with the move of departments, now, therefore, be it

RESOLVED, that the Public Works and Data Processing Departments be, and hereby are, authorized to apply for the required permits, solicit bids for the placement of the fiber cable on the required poles and in Verizon's conduit system, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute the required conduit and pole attachment agreements with Verizon and NYSEG, subject to County Attorney approval, and be it further

RESOLVED, that the Commissioner of Public Works is authorized to make payment to NYSEG and Verizon for the pole attachments conduit access agreements, for an annual cost of approximately \$1,000.00, upon approval of the County Attorney, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A1325.72630	Tobacco Revenue	\$90,000
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INCREASE APPROPRIATION:

A9900.79020	Transfer to Capital	\$90,000
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INCREASE REVENUE:

H0522.41500	Interfund Transfer	\$90,000
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INCREASE APPROPRIATION:

H0522.73415	111 Main Street	\$65,000
H0522.73318	Space Allocation	25,000

Public Works Committee

Signed: Virtuoso

Administration Committee

Signed: Andrews

Finance Committee

Signed: Mocniak

Moved by Virtuoso, seconded by Granieri.

Carried.

Resolution No. IL-047-02

From: Legs. Samuel P. Granieri and Gerald K. Farnham

Dated: June 18, 2002

**PUBLIC ACCESS DEFIBRILLATORS
TOBACCO SETTLEMENT FUNDS**

WHEREAS, it has been recommended that monies available through the tobacco securitization be used to purchase fifty (50) defibrillators, now, therefore, be it

RESOLVED, that the following fund transfer be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$100,000
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INCREASE APPROPRIATION:

A9950.79020	Transfer to Capital	\$100,000
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INCREASE REVENUE:

HO522.41500	Interfund Transfer	\$100,000
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INCREASE APPROPRIATION:

HO522._____	Defibrillators	\$100,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Signed: Granieri, Farnham

Approved for submission: Erck, Granieri, Farnham

Moved by Granieri, seconded by Farnham.

Moved by Granieri, seconded by Farnham to waive the implementation of Rule 15.

Kimble voted no.

Carried.

On the resolution Burmaster and Kimble voted no.

Carried.

Resolution No. IL-048-02

From: Legs. Samuel P. Granieri and Gerald K. Farnham

Dated: June 18, 2002

**REHABILITATION-TRAINING TOWERS
TOBACCO SETTLEMENT FUNDS**

WHEREAS, it has been recommended that monies available through the tobacco securitization be used for the rehabilitation of county-owned fire training towers, now, therefore, be it

RESOLVED, that the following fund transfer be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$165,000
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INCREASE APPROPRIATION:

A9950.79020	Transfer to Capital	\$165,000
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INCREASE REVENUE:

HO522.41500	Interfund Transfer	\$165,000
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INCREASE APPROPRIATION:

HO522._____	Fire Tower Rehabilitation	\$165,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Signed: Granieri, Farnham

Approved for submission: Erck, Granieri, Farnham

Moved by Granieri, seconded by Farnham to waive the implementation of Rule 15.

Kimble voted no.

Carried.

Moved by Granieri, seconded by Virtuoso to approve the resolution.

Carried.

Resolution No. IL-049-02

From: Legs. Samuel P. Granieri and Gerald K. Farnham

Dated: June 18, 2002

**NIAGARA COUNTY JAIL-GREASE PIT
TOBACCO SETTLEMENT FUNDS**

WHEREAS, it has been recommended that monies available through the tobacco securitization be used to install a new grease trap at the kitchen at Niagara County Jail, now, therefore, be it

RESOLVED, that the following fund transfer be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$50,000
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INCREASE APPROPRIATION:

A9950.79020	Transfer to Capital	\$50,000
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INCREASE REVENUE:

HO522.41500	Interfund Transfer	\$50,000
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INCREASE APPROPRIATION:

HO522._____	Grease Trap – Jail Kitchen	\$50,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Signed: Granieri, Farnham

Approved for submission: Erck, Granieri, Farnham

Moved by Granieri, seconded by Farnham to waive the implementation of Rule 15.

Carried.

Moved by Granieri, seconded by Farnham to approve the resolution.

Carried.

Resolution No. IL-051-02

From: Legs. Samuel P. Granieri and Gerald K. Farnham

Dated: June 18, 2002

**COURTHOUSE COMPLEX RESTORATION
TOBACCO SETTLEMENT FUNDS**

WHEREAS, it has been recommended that monies available through the tobacco securitization be used for restoration and historic preservation of the Niagara County Courthouse and the County Clerk's Building, now, therefore, be it

RESOLVED, that the following fund transfer be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$200,000
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INCREASE APPROPRIATION:

A9950.79020	Transfer to Capital	\$200,000
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INCREASE REVENUE:

HO522.41500	Interfund Transfer	\$200,000
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INCREASE APPROPRIATION:

HO522._____	Courthouse Preservation	\$200,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Signed: Granieri, Farnham

Approved for submission: Erck, Granieri, Farnham

Moved by Granieri, seconded by Andrews to waive the implementation of Rule 15.

Carried.

Kimble voted no.

Moved by Granieri, seconded by Andrews to approve the resolution.

Carried.

Resolution No. IL-052-02

From: Legs. Samuel P. Granieri and Gerald K. Farnham

Dated: June 18, 2002

**THIRD AVENUE PAVING
TOBACCO SETTLEMENT FUNDS**

WHEREAS, it has been recommended that monies available through the tobacco securitization be used to pave Third Avenue in Niagara Falls, now, therefore, be it

RESOLVED, that the following fund transfer be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$750,000
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INCREASE APPROPRIATION:

A9950.79011	Transfer to County Road Fund	\$750,000
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INCREASE REVENUE:

D5112.45032	Transfer from General Fund	\$750,000
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INCREASE APPROPRIATION:

D5112._____	Third Avenue Repaving	\$750,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Signed: Granieri, Farnham

Approved for submission: Erck, Granieri, Farnham

Moved by Granieri, seconded by Farnham to waive the implementation of Rule 15.

Carried.

Kimble voted no.

Moved by Virtuoso, seconded by Sklarski to approve the resolution.

Carried.

Resolution No. IL-055-02

From: Legs. Samuel P. Granieri and Gerald K. Farnham

Dated: June 18, 2002

**PARKS RENOVATIONS
TOBACCO SETTLEMENT FUNDS**

WHEREAS, it has been recommended that monies available through the tobacco securitization be used to make renovations and repairs at various Niagara County parks, now, therefore, be it

RESOLVED, that the following fund transfer be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$225,000
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INCREASE APPROPRIATION:

A9950.79020	Transfer to Capital	\$225,000
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INCREASE REVENUE:

HO522.41500	Interfund Transfer	\$225,000
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INCREASE APPROPRIATION:

HO522._____	Niagara County Parks Renovations	\$225,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Signed: Granieri, Farnham

Approved for submission: Erck, Granieri, Farnham

Moved by Granieri, seconded by Farnham.

Moved by Granieri, seconded by Farnham to waive the implementation of Rule 15.

Kimble and Smolinski voted no.

Carried.

On the resolution Smolinski voted no.

Carried.

Resolution No. IL-056-02

From: Legs. Samuel P. Granieri and Gerald K. Farnham

Dated: June 18, 2002

**OPSCAN-BOARD OF ELECTIONS
TOBACCO SETTLEMENT FUNDS**

WHEREAS, it has been recommended that monies available through the tobacco securitization be used to purchase an OpScan OMR (absentee ballot scanning system), now, therefore, be it

RESOLVED, that the following fund transfer be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$50,000
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INCREASE APPROPRIATION:

A9950.79020	Transfer to Capital	\$50,000
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INCREASE REVENUE:

HO522.41500	Interfund Transfer	\$50,000
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INCREASE APPROPRIATION:

HO522._____	OpScan OMR	\$50,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Signed: Granieri, Farnham

Approved for submission: Erck, Granieri, Farnham

Moved by Granieri, seconded by Farnham.

Moved by Granieri, seconded by Farnham to waive the implementation of Rule 15.

Kimble voted no.

Carried.

On the resolution Burmaster voted no.

Carried.

Resolution No. FN-034-02

From: Finance Committee

Dated: July 16, 2002

**RESOLUTION TO INCREASE AUTHORIZATION FOR MISCELLANEOUS EQUIPMENT
FROM TOBACCO FUNDS FOR NCCC**

WHEREAS, Niagara County Community College has maintained the level of Sponsor's Contribution from taxes at \$7,200,000 for the fiscal year 2002-2003 and

WHEREAS, miscellaneous equipment that falls within the guidelines for capital expenses was removed from the Operation and Maintenance Budget and

WHEREAS, the Niagara County Legislature previously approved capital projects for NCCC miscellaneous equipment in the amount of \$300,000, now, therefore, be it

RESOLVED, to increase the project amount by \$221,000, and be it further

RESOLVED, to make the following budget modification be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$221,000
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INCREASE APPROPRIATION:

A990.79020	Transfer to Capital from Tobacco Reserve	\$221,000
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INCREASE REVENUE:

HO522.41500	Interfund Transfer	\$221,000
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INCREASE APPROPRIATION:

HO522.73421	NCCC Miscellaneous Equipment	\$221,000
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Finance Committee

Signed: Mocniak

Approved for submission: Erck, Granieri, Farnham

Moved by O'Connor, seconded by Ross.

Carried.

Resolution No. IL-053-02

From: Legislators Samuel P. Granieri and Gerald K. Farnham

Dated: July 16, 2002

**VARIOUS BUILDING RENOVATIONS
TOBACCO SETTLEMENT FUNDS**

WHEREAS, it has been recommended that monies available through the tobacco securitization be used to make building renovations at several county locations, now, therefore, be it

RESOLVED, that the following fund transfer be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$500,000
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INCREASE APPROPRIATION:

A9950.79020	Transfer to Capital	\$500,000
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INCREASE REVENUE:

HO522.41500	Interfund Transfer	\$500,000
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INCREASE APPROPRIATION:

HO522._____	County Bldg. Renovations	\$500,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Signed: Granieri, Farnham

Moved by Granieri, seconded by Farnham.

Moved by Granieri, seconded by Virtuoso, to implement Rule 15 to waive referral to committee.

Carried.

Moved by Granieri, seconded by Farnham.

Carried.

Resolution No. IL-054-02

From: Legislators Samuel P. Granieri and Gerald K. Farnham

Dated: July 16, 2002

**SNOEZELN ROOM-MT. VIEW
TOBACCO SETTLEMENT FUNDS**

WHEREAS, it has been recommended that monies available through the tobacco securitization be used for a Snoezelen room at Mount View Health Facility, now, therefore, be it

RESOLVED, that the following fund transfer be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$7,000
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INCREASE APPROPRIATION:

A9950.79020	Transfer to Capital	\$7,000
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INCREASE REVENUE:

HO522.41500	Interfund Transfer	\$7,000
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INCREASE APPROPRIATION:

HO522._____	Snoezelen Room – Mt. View	\$7,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Signed: Granieri, Farnham

Moved by Granieri, seconded by Farnham, to implement Rule 15 to waive referral to committee.

Carried.

Moved by Granieri, seconded by Farnham.

Burmester voted no.

Carried.

Resolution No. IL-062-02

From: Legislator Harry J. Apolito and Public Safety Committee

Dated: August 6, 2002

**SHERIFF'S DEPARTMENT – PORTABLE RADIOS
TOBACCO SETTLEMENT FUNDS**

WHEREAS, it has been recommended that monies available through the tobacco securitization be used to purchase thirty (30) portable radios for the Sheriff's Department, now, therefore, be it

RESOLVED, that the following fund transfer be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$42,000
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INCREASE APPROPRIATION:

A9950.79020	Transfer to Capital	\$42,000
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INCREASE REVENUE:

HO522.41500	Interfund Transfer	\$42,000
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INCREASE APPROPRIATION:

HO522.	Portable Radios – Sheriff's Dept.	\$42,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Signed: Apolito

Public Safety Committee

Signed: Apolito

Moved by Apolito, seconded by Cole.

Farnham and Meal voted no.

Carried.

Resolution No. PS-033-02

From: Public Safety, Public Works and Finance Committees

Dated: September 4, 2002

**ANTENNA RELOCATION
TOBACCO SETTLEMENT FUNDS**

WHEREAS, it has been recommended that monies available through the tobacco securitization be used to relocate the Court House and Civil Defense antennas, now, therefore, be it

RESOLVED, that the following fund transfer be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$58,600
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INCREASE APPROPRIATION:

A9900.79020	Transfer to Capital	\$58,600
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INCREASE REVENUE:

H0522.41500	Interfund Transfer	\$58,600
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INCREASE APPROPRIATION:

H0522.73 ____	Antenna Relocation	\$58,600
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Public Safety Committee

Signed: Apolito

Public Works Committee

Signed: Virtuoso

Finance Committee

Signed: Mocniak

Moved by Apolito, seconded by Virtuoso.

Carried.

Resolution No. PW-097-02

From: Public Works and Finance Committees

Dated: December 3, 2002

**APPROPRIATION OF TOBACCO FUNDS
REPAIR ROOF LEAK – NIAGARA COUNTY JAIL**

WHEREAS, the roof over the old building at the Niagara County Jail is leaking, and

WHEREAS, it is imperative to have this problem rectified as soon as possible, now, therefore, be it

RESOLVED, that the following budget modification be made:

FROM:

351100	Appropriated Reserve (Tobacco)	\$350,000
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TO:

A9900.79020	Transfer to Capital Projects	\$350,000
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INCREASE REVENUE:

H0522.41500	Interfund Transfer	\$350,000
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INCREASE APPROPRIATIONS:

H0522.7	Jail Roof Repair	\$350,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this fund transfer.

Public Works Committee

Signed: Virtuoso

Finance Committee

Signed: Mocniak

Moved by Virtuoso, seconded by Ward.

Carried.

Resolution No. ED-001-03

From: Education and Finance Committees

Dated: February 4, 2003

**PURCHASE OF RADIOGRAPHIC EQUIPMENT
BUDGET MODIFICATION – NIAGARA COUNTY COMMUNITY COLLEGE**

WHEREAS, Niagara County Community College (NCCC) desperately needs to purchase a new piece of radiographic equipment to meet the academic and clinical needs of students in its Radiologic Technology Program, and

WHEREAS, most of these students are from Niagara County and will be employed locally, and

WHEREAS, approximately 75% of the Lockport Memorial X-ray staff members are NCCC graduates, as well as 50% of the staff at Newfane and Niagara Falls and graduates are also employed at Mount Saint Mary's and DeGraff Memorial Hospital, and

WHEREAS, the current X-ray unit is eleven years old and parts are no longer manufactured to repair the generator and an oil leak has caused a health and safety hazard to students from the X-ray tube, so the machine cannot be turned on, and

WHEREAS, NCCC is requesting \$60,000 for the purchase of a state-of-the-art, hospital-quality diagnostic X-ray unit to keep NCCC students current with today's technology, and

WHEREAS, the unit will be comparable to ones currently being used in area hospitals, so students will be practicing on the machine they will use in their clinical placements and when they are employed, and

WHEREAS, tobacco funds are available for the purchase of this equipment, now, therefore, be it

RESOLVED, that NCCC is authorized to purchase the radiographic equipment, and be it further

RESOLVED, that the following budget modification be effectuated in the NCCC 2002-2003 budget:

FROM:

3511100	Appropriated Reserve (Tobacco)	\$60,000
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TO:

A9900.79020	Transfer to Capital Projects	\$60,000
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INCREASE REVENUE:

H0522.41500	Interfund Transfer	\$60,000
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INCREASE APPROPRIATIONS:

H0522.73421	NCCC Miscellaneous Equipment	\$60,000
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Education Committee

Signed: Granieri

Finance Committee

Signed: Mocniak

Moved by Granieri, seconded by Andrews.

Carried.

Resolution No. PW-016-03

From: Public Works and Finance Committees

Dated: February 19, 2003

**TOBACCO APPROPRIATION FOR REPAIR OF THE PRE-CAST PANELS AT THE
NIAGARA COUNTY JAIL ADDITION**

WHEREAS, the Pre-Cast Panels used for the construction of the Niagara County Jail Addition have developed cracks, and

WHEREAS, funds are required to repair the cracks with an epoxy-injection method and to seal the epoxy material with layers of paint, now, therefore, be it

RESOLVED, that the following budget modification be made:

FROM:

351100	Appropriated Reserve (Tobacco)	\$10,000
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TO:

A9900.79020	Transfer to Capital Projects	\$10,000
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INCREASE REVENUE:

H0522.741500	Interfund Transfer	\$10,000
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INCREASE APPROPRIATIONS:

H0522.7	Jail Addition Pre-Cast Panel Repairs	\$10,000
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and be it further

RESOLVED, that the Six Year Capital Plan be amended to reflect this budget modification.

Public Works Committee

Signed: Virtuoso

Finance Committee

Signed: Mocniak

Moved by Virtuoso, seconded by Granieri.

Carried.

Resolution No. IL-018-03

From: Legislators John W. Cole and Finance Committee

Dated: March 18, 2003

SEXUAL ASSAULT NURSE EXAMINER (SANE)

WHEREAS, it is desirous of the Niagara County Department of Mental Health to treat victims of sexual violence, and

WHEREAS, the problems of sexual assault are not confined to any group or groups of people but cross all economic, racial, and societal barriers, and

WHEREAS, the crime of sexual assault violates an individual's privacy, dignity, and humanity, and

WHEREAS, the development of a Sexual Assault Nurse Examiner (SANE) program has long been a goal of the Niagara County Rape Crisis Program Advisory Board, and

WHEREAS, the Community Services Board also unanimously supports the request for this worthy health project in this very serious area of Community Health, and

WHEREAS, evidence collection exams can often be a secondary trauma to victims, and

WHEREAS, regular emergency room examinations often result in evidence that is inadequately collected or documented, and

WHEREAS, SANE programs provide compassionate, sensitive, and supportive treatment of sexual assault victims, while also conducting a comprehensive forensic exam, and

WHEREAS, SANE programs are a great asset and benefit to victims, hospitals, law enforcement, prosecutors, service providers, and the community at large, with regard to evidence gathering from victims of violent sexual assault, and

WHEREAS, Lockport Memorial Hospital has agreed to become the designated site of the SANE program for Niagara County, now, therefore, be it

RESOLVED, that tobacco funds be transferred to purchase the necessary equipment mentioned in the attached proposal and that the following transfer be effectuated:

INCREASE REVENUE:

A1325.42630	Tobacco Revenue	\$22,400
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INCREASE APPROPRIATION

A9900.79020	Transfer to Capital Projects	\$22,400
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and be it further

RESOLVED, the following budget modification be effectuated:

INCREASE REVENUE:

H0522.41500	Inter-fund Transfer	\$22,400
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INCREASE APPROPRIATION:

H0522.73438 Sexual Assault Exam Equipment

\$22,400

Signed: Cole

Finance Committee

Signed: Mocniak

Moved by Cole, seconded by Davignon.

Carried.

Resolution No. IL-033-03 (Amended)

From: Leg Granieri, et al, Public Works, Finance & Education Committees

Dated: May 6, 2003

**PROPOSAL FOR FUNDING OF THE NIAGARA COUNTY COMMUNITY COLLEGE
HEALTH EDUCATION CENTER**

WHEREAS, health statistics prove that Niagara and Erie Counties have the worst death rates from heart disease in New York State and rank 36% above the national average, and

WHEREAS, this region also has the highest hospitalization rate for heart disease which is 60% above the state average, and

WHEREAS, the Niagara and Erie County area represents 8% percent of the state population yet accounts for 15% of the strokes in this state, and

WHEREAS, this region suffers from high rates of smoking, diabetes and over weight citizens roughly double of what is typically seen in other parts of the state and nation, and

WHEREAS, Niagara County believes it is in the best interest of the citizens in Niagara County to spend tobacco funds for the purposes of promoting health programs and education, and

WHEREAS, Niagara County sees the value in leveraging existing facilities to be used as a spring board toward the advancement of health, and

WHEREAS, Niagara County Community College already has a health and physical education facility which if properly outfitted can be a health education center for providing a new generation of health related programming for the betterment of Niagara County citizens, and

WHEREAS, the centrally located NCCC facility is in dire need of rehabilitation after 30 years of use and this modernization project can be designed in such a way as to provide this health education center to promote activities by a variety of health care organizations, including NCCC itself, now, therefore, be it

RESOLVED, that the Niagara County Legislature allocates \$1,000,000 from tobacco securitization funds to be set aside and matched by the SUNY construction funds and to proceed in the development, design and construction of a health education center at Niagara County Community College for the purposes of providing programming that will educate, prevent disease, and provide a focal point in the efforts to curb the ravaging affects of health disease, stroke and cancer which sorely effect our region, and be it further

RESOLVED, that funds be transferred from the tobacco reserve to pay for the cost of the project and that the following budget modification be made:

FROM:		
351100	Appropriated Reserve (Tobacco)	\$1,000,000
TO:		
A9900.79020	Transfer to Capital Projects	\$1,000,000
INCREASE REVENUE:		
HO522.45031	Interfund Transfer	\$1,000,000

INCREASE APPROPRIATIONS:

HO522.7

NCCC Health Education Center

\$1,000,000

Amendment:

Add: Education Committee

(Appears as amended)

Signed: Granieri, Kimble, Sklarski, Davignon, Andrews, Erck, Burmaster, Mocniak, Virtuoso, Ross, Simonson, Apolito, O'Connor, Needler, Smolinski, Ward

Finance Committee

Signed: Mocniak

Public Works Committee

Signed: Virtuoso

Education Committee

Signed: Granieri

Moved by Granieri, seconded by Ross.

Moved by Granieri, seconded by Ross to amend the resolution by adding the Education Committee.

Carried.

The resolution as amended was approved.

Resolution No. PS-027-03 (Amended)

From: Public Safety and Finance Committees

Dated: June 3, 2003

TOBACCO FUNDS – VIDEO ARRAIGNMENTS

WHEREAS, the Niagara County Sheriff's Department has researched the idea of Video Court Proceedings, and

WHEREAS, this would permit Niagara County to use electronic court appearances in connection with criminal actions pending in Niagara County, if authorized by the Chief Administrator of the courts, and

WHEREAS, there are currently 20 other counties using video conferencing in their respective judicial systems, and

WHEREAS, using video conferencing technology will speed the judicial process, reduce travel time and costs for private, public and County Attorney's, and reduce the number of prisoner transports, and

WHEREAS, the success of this program will be reviewed after one year of implementation, and

WHEREAS, three sites will be identified and implemented, now, therefore, be it

RESOLVED, that funds be transferred from the tobacco reserve to pay for the cost of the purchase and installation of the equipment and that the following budget modification be made:

FROM:

351100	Appropriated Reserve (Tobacco)	\$46,000
A1990.74032	Contingency	20,000

TO:

A9900.79020	Transfer to Capital Projects (Tobacco)	\$46,000
A9900.79015	Transfer to Capital Projects	20,000

INCREASE REVENUE

HO522.45031	Interfund Transfer	\$66,000
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INCREASE APPROPRIATIONS:

HO522.7	Video Court Conferencing	\$66,000
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Amendment:

	351100	Appropriated Reserve (Tobacco)	\$66,000
	A1990.79020	Transfer to Capital Projects (Tobacco)	\$66,000
Delete:	A1990.74032	Contingency	\$20,000
	A9900.79015	Transfer to Capital Projects	\$20,000

Public Safety Committee

Signed: Apolito

Finance Committee

Signed: Mocniak

Approved for submission: O'Connor, Virtuoso, Farnham

Moved by Apolito, seconded by Erck.

Moved by Mocniak, seconded by Erek, to amend the resolution to increase 351100 and A9900.79020 to \$66,000 and delete A1990.74032 and A9900.79015.

Carried.

The resolution as amended was approved.

Resolution No. FN-044-03

From: Finance Committee

Dated: November 18, 2003

AMENDED TAX CERTIFICATE – TOBACCO FUNDS

WHEREAS, one of the requirements for the securitization of tobacco funds was the filing of a tax certificate for the County of Niagara, and

WHEREAS, the County of Niagara, in said tax certificate, had indicated that all of the new money net sale proceeds should be expended by November 9, 2003, and

WHEREAS, events that were not reasonably expected on the issue date of the bonds by the corporation and the County have occurred, now, therefore, be it

RESOLVED, that the Chairman of the Legislature be authorized to execute the supplemental tax certificate of the County of Niagara which is attached hereto as Exhibit "A" and which extends the time to expend all of the new money net sale proceeds of the bonds on qualifying projects by November 9, 2005.

Finance Committee

Signed: Mocniak

Moved by Granieri, seconded by Farnham.

Carried.

Resolution No. PW-088-03

From: Public Works and Finance Committees

Dated: November 18, 2003

**TRANSFER OF FUNDS
TOBACCO SETTLEMENT APPROPRIATIONS**

WHEREAS, appropriations were made from the Tobacco Settlement fund for various projects and several of these projects are now complete, and

WHEREAS, it is required to have the remaining Tobacco Settlement funds from these completed accounts placed back into the Tobacco Settlement Reserve Account, and

WHEREAS, improvements are required in the telecommunications network, such as a voice mail upgrade, air conditioning in the phone rooms and expanding the system at the Trott Office Complex, now, therefore, be it

RESOLVED, that the following decreases be made to the project authorizations, the projects closed and the funds returned to the Tobacco Reserve:

DECREASE APPROPRIATIONS:

H0522.73405	Vehicle Replacement Plan	\$ 8,640.91
H0522.73419	Mt. View Boiler Room	\$26,336.11
H0522.73413	Jail Ramp	\$ 9,963.57
H0522.73415	111 Main Street Communications	\$41,319.32
H0522.73422	Jail Boiler	\$ 2,742.44
H0522.73438	SANE Equipment	\$ 50.10
	Total:	\$89,052.45

DECREASE REVENUE:

H0522.41500	Capital Revenue	\$89,052.45
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and be it further

RESOLVED, that the Telecommunications project be approved and funded from the Tobacco Reserve:

INCREASE APPROPRIATED RESERVE:

A51100	Appropriated Tobacco Reserve	\$89,052.45
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INCREASE APPROPRIATION:

A9900.79020	Transfer to Capital from Tobacco	\$89,052.45
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INCREASE REVENUE:

H0522.41500	Capital Revenue	\$89,052.45
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INCREASE APPROPRIATION:

H0522.7xxxx	Telecommunications Improvements	\$89,052.45
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Public Works Committee

Signed: Virtuoso

Finance Committee

Signed: Mocniak
Moved by Virtuoso, seconded by Granieri.
Carried.

Resolution No. AD-005-04

From: Administration Committee

Dated: February 3, 2004

**RESOLUTION TO TRANSFER REMAINING TOBACCO CAPITAL PROJECT FUNDS
TO TOBACCO RESERVE**

WHEREAS, resolution ED-001-03, adopted on February 4, 2003 appropriated \$60,000 to Capital Project H0522.73421-NCCC Miscellaneous Equipment for the purchase of radio graphic equipment (diagnostic x-ray), and

WHEREAS, the purchase is complete, now, therefore, be it

RESOLVED, that the remaining balance for that appropriation be returned to the Tobacco Reserve:

DECREASE NCCC CAPITAL PROJECT:

H0522.73421	Miscellaneous Equipment	\$5,470
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INCREASE TOBACCO RESERVE:

H9900.79018	Tobacco Reserve	\$5,470
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Administration Committee

Administration Committee

Signed: Farnham

Moved by Davignon, seconded by Burmaster.

Carried.

Resolution No. PW-044-04

From: Public Works and Administration Committees

Dated: June 1, 2004

TRANSFER OF TOBACCO SETTLEMENT APPROPRIATIONS

WHEREAS, Resolutions PW-097-02 and PW-033-03 appropriated funds for repairs to the Jail Roof, and

WHEREAS, the repairs have been completed satisfactorily, and

WHEREAS, funds are required to upgrade the playground equipment at Krull Park to meet safety and code standards and to begin renovation work at the Angelo Del Signore Civic Building for the Office of Court Administration, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

H0522.73432	Jail Roof Repairs	\$114,040.15
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DECREASE REVENUE:

H0522.41500	Capital Revenue	\$114,040.15
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and be it further

RESOLVED, that these unspent funds plus all accumulated interest be transferred to the Tobacco Reserve Account, A388400, and be it further

RESOLVED, that the following budget modification be effectuated from the Tobacco Reserve Account, A388400:

INCREASE APPROPRIATIONS:

H0522.73427	Parks Renovations	\$ 89,000.00
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H0522.73318	Space Allocation Project	\$ 25,040.15
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INCREASE REVENUE:

H0522.41500	Capital Revenue	\$114,040.15
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and be it further

RESOLVED, that account H0522.73432 be closed.

Public Works Committee

Signed: Burmaster

Administration Committee

Signed: Farnham

Moved by Burmaster, seconded by Farnham.

Carried.

Resolution No. CS-039-04

From: Community Services and Administration Committees

Dated: August 17, 2004

BUDGET MODIFICATION – ENVIRONMENTAL HEALTH – HEALTH DEPT.

WHEREAS, the Environmental Health Division of the Niagara County Department of Health has been given the responsibility to enforce the State mandated Clean Indoor Air Act (CIAA), and

WHEREAS, the expenses associated with the enforcement of the CIAA will soon exceed the budgeted amount but the increasing revenues received will offset this amount, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A4090.41689	Tobacco Funds	\$5,000
A4090.43405	PH-Environmental-State Aid	1,500

INCREASE APPROPRIATIONS:

A4090.74293	Purchase of Services	\$6,500
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Community Services Committee

Signed: Sklarski

Administration Committee

Signed: Farnham

Moved by Sklarski, seconded by Farnham.

Carried.

Resolution No. AD-036-05

From: Administration Committee

Dated: October 4, 2005

TOBACCO ASSET SECURITIZATION

WHEREAS, the Niagara County Legislature by Local Law No. 5 of 2000 created Niagara Tobacco Asset Securitization, a not-for-profit corporation, and

WHEREAS, said Corporation and the County of Niagara entered into a Sale and Purchase Agreement with regard to the sale of payments due the County under the Master Settlement Agreement with the tobacco companies, and

WHEREAS, the County has been advised that a market exists for the sale of additional revenues not securitized in the previous transaction, now, therefore, be it

RESOLVED, the County will use the additional revenue to defease or eliminate approximately \$20,000,000 of General obligation debt, and be it further

RESOLVED, that the Niagara County Legislature deems it appropriate to pursue the securitization of future revenues from the tobacco companies, and be it further

RESOLVED that the Niagara Tobacco Asset Securitization Corporation take the necessary steps to complete the transaction.

Administration Committee

Signed: Farnham

Moved by Farnham, seconded by Needler.

Carried.

Resolution No. PW-076-04

From: Public Works and Administration Committees

Dated: October 5, 2004

**TRANSFER OF FUNDS
TOBACCO SETTLEMENT APPROPRIATIONS**

WHEREAS, Resolution IL-022-01, dated February 21, 2001, appropriated funds from the Tobacco Settlement for the Loveland Road Bridge Reconstruction Project, and

WHEREAS, the project is progressing towards completion, and

WHEREAS, funds are available to be transferred for the stabilization of Tonawanda Creek at Block Church Road project being performed in conjunction with the Army Corps of Engineers, and

WHEREAS, the total project will be funded by 35% County funds and 65% Army Corps of Engineers funds, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

D5112.72280	Loveland Road	\$45,000.00
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INCREASE APPROPRIATIONS:

D9900.79018	Transfer to Tobacco Reserve	\$45,000.00
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INCREASE RESERVE:

A9900.45036	Transfer to Tobacco Reserve	\$45,000.00
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and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE APPROPRIATION:

A9950.79010	Transfer to Capital	\$45,000.00
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INCREASE REVENUE:

D5110.45031	Interfund Transfer	\$45,000.00
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INCREASE APPROPRIATION:

D5112.42244	Block Church Road	\$45,000.00
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Public Works Committee

Signed: Burmaster

Administration Committee

Signed: Farnham

Moved by Farnham, seconded by Smolinski.

Carried.

Resolution No. AD-039-05

From: Administration Committee

Dated: October 18, 2005

AMENDMENT TO TOBACCO ASSET SECURITIZATION RESOLUTION

WHEREAS, the Niagara County Legislature desires to amend the Resolution entitled "Tobacco Asset Securitization" (Resolution No. AD-036-05) relating to the securitization of additional tobacco bond revenue, a copy of which is attached hereto, and

WHEREAS, it is the desire of the Niagara County Legislature to use such additional revenue for capital projects, but only to the extent of revenue available after the defeasance of the approximately \$20 million of General-Obligation debt owed by the County, now, therefore, be it

RESOLVED, that Resolution No. AD-036-05 be amended to include the following "Resolved" clause:

RESOLVED, that, to the extent the additional revenue is not used to defease or eliminate the General-Obligation debt, such revenue shall be used to fund capital projects.

and be it further

RESOLVED, that Resolution AD-036-05 is ratified and affirmed in all respects.

Administration Committee

Signed: Farnham

Approved for submission: Ross, Needler, Virtuoso

Moved by Farnham, seconded by Needler.

Carried.