

OFFICIAL RECORD

Lockport, New York
December 9, 2025

Chairman Wydysh called the meeting to order at 6:03 p.m.

Clerk Tomasino called the roll. All Legislators were present, with the exception of Legislator Foti.

No citizens spoke in the Agenda.

Resolution No. CSS-131-25 was read at this time. (Appears in numerical order)

Resolution No. CW-021-25 was read at this time. (Appears in numerical order)

Resolution No. CSS-131-25

From: Community Safety & Security and Administration Committees.

Dated: December 9, 2025

ACCEPTANCE OF CRIMINAL JUSTICE DISCOVERY REFORM GRANT - DISTRICT ATTORNEY'S OFFICE

WHEREAS, on January 1, 2020, the State of New York enacted Discovery and Bail Reform legislation that require District Attorney's Offices to obtain and turn over to defense, all evidence in any criminal case, regardless of the level of crime, within a very short period of time and eliminate bail for many offenses, and

WHEREAS, this legislation requires the District Attorney's Office collect all items and information in its possession, including all information in the possession of any law enforcement agency, including reports, supplemental reports and investigative notes, 911 calls, radio transmissions, booking or surveillance video, photographs, body camera footage, witness and co-defendant statements, and the names of all law enforcement personnel and witnesses involved, for submittal to the defense within 15 days of arraignment for approximately 5,000 cases yearly, and

WHEREAS, these discovery requirements significantly increase the burden on law enforcement agencies by requiring them to separate out, create a record of, and share all 911 calls, radio transmissions, booking or surveillance video and body cam footage for each arrest or appearance ticket issued within fifteen days of arraignment, and

WHEREAS, this legislation also eliminated bail for many criminal offenses and created increased pre-trial supervision requirements, greatly reducing the number of people held in jail and increasing the responsibilities of Probation Departments, and

WHEREAS, the New York State Division of Criminal Justice Services has recognized the extreme burden placed on District Attorney's Offices, Sheriff's Offices, Probation Departments and local law enforcement agencies outside of New York City as a result of these changes, and

WHEREAS, Niagara County has been awarded in previous years an annual discovery reform grant, which previously included funding for positions, equipment and services, and

WHEREAS, Niagara County has been notified of an award of \$1,053,033.00 based on its proportionate share of criminal court arraignments statewide, to be distributed among and utilized by County agencies, and

WHEREAS, funding will be provided to the following agencies that submitted requests to the District

Attorney's Office, and whose requests were approved in full or in part, by the Division of Criminal Justice Services, and

Niagara County District Attorney's Office	\$421,556.77
Niagara County Sheriff's Office	\$307,835.23
Niagara County Probation Department	\$128,526.00
Niagara Falls Police Department	\$109,522.00
Lockport Police Department	\$ 33,000.00
North Tonawanda Police Department	\$ 28,000.00
Town of Niagara Police Department	\$ 12,593.00
Lewiston Police Department	\$ 7,000.00
Middleport Police Department	\$ 5,000.00

WHEREAS, as part of their awarded funding the District Attorney's office has determined the need for continued grant funded staffing to address the significant increase in the workload resulting from the criminal justice mandates; with said positions to run coterminous with the grant, and

WHEREAS, as part of their awarded funding the Niagara County Probation Department has determined the need for continued grant funded staffing for pretrial services and public safety needs that include additional GPS monitoring equipment; with said positions to run coterminous with the grant, and

WHEREAS, as part of their awarded funding the Niagara County Sheriff's Office has determined the need for continued grant funded staffing to record and gather materials required by Discovery Reform, with said positions to run coterminous with the grant, now, therefore, be it

RESOLVED, that the County of Niagara does hereby accept this award.

Approved for submission.

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

Carried.

Moved by Hill, seconded by McKimmie.

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

Resolution No. CW-021-25

From: Committee of the Whole.

Dated: December 9, 2025

**RESOLUTION IN SUPPORT OF NCCC CAPITAL FUNDING REQUEST TO NEW YORK STATE
FOR ACADEMIC YEAR 9/1/26 – 8/31/27**

WHEREAS, the Niagara County Legislature has consistently recognized the importance of Niagara County Community College as an invaluable asset to Niagara County, and

WHEREAS, the administration of Niagara County Community College has identified several areas of need to remain competitive within the Western New York higher education arena, and

WHEREAS, the proposed capital funding total of \$4,448,000 which consists of the following projects:

1. Renovation of STEM & Nursing Labs: \$1,200,000 (County request: \$600,000)
2. ADA Compliance and Upgrades: \$448,000 (County request: \$225,000)
3. Critical maintenance, upgrades of electrical distribution panels/transformers: \$750,000 (County request: \$375,000)

4. Critical maintenance, parking lot #1 Reconstruction: \$900,000 (County request: \$450,000)
5. Student Space Renovation/Planetarium: \$1,150,000 (County request: \$350,000 (NCCC Foundation grant of \$225,000 is applied to, and offsets, the County request))

WHEREAS, the NCCC Foundation has pledged the amount of \$225,000 as the local sponsor share in support of the Student Space Renovation project of this funding, contingent on a SUNY match, and

WHEREAS, the County of Niagara will provide the amount of \$2,000,000 as the local sponsor share in support of this funding submission to SUNY, now, therefore be it

RESOLVED, that the Niagara County Legislature, as the sponsor of the College, does hereby support the proposed capital funding for the projects listed above (1 through 5), and be it further

RESOLVED, that the County of Niagara will utilize funds from the General Fund Balance in the amount of \$2,000,000 to match funding for the capital projects, and be it further

RESOLVED, that the Niagara County Legislature is requesting SUNY to provide a 50% match of the total capital amount of \$4,448,000. The amount requested from SUNY is \$2,448,000 (total capital amount of \$4,448,000 minus County request of \$2,000,000), and be it further

RESOLVED, that the following budget modifications be effectuated:

INCREASE APPROPRIATED FUND BALANCE:

A 40599.00	Appropriated Fund Balance	\$2,000,000
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INCREASE APPROPRIATIONS:

A.07.9950.000 79010.00	Contribution to Other Funds	\$2,000,000
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INCREASE REVENUE:

H819.15.2497.000 45031.00	Interfund Transfers from Operating	\$2,000,000
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INCREASED APPROPRIATIONS:

H819.15.2497.000 72200.02	Buildings NCCC	\$1,550,000
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H819.15.2497.000 72400.01	Land Improvements NCCC	\$450,000
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Moved by Bradt, seconded by Robins.

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

Legislator Bradt wanted to take a moment to recognize Chairman Wydysh for the outstanding job she has done during her ten years as a legislator, six of them as Chairman of the Legislature and how greatly missed she will be.

Chairman Wydysh thanked everyone for all their support.

APPOINTMENTS:

COMMUNITY SERVICES BOARD:

James P. Muehlbauer 1168 Bowen Drive W., North Tonawanda NY	<u>Appt.</u>	<u>Expires</u>
	12/09/25	12/31/29

Moved by Nemi, seconded by Myers that the Board adjourn.

The Chairman declared the Board adjourned 6:19 p.m., subject to the call of the Clerk.

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

Alysa T. Tomasino, Clerk

Chairman Wydysh Called to order the Budget Vote Meeting at 6:19 p.m.

Clerk Tomasino called the roll. All the Legislators were present with the exception of Legislator Foti.

BUDGET RESOLUTIONS:

Resolution No. B-01-25

From: Legislators Rebecca J. Wydysh, Randy R. Bradt, David E. Godfrey, Richard L. Andres, Irene M. Myers, Jesse P. Gooch, Anthony J. Nemi, Richard E. Abbott, Michael A. Hill, Shawn A. Foti, Christopher Voccio, Christopher J. McKimmie.

Dated: December 9, 2025

**BUDGET MODIFICATION
SALES TAX**

WHEREAS, the Sales Tax amount appropriated in the 2026 budget is \$100,700,000, now, therefore be it

RESOLVED, that the sales tax amount be increased in the 2026 budget by \$300,000, and be it further

RESOLVED, that the following 2026 budget modification be effectuated:

INCREASE REVENUE:

A.07.1325.000 41110.01	Sales & Use Tax-General	\$160,500
A.07.1325.000 41110.02	Sales & Use Tax-Medicaid	\$139,500

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$300,000
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Moved by Bradt, seconded by Godfrey.

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

Resolution No. B-02-25

From: Legislators Irene M. Myers, Rebecca J. Wydysh, Shawn A. Foti, Richard L. Andres, Michael A. Hill, Randy R. Bradt, Jesse P. Gooch, David E. Godfrey, Anthony J. Nemi, Richard E. Abbott, Christopher Voccio, Carla L. Speranza, Jeffery Elder, Christopher A. Robins and Christopher J. McKimmie.

Dated: December 9, 2025

**BUDGET MODIFICATION
RESOLUTION IN SUPPORT OF NIAGARA USA 250 DRONE SHOW
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara County 250th American Revolution Committee was created by the Niagara County Legislature by resolution IL-078-23 to recommend activities around the 2026 celebration of 250 years of American independence, and

WHEREAS, one such activity is a Drone Show, mesmerizing aerial light display using dozens to thousands of synchronized, LED-equipped drones that fly in precise formations to create 3D shapes, logos, messages, or animations in the night sky, and

WHEREAS, the Niagara County 250th American Revolution Committee recommends the county support this activity, and

WHEREAS, the Legislature wishes to contribute toward the drone show, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorize the allocation of funding from the Community Partnership Program through Resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Drone Show through the Old Fort Niagara Assoc. Inc. by appropriating monies from the said Community Partnership Funds as follows:

Old Fort Niagara Assoc. Inc.	\$20,000.00
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and be it further

RESOLVED, that the following 2026 budget modification be effectuated:

INCREASE REVENUE:

A.07.1325.000 41110.01	Sales & Use Tax-General	\$10,700
A.07.1325.000 41110.02	Sales & Use Tax-Medicaid	<u>\$ 9,300</u>
		\$20,000

INCREASE APPROPRIATIONS:

A.28.8020.814 74500.01	Community Partnership Fund Expense	\$20,000
Moved by Myers, seconded by Gooch.		
Adopted. 14 Ayes, 0 Noes, 1 Absent – Foti.		

Resolution No. B-03-25

From: Legislators Christopher A. Robins, Jeffrey Elder, Carla Speranza, Randy R. Bradt, Rebecca J. Wydysh, Richard L. Andres, David E. Godfrey, Christopher Voccio, Irene M. Myers, Jesse P. Gooch, Anthony J. Nemi, Richard E. Abbott, Michael A. Hill, Shawn A. Foti and Christopher J. McKimmie.

Dated: December 9, 2025

**BUDGET MODIFICATION
NIAGARA COUNTY PARTNER AGENCIES**

WHEREAS, certain community organizations are critical to serving the needs of the residents of Niagara County, and

WHEREAS, the partnering of key community organizations with County Departments fosters teamwork and sharing of information and resources, and

WHEREAS, NIOGA Library System, Cornell Cooperative Extension, Niagara County Soil & Water, Niagara County Historical Society, Niagara Community Action Program, and Niagara Military Affairs Council are currently partner agencies with the County of Niagara, now, therefore be it

RESOLVED, that the Niagara County Partner Agencies budget appropriations be increased in the 2026 budget, and be it further

RESOLVED, that the following 2026 budget modification be effectuated:

INCREASE REVENUE:

A.07.1325.000 41110.01	Sales & Use Tax-General	\$14,254
A.07.1325.000 41110.02	Sales & Use Tax-Medicaid	\$12,389

INCREASE APPROPRIATIONS:

A.10.1989.116 74525.02	NIOGA Library System	\$ 8,841
A.10.1989.116 74525.03	Cornell Cooperative Extension	\$12,766
A.10.1989.116 74525.04	Niagara County Soil & Water	\$ 1,757
A.11.7989.705 74525.14	Niagara County Historical Society	\$ 367
A.22.6989.116 74525.05	Niagara Community Action Program	\$ 2,312
A.28.8989.116 74525.15	Niagara Military Affairs Council	\$ 600

Moved by Robins, seconded by Elder.

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

Resolution No. B-04-25

From: Legislators Christopher A. Robins, Jeffrey Elder and Carla L. Speranza.

Dated: December 9, 2025

**BUDGET MODIFICATION
SALES TAX**

WHEREAS, the Sales Tax revenue amount appropriated in the 2026 budget is \$100,700,000, now, therefore, be it

RESOLVED, that Sales Tax revenue be increased in the 2026 Budget by \$3,045,592, and be it further

RESOLVED, that the following 2026 budget modification be effectuated:

INCREASE REVENUE:

A.07.1325.000 41110.01	Sales & Use Tax-General	\$1,629,074
A.07.1325.000 41110.02	Sales & Use Tax-Medicaid	\$1,416,518
		\$3,045,592

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$3,045,592
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Moved by Robins, seconded by Elder.

Rejected. 3 Ayes – Elder, Robins, Speranza, 11 Noes – Abbott, Andres, Bradt, Godfrey, Goch, Hill, McKimmie, Myers, Nemi, Voccio, Wydysk, 1 Absent – Foti.

Resolution No. B-05-25

From: Administration Committee.

Dated: December 9, 2025

ADOPTION FOR 2026 ASSESSMENT ROLL & BUDGET - WATER DISTRICT

WHEREAS, a public hearing was held on December 2, 2025, at 5:10 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2026 assessment roll and budget for the Niagara County Water District, and

WHEREAS, 0 addition(s) and/or deletion(s) were offered on said budget, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby affirms and adopts said 2026 assessment roll and

budget for the Niagara County Water District, at \$ 13,431,167, and directs that the necessary taxes be levied to fund said budget pursuant to the provisions of the County law.

Moved by Godfrey, seconded by Nemi.

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

Resolution No. B-06-25

From: Administration Committee.

Dated: December 9, 2025

ADOPTION FOR 2026 ASSESSMENT ROLL & BUDGET - SEWER DISTRICT

WHEREAS, a public hearing was held on December 2, 2025, at 5:30 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2026 assessment roll and budget for the Niagara County Sewer District #1, and

WHEREAS, 0 addition(s) and/or deletion(s) were offered on said budget, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby affirms and adopts said 2026 assessment roll and budget for the Niagara County Sewer District #1, at \$ 7,938,324 and directs that the necessary taxes be levied to fund said budget pursuant to the provisions of the County law.

Moved by Godfrey, seconded by Nemi.

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

Resolution No. B-07-25

From: Administration Committee.

Dated: December 9, 2025

**ADOPTION FOR 2026 ASSESSMENT ROLL & BUDGET
REFUSE DISPOSAL DISTRICT**

WHEREAS, a public hearing was held on December 2, 2025, at 5:20 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2026 assessment roll and budget for the Niagara County Refuse Disposal District, and

WHEREAS, 0 addition(s) and/or deletion(s) were offered on said budget, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby affirms and adopts said 2026 assessment roll and budget for the Niagara County Refuse Disposal District, at \$ 865,297, and directs that the necessary taxes be levied to fund said budget pursuant to the provisions of the County law.

Moved by Godfrey, seconded by Nemi.

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

Resolution No. B-08-25

From: Administration Committee.

Dated: December 9, 2025

**AUTHORIZATION FOR COUNTY MANAGER AND BUDGET DIRECTOR TO MAKE CHANGES
TO BUDGET**

RESOLVED, that the County Manager and Budget Director be and are hereby authorized, empowered, and directed to make any corrections, modifications, changes, additions and/or correct typographical errors not

affecting the substance of the approved budget in order to balance accounts. This shall include any budget transfer within the same account classification and within the same fund, which will maintain the integrity of the budget required for the close of the fiscal year.

Moved by Godfrey, seconded by Nemi.

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

Resolution No. B-09-25

From: Administration Committee.

Dated: December 9, 2025

ADOPTION OF 2026 BUDGET

WHEREAS, the Office of the County Manager and the Budget Office have submitted a tentative budget for the conduct of the County government of the County of Niagara, New York, the conduct of the Niagara County Water District, the conduct of the Sewer District #1, and the conduct of the Refuse Disposal District for the year 2026, and

WHEREAS, pursuant to Section 359 of the County Law, public hearings were held on December 2, 2025, on the Niagara County Water District's budget at 5:10 p.m., Sewer District #1's budget at 5:30 p.m., Refuse Disposal District at 5:20 p.m., and the County's budget at 5:40 p.m., in the Legislative Chambers, Courthouse, Lockport, New York, and

WHEREAS, certain additions and/or deletions to said budget were thereafter approved by this Legislature, now, therefore, be it

RESOLVED, that the tentative budget for the year 2026, together with certain additions and/or deletions heretofore approved this date by this Legislature, be and the same is hereby approved and adopted, and that the several amounts specified and set forth in said budgets as appropriation and revenues in the column "ADOPTED" be and are hereby appropriated for the objects and purposes specified.

Moved by Godfrey, seconded by Nemi.

Adopted. 11 Ayes – Abbott, Andres, Bradt, Godfrey, Gooch, Hill, McKimmie, Myers, Nemi, Voccio and Wydsh, 3 Noes – Elder, Robins, Speranza, 1 Absent – Foti.

Resolution No. B-10-25

From: Administration Committee.

Dated: December 9, 2025

LEVYING OF TAXES

WHEREAS, the Niagara County Legislature has, by resolution, made amendments to the tentative budget submitted for the year 2026 by the County Manager and the Budget Director, thereby making appropriations for the conduct of the County for calendar year 2026, now, therefore, be it

RESOLVED, that to meet the amount of the said appropriations, less the anticipated revenue from sources other than the real property tax levy, this Legislature hereby levies the following taxes pursuant to the provisions of Section 361 of the County Law and Section 900 of the Real Property Tax Law upon the taxable property in the County, upon the valuation are equalized by it, to wit:

Upon all taxable property in the County, the sum of \$ 96,934,435.

Upon all the taxable property in the area comprising the Sewer District #1, the sum of \$ 3,602,202.

Upon all the taxable property in the area comprising the County Water District,
the sum of \$ 5,812,201.

Upon all the taxable property in the area comprising the County Refuse Disposal District,
the sum of \$ 735,417.

Moved by Godfrey, seconded by Nemi.

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

Resolution No. B-11-25

From: Administration Committee.

Dated: December 9, 2025

APPROVAL OF TAX ROLLS

WHEREAS, upon the tax rolls of the several towns and cities, the several taxes have been by the Legislators thereof duly extended as provided by law and by the several resolutions of this Legislature, and the said completed tax rolls have been laid before this Legislature for its approval, now, therefore, be it

RESOLVED, that the said tax rolls be approved as so completed; that the taxes so extended upon the tax rolls in the several amounts extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein, and be it further

RESOLVED, that there be annexed to each of said rolls a tax warrant in the form prepared by the Clerk and heretofore laid before this Legislature for its approval, as provided for by Section 904 of the Real Property Tax Law; that such warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; that the several warrants be signed by the Chairman and the Clerk of the Legislature under the seal of the Legislature; and that the said rolls with the said warrants annexed thereto be forthwith delivered to the respective collectors of the several tax districts within the County.

Moved by Godfrey, seconded by Nemi.

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

Chairman Wydysh thanked County Manager Updegrove, Budget Director Dan Huntington and all the department heads for all their work on the 2026 Budget.

County Manager Updegrove thanked the legislature for the direction they provide him. He thanked the all department heads, specifically Budget Manager Dan Huntington and Heather Soles for all of the hard work to present a budget under the cap.

Chairman Wydysh thanked Legislator Voccio for his four years of service as a legislator.

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

Chairman Wydysh declared the Board adjourned at 6:48 p.m., subject to the call of the Clerk.


Alysa T. Tomasino, Clerk