

A public hearing was held pursuant to ED-008-24, adopted by the Legislature on May 14, 2024, for the purpose of hearing public comments on PEMM LLC dba Quicklees Travel Center Community Block Grant. Legislator Godfrey opened the hearing 5:50 p.m. and closed it at approximately 5:51 p.m.

## **OFFICIAL RECORD**

Lockport, New York  
June 18, 2024

The meeting was called to order by Chairman Wydysh at 6:02 p.m.

Clerk Tomasino called the roll. All Legislators were present with the exception of Legislators Andres and McKimmie.

Chairman Wydysh called Legislator Gooch and Office for the Aging Director Darlene DiCarlo to the lectern to read proclamations 2024 Outstanding Senior Citizen of the Year Alfred Kontrabecki and Shailaja Kokil and declaring the month of June 2024 as Elder Abuse Awareness Month in Niagara County.

Chairman Wydysh called President and CEO of Destination Niagara John Percy to the lectern to give a presentation on the 2023 Annual Report.

Chairman Wydysh called Victor Martucci from Masiello, Martucci & Associates to the lectern to give an update on the recent NYS legislation that passed and how it will affect us at the county level.

Chairman Wydysh called Legislator Elder to talk about the meaning of Juneteenth.

No citizens spoke on the Agenda.

Moved by Bradt, second by Robins to accept the Preferred Agenda.

**Resolution No. CS-039-24 was read at this time. (Appears in numerical order)**

**Resolution No. CW-010-24 was read at this time. (Appears in numerical order)**

**Resolution No. AD-018-24**

From: Administration Committee.

Dated: June 18, 2024

## **CITY OF NIAGARA FALLS-BLUE CARDINAL PROPERTIES WAIVER OF TAXES**

WHEREAS, Niagara County, has been in discussions with the City of Niagara Falls to develop a revitalization plan for North Main Street in Niagara Falls, and

WHEREAS, properties formerly owned by Blue Cardinal Capital (BCC), under the title of Niagara Village LLC, are currently in bank foreclosure and occupy several parcels along the North Main Street corridor, and

WHEREAS, Niagara Village LLC, has failed to pay property taxes for several years of its ownerships to the county, city and school district creating an outstanding tax liability to the County of Niagara in the amount of \$55,887.68, and

WHEREAS, the Rapids Theatre, also located in the North Main Street corridor, under the title of 1711 Main Street LLC, is currently in a separate bank foreclosure, and

WHEREAS, 1711 Main Street LLC, has failed to pay property taxes for several years of its ownerships to the county, city and school district creating an outstanding tax liability to the County of Niagara in the amount of \$19,538.36, and

WHEREAS, the City of Niagara Falls, through its Niagara Falls Urban Renewal Agency (URA), is seeking to acquire the BCC properties and the Rapids Theatre through separate agreements with each financial institution and with the assistance of various NYS agencies and the Niagara Orleans Regional Land Improvement Corporation (NORLIC), so as to avoid sole property ownership, which has hampered development in the past, and to control and market the properties, initially to include university student housing and ancillary development thereafter, and

WHEREAS, the City of Niagara Falls, in its negotiations with the respective financial institutions will, as a part of proposed acquisition by the URA, forego collection of the taxes unpaid to the City, provided the financial institutions enter into an agreement with the URA for the respective acquisitions, if an agreement is not achieved the priority property taxes would be recovered from any auction sale by the respective financial institutions, and

WHEREAS, the City of Niagara Falls has requested that Niagara County forego collection of the taxes unpaid up to and including 2024 to the County totaling \$75,426.04 for all of the parcels aforesaid, in furtherance of the proposed negotiation and provided the financial institutions enter into an agreement with the URA for the respective acquisitions, if an agreement is not achieved the priority property taxes would be recovered from any auction sale by the respective financial institutions and distributed pursuant to the formula provided by law, now, therefore, be it

RESOLVED, the County of Niagara agrees and consents to forego collection of unpaid county property taxes up to and including 2024 for properties identified as BCC properties under the title, Niagara Village LLC and the Rapids Theatre under the title 1711 Main Street LLC, upon the specific condition that the respective financial institutions currently holding the respective properties in separate foreclosures, enter into an agreement with the URA to further the development delineated herein, be it further

RESOLVED, in the event an agreement for acquisition of the respective properties, by the URA, is not achieved with a financial institution, the County of Niagara will obtain its unpaid property taxes on the property, or properties, after a foreclosure auction pursuant to the formula provided by law.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. AD-019-24**

From: Administration Committee.

Dated: June 18, 2024

**WAIVER OF RESIDENCY REQUEST  
ASSISTANT COUNTY ATTORNEY POSITION**

WHEREAS, the Niagara County Attorney's Office has permission to fill a vacant Assistant County Attorney position, position number 13913, this is a critical and important position that is required to satisfy operational requirements of the department and to provide effective legal representation, and

WHEREAS, due to challenges with the recruitment for qualified candidates despite posting efforts and activities to source candidates for this important position has not resulted in a sufficient applicant pool of Niagara County resident candidates applying for this vacant position, and

WHEREAS, Niagara County Attorney's Office has made diligent and sincere efforts to recruit highly qualified candidates for the position from within Niagara County, now, therefore, be it

RESOLVED, that a one-time Waiver of Residency from the policy to hire only Niagara County residents be approved to fill the currently vacant Assistant County Attorney position when the most highly qualified applicant is a non-Niagara County resident or when only qualified candidates reside outside Niagara County.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CS-031-24**

From: Community Services and Administration Committees.

Dated: June 18, 2024

**BUDGET MODIFICATION-ACCEPT NYS HOUSING TRUST FUND AWARD ENVIRONMENTAL  
DIVISION- DEPARTMENT OF HEALTH**

WHEREAS, the Environmental Division of the Niagara County Department of Health provides essential services, information and training to protect the health and safety of citizens of Niagara County, and

WHEREAS, the NYS Department of Health awarded the Niagara County Department of Health an initial two year (4/1/2024 to 3/31/2026) Housing Trust Fund - Leading in Lead Prevention Pilot Program contract, and

WHEREAS, the Environmental Division of the Department of Health must use these funds to remediate lead hazards from rental units in state assigned "communities of concern", and

WHEREAS, the Department of Health requests approval to accept NYS Homes & Community Renewal funds, now, therefore, be it

RESOLVED, the following budget modification be made:

**INCREASE REVENUE:**

CM.20.4070.419 43450.04 HTFC	\$373,060.00
------------------------------	--------------

**INCREASE APPROPRIATIONS:**

CM.20.4070.419 74500.01 Contractual	\$373,060.00
-------------------------------------	--------------

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CS-032-24**

From: Community Services and Administration Committees.

Dated: June 18, 2024

**PUBLIC HEARING FOR  
NCCC FY 2024-2025 MAINTENANCE AND OPERATING BUDGET**

WHEREAS, the County Manager and Budget Director have filed with the Legislative Clerk the tentative budget for the Niagara County Community College for their fiscal year commencing September 1, 2024 and ending August 31, 2025, and

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

RESOLVED, that a public hearing be held in the Legislative Chambers, Courthouse, Lockport, New York at 5:45 p.m. on the 6<sup>th</sup> day of August, 2024 to review the tentative budget, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CS-033-24**

From: Community Services and Administration Committees.

Dated: June 18, 2024

**BUDGET MODIFICATION  
RENTAL SUPPLEMENT PROGRAM 2024-2025**

WHEREAS, the New York State Office of Temporary and Disability Assistance (OTDA) did make state-wide funds available for the Rental Supplement Program, and

WHEREAS, these resources are available to provide rental supplements to individuals and families who are experiencing homelessness or facing an imminent loss of housing, and

WHEREAS, Niagara County has received an additional allocation of \$742,819, which is 100% state funded, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services continue to administer the Rental Supplement Program as approved by OTDA, and be it further

RESOLVED, that the following budget modification be effectuated to the Social Services 2024 budget:

**INCREASE REVENUE:**

A.22.6010.000 3610.01	DSS Admin Revenue	\$ 742,819
-----------------------	-------------------	------------

**INCREASE APPROPRIATION:**

A.22.6010.000 74000.03	Administrative Costs	\$ 742,819
------------------------	----------------------	------------

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CS-034-24**

From: Community Services and Administration Committees.

Dated: June 18, 2024

**NIAGARA COUNTY CLERK'S OFFICE – ABOLISH (2) FULL-TIME CLERICAL II POSITIONS /  
CREATE AND FILL FULL-TIME DOCUMENT CLERK & CASHIER POSITION**

WHEREAS, the Niagara County Clerk serves as the Clerk of Supreme and County Courts as well as register of all land transactions and receiver of filings and recordings of numerous and varied documents, and

WHEREAS, the Niagara County Clerk is committed to providing exceptional customer service to the residents of Niagara County, and

WHEREAS, position changes within the department are necessary to address departmental needs, and

WHEREAS, the positions we are seeking to abolish were vacated due to retirement and the department has evaluated the responsibilities of the positions which include indexing, verification, issuing and certifying all details of recorded land and filed court documents, issuing certain licenses, accessing highly confidential, non-public records, maintaining confidentiality of those records, and

WHEREAS, the Document Clerk & Cashier title is more appropriate to these job functions, and

WHEREAS, the Document Clerk & Cashier title will effectively allow the cross-training of employees between the three sub-departments of the County Clerk's office which include, Actions and Proceedings, Land Records and General Recording, and

WHEREAS, the Document Clerk & Cashier title has the ability to perform all actions and job duties for all three aforementioned sub-departments of the County Clerk's office allowing for a more cohesive and effective work environment, and

WHEREAS, the current Clerical II positions have been vacant since January, 2024, and

WHEREAS, the remaining funds from the vacant Clerical II positions will be sufficient to cover the rate of pay increase resulting in no additional cost to the County, now, therefore, be it

RESOLVED, that (two) Clerical II (vacant as of April 1, 2024), Grade 6, Step 1, position numbers 4580 and 134, salary \$21.51/hr - \$23.95/hr, be abolished, and be it further

RESOLVED, that (2) full-time, Document Clerk & Cashier, Grade 6, Step 1, salary \$23.14/hr - \$26.23/hr, positions be created within the Niagara County Clerk's Office, and filled

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

#### **Resolution No. CS-035-24**

From: Community Services and Administration Committees.

Dated: June 18, 2024

#### **NIAGARA COUNTY CLERK'S OFFICE – ABOLISH FULL-TIME DOCUMENT CLERK POSITION #118/ CREATE AND FILL FULL-TIME DOCUMENT CLERK & CASHIER POSITION**

WHEREAS, the Niagara County Clerk serves as the Clerk of Supreme and County Courts as well as register of all land transactions and receiver of filings and recordings of numerous and varied documents, and

WHEREAS, the Niagara County Clerk is committed to providing exceptional customer service to the residents of Niagara County, and

WHEREAS, position changes within the department are necessary to address departmental needs, and

WHEREAS, the position we are seeking to abolish was vacated due to retirement and the department has evaluated the responsibilities of the position which include indexing, verification, issuing and certifying all details of recorded land and filed court documents, issuing certain licenses, accessing highly confidential, non-public records, maintaining confidentiality of those records, and

WHEREAS, the Document Clerk & Cashier title is more appropriate to these job functions, and

WHEREAS, the Document Clerk & Cashier title will effectively allow the cross-training of employees between the three sub-departments of the County Clerk's office which include, Actions and Proceedings, Land Records and General Recording, and

WHEREAS, the Document Clerk & Cashier title has the ability to perform all actions and job duties for all three aforementioned sub-departments of the County Clerk's office allowing for a more cohesive and effective work environment, and

WHEREAS, the current Document Clerk position has been vacant since January, 2024, and

WHEREAS, the remaining funds from the vacant Document Clerk position will be sufficient to cover the rate of pay increase resulting in no additional cost to the County, now, therefore, be it

RESOLVED, that one Document Clerk (vacant as of October 30, 2023), Grade 5, Step 1, position number 118, salary \$22.32/hr - \$24.90/hr, be abolished, and be it further

RESOLVED, that one full-time, Document Clerk & Cashier, Grade 6, Step 1, salary \$23.14/hr - \$26.23/hr, be created within the Niagara County Clerk's Office, and filled

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CS-036-24**

From: Community Services and Administration Committees.

Dated: June 18, 2024

**NIAGARA COUNTY CLERK  
BUDGET MODIFICATION – DWYER GRANT**

WHEREAS, the New York State legislature has awarded \$185,000 to the Niagara County Veterans Service agency to support a pilot program for veterans suffering from PTSD during fiscal year 2024, and

WHEREAS, the awarded amount of \$185,000 was adopted in the 2024 County Clerk budget, and

WHEREAS, in May of 2024, the Niagara County Clerk's office was notified that the New York State Legislature has awarded additional Cost of Living Allocation (COLA) funds in the amount of \$12,950.00, and

WHEREAS, the Niagara County Department of Mental Health will advance the Legislative grant funding to the County Clerk's department in the total amount of \$12,950.00 upon receipt from the New York State Office of Mental Health, and

WHEREAS, the 2024 budget will need to be modified to accommodate the increased funding, now, therefore, be it

RESOLVED, that the 2024 budget be modified as follows:

**INCREASE REVENUE:**

A.10.1410.000.43490.01	Mental Health Program General	\$12,950.00
------------------------	-------------------------------	-------------

**INCREASE APPROPRIATIONS:**

A.10.1410.000.74400.09	Misc. Expenses Payments Other Agencies	\$12,950.00
------------------------	--	-------------

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CS-037-24**

From: Community Services and Administration Committees.

Dated: June 18, 2024

**NIAGARA COUNTY DEPARTMENT OF MENTAL HEALTH & SUBSTANCE ABUSE SVCS –  
CREATE FULL TIME CRISIS SERVICES PHONE AIDE POSITION - BUDGET MODIFICATION**

WHEREAS, the Niagara County Department of Mental Health & Substance Abuse Services (NCDMH) is committed to providing exceptional treatment and integrated care services to Niagara County residents in need, and

WHEREAS, NCDMH has operated the County's Crisis Services 24/7/365 call center since 1971 with trained Crisis Services Phone Aides providing confidential support and assistance to individuals in distress, including those experiencing mental health emergencies or suicidal ideation, and

WHEREAS, Niagara County Crisis Services is a provider for the National Suicide Prevention Lifeline, whose national mental health/suicide crisis phone number, 988 (similar to 911) was implemented effective July 16, 2022, and

WHEREAS, both the local Crisis Services line as well as the 988 Crisis and Suicide Prevention Lifeline caller concerns have become of increasing complexity and duration, and

WHEREAS, call volume has increased due to 988, and

WHEREAS, the NYS Office of Mental Health is providing additional funding for Crisis Services to offset increased call volume due to 988, and

WHEREAS, this funding allows for the creation of an additional full time position to respond to the increase in call volume and to ensure adequate shift coverage for this emergency operation related to planned and unplanned benefit time, and

WHEREAS, NCDMH is committed to and has demonstrated operating in a responsible fiscal manner, and

WHEREAS, the creation of this position is at no additional current cost to the County, now, therefore, be it

RESOLVED, that one Full Time Crisis Services Phone Aides, Grade 5, Step 1, position number, MHD300100.XXXXXX, salary range \$40,779 - \$45,492, be created within the Niagara County Department of Mental Health, and filled effective June 19, 2024, and be it further

RESOLVED, that the following budget modifications in the 2024 budget be effectuated:

**INCREASE REVENUE:**

A.21.4310.000.43490.08	Community Support Services	\$36,955
------------------------	----------------------------	----------

**INCREASE APPROPRIATIONS:**

A.21.4310.000.71010.00xxxxx	Position (FT CS Phone Aide)	\$ 21,874
A.21.4310.000.71050.00	Overtime Expense	2,232
A.21.4310.000.71070.00	Shift Differential Expense	312
A.21.4310.000.78100.00	Retirement Expense	2,649
A.21.4310.000.78200.00	FICA	1,868

A.21.4310.000.78300.00	Worker's Comp	527
A.21.4310.000.78400.01	Insurance, Health Active Hospital/Medical	6,577
A.21.4310.000.78400.05	Insurance HRA Employer Contribution	425
A.21.4310.000.78700.00	Disability	45
A.21.4310.000.78800.00	Flex 125 Employer Contribution Expense	446

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

#### **Resolution No. CS-038-24**

From: Community Services and Administration Committees.

Dated: June 18, 2024

### **MH - 2024 BUDGET MODIFICATION – OPIOID SETTLEMENT FUNDS USE**

WHEREAS, the County of Niagara is concerned about the welfare of all of its citizens and, as such, formed the Niagara County Opioid Task Force (OASIS) in 2016 in recognition of the broad impact the opioid epidemic was having on our communities, and

WHEREAS, the County of Niagara entered into and joined a range of litigation against manufacturers, distributors, and sellers of opioids in 2018, and

WHEREAS, the NYS Attorney General's office and separately States Attorney Generals' offices have negotiated numerous settlements with manufacturers, distributors, and sellers of opioid, and

WHEREAS, the County of Niagara is in receipt of funds designed to offset the expansive costs and impact of the Opioid crisis on County operations and funds designated for treatment, recovery, and prevention efforts, herein referred to as "Schedule C – approved uses," and

WHEREAS, the Niagara County Department of Mental Health & Substance Abuse Services (NCDMH), as the Local Governmental Unit (LGU), is responsible for the planning and oversight of the service system to ensure the availability and continuance of services to individuals with mental illness and substance use disorders who are living in Niagara County, and

WHEREAS, the Niagara County Department of Mental Health (NCDMH), on behalf of the County of Niagara, has gathered data and input to create a plan for the distribution and use of Schedule C funds through stakeholder forums, public input sessions, and legislative committee meetings, and

WHEREAS, these planning efforts resulted in the identification of gaps, needs, and key priorities in several areas, including: clinical services; community supports/services; workforce training; diversity, equity, and inclusion; and prevention/outreach. Strategies and solutions which require extensive funding investments have been referred to New York State Office of Addiction Services and Supports, and

WHEREAS, effective June 19th, NCDMH will partner with the Mental Health Association, who will take lead in the *Soul Shop™ Leaders* event planning and coordination efforts in partnership with the Niagara County Suicide Prevention Coalition. The *Soul Shop™ Leaders* is a one-day workshop designed for clergy, staff, lay pastors, and faith-based clinicians to develop soul-safe communities by equipping members to address suicide as a regular aspect of their life and work. This training will address the need for faith-based communities to increase their knowledge and skill sets to make a positive impact on the lives of individuals, and their families, with whom they have contact that have Opioid Use, Substance Use, and co-occurring Mental Health conditions, and now, there be it



RESOLVED, that the Director of Community Services be authorized to engage in the process to carry out the necessary agreements between the County and Mental Health Association, subject to the approval of the County Attorney's Office, and be it further

RESOLVED, that the following budget modifications be effectuated:

**INCREASE REVENUE:**

A.21.4310.816.42735.01      Opioid Settlement Funds Restricted      \$ 4,250

**INCREASE EXPENSE:**

A.21.4310.816.74500.01      Contractual Expenses      \$ 4,250

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CS-039-24**

From: Community Services and Administration Committees.

Dated: June 18, 2024

**COMMUNICABLE DISEASE PREVENTION SOLE SOURCE - NURSING DIVISION DEPARTMENT OF HEALTH**

WHEREAS, the Nursing Division of the Niagara County Department of Health prevents communicable disease, provides services, information and training to protect the health and safety of the citizens of Niagara County, and

WHEREAS, a resupply of Typhoid (TYPHIM) and Yellow Fever (YF-VAX) is needed in the travel vaccination clinic, and

WHEREAS, Sanofi Pasteur is the sole distributor for these two vaccines in the United States, and

WHEREAS, the Department of Health has funding approved in the annual county budget, now, therefore, be it

RESOLVED, that the Department of Health is hereby authorized to waive Niagara County purchasing policy to purchase Typhoid (TYPHIM) and Yellow Fever (YF-VAX) vaccines without the need to solicit for alternative proposals, and be it further

RESOLVED, that the Niagara County Legislature authorizes an agreement for purchase not to exceed \$19,999.00 to be signed pursuant to the Niagara County Contract Policy.

Approved for submission.

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

Carried.

Moved by Gooch, seconded by Myers.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CSS-053-24**

From: Community Safety & Security and Administration Committees.

Dated: June 18, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE**

**BUDGET MODIFICATION – ACCEPT BYRNE JAG LAW ENFORCEMENT EQUIPMENT GRANT**

WHEREAS, the Niagara County Sheriff's Office has been notified by the New York State Division of Criminal Justice Services that it is the recipient of an Edward Byrne Memorial Justice Assistance Grant Program Law Enforcement Equipment Grant in the amount of \$99,960 for the performance period April 1, 2024 through March 31, 2025, and

WHEREAS, this grant will allow the Sheriff's Office to purchase needed law enforcement equipment including but not limited to respirator masks, Crime Scene camera system, a radar unit, thermal binoculars and winter specialty uniforms, and

WHEREAS, the 2024 budget needs to be revised in order to purchase the needed equipment, now, therefore, be it

RESOLVED, that following the County Attorney review, the New York State Division of Criminal Justice Services Edward Byrne Memorial Justice Assistance Grant Program Law Enforcement Equipment Grant may be executed pursuant to the Niagara County Contract Policy, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.17.3645.000 44305.02	Civil Defense Homeland Security	\$ 99,960
------------------------	---------------------------------	-----------

INCREASE APPROPRIATIONS:

A.17.3645.000 72100.21	Law Enforcement Equipment	\$77,960
A.17.3645.000 74300.06	Uniform expense	\$22,000

Moved by Gooch, seconded by Myers.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CSS-054-24**

From: Community Safety & Security and Administration Committees.

Dated: June 18, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION – ACCEPT FY23 STONEGARDEN GRANT**

WHEREAS, the Niagara County Sheriff's Office has been notified by the New York State Department of Homeland Security and Emergency Services that it has been awarded \$117,125 under the FY2023 Operation Stonegarden Program, whose funding is provided by the U.S. Department of Homeland Security and Emergency Services, and

WHEREAS, Operation Stonegarden has been awarded to the Niagara County Sheriff's Office for many years for expenses to assist the County in conducting border centric, intelligence driven operations with the goal of reduction or elimination of threat, risk and vulnerability along our nation's borders, and

WHEREAS, the performance period for the grant is September 1, 2023 through August 31, 2026, and

WHEREAS, the 2024 budget needs to be amended to accept the revenue, now, therefore, be it

RESOLVED, that following the County Attorney's review, the FY23 Operation Stonegarden Grant may be executed pursuant to the Niagara County Contract Policy, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.17.3645.000 44305.02	Civil Defense Homeland Security	\$117,125
------------------------	---------------------------------	-----------

INCREASE APPROPRIATIONS:

A.17.3645.000 71050.00	Overtime Expense	\$17,840
A.17.3645.000 72100.21	Law Enforcement Equipment	44,200
A.17.3645.000 74400.09	Payments Other Agencies	50,625
A.17.3645.000 78100.00	Retirement Expense	2,710
A.17.3645.000 78200.00	FICA Expense	1,365
A.17.3645.000 78300.00	Worker's Compensation Expense	385

Moved by Gooch, seconded by Myers.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CSS-055-24**

From: Community Safety & Security and Administration Committees.

Dated: June 18, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION – ACCEPT LAW ENFORCEMENT TECHNOLOGY GRANT**

WHEREAS, the Niagara County Sheriff's Office has been notified by the New York State Division of Criminal Justice Services that it is the recipient of a grant under the New York State DCJS Law Enforcement Technology (LETECH) Program 24-25 in the amount of \$950,000.00 for the performance period April 1, 2024 through March 31, 2025, and

WHEREAS, this grant will allow the Sheriff's Office to purchase needed law enforcement equipment including but not limited to law enforcement portable radios, and

WHEREAS, the 2024 budget needs to be revised in order to purchase the needed equipment, now, therefore, be it

RESOLVED, that following the County Attorney review, the New York State Division of Criminal Justice Services Law Enforcement Technology (LETECH) Program Grant may be executed pursuant to the Niagara County Contract Policy, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.17.3645.000 43305.02	Civil Defense Homeland Security	\$950,000
------------------------	---------------------------------	-----------

INCREASE APPROPRIATIONS:

A.17.3645.000 72100.15	Communications Equipment	\$950,000
------------------------	--------------------------	-----------

Moved by Gooch, seconded by Myers.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CSS-056-24**

From: Community Safety & Security and Administration Committees.

Dated: June 18, 2024

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

WHEREAS, the New York State STOP-DWI Foundation, Inc. has notified the Niagara County Sheriff's Office of an additional \$24,000 in grant funds available to use for High Visibility Engagement Campaigns this year, and

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

WHEREAS, it is necessary to modify the 2024 budget to utilize these funds, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

**INCREASE ESTIMATED REVENUE:**

A.17.3315.000 44389.09	Other Public Safety Traffic	\$24,000
------------------------	-----------------------------	----------

**INCREASE APPROPRIATIONS:**

A.17.3315.000 74400.09	Miscellaneous Expenses Payments Other Agencies	\$24,000
------------------------	--	----------

Moved by Gooch, seconded by Myers.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CSS-057-24**

From: Community Safety & Security and Administration Committees.

Dated: June 18, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
HOURS FOR CIVIL DIVISION OF THE NIAGARA COUNTY SHERIFF'S OFFICE**

WHEREAS, the Niagara County Sheriff's Office has a Civil Division which is mandated by the State of New York with the purpose to serve and execute the numerous legal processes issues by non-criminal courts, and

WHEREAS, County Law – CNT 206 states that the board of supervisors may fix the hours of the civil office of the sheriff and if the board of supervisors do not fix the hours then the hours are 9 am to 5 pm, and

WHEREAS, the Niagara County Sheriff's Office would like to set the hours of the civil office at 8 am to 4 pm which is consistent with the hours of other divisions in the Sheriff's Office and consistent with the workflow of the office, now, therefore, be it

RESOLVED, that the hours of the Civil Office in the Niagara County Sheriff's Office be set to 8 am to 4 pm as permitted under County Law – CNT 206.

Moved by Gooch, seconded by Myers.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CSS-058-24**

From: Community Safety & Security and Administration Committees.

Dated: June 18, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
SOLE SOURCE STANDARDIZATION OF COMPUTER VOICE STRESS ANALYZER**

WHEREAS, the Niagara County Sheriff's Office utilizes a Computer Voice Stress Analyzer (CVSA) as a tool for criminal investigations and the current CVSA is due to be replaced, and

WHEREAS, the Computer Voice Stress Analyzer III (CVSA III) incorporates version-unique and specialized processes protected by two US patents (US Patent Number 7,321,855 and US Patent Number 7,571,101), and

WHEREAS, the NITV Federal Services, LLC (NFS) is the Sole Source for the Computer Voice Stress Analyzer III as well as the manufacturer approve certification training programs as the exclusive manufacturer/distributor with no US distributors, and

WHEREAS, NFS is the only Voice Stress Analysis (VSA) manufacturer holding patents for its VSA technologies which can precisely quantify stress in the human voice to evaluate CVSA examination charts as Deceptive or Non-Deceptive with an accuracy level greater than 98%, now, therefore, be it

RESOLVED, that for reasons of efficiency and economy, pursuant to General Municipal Law 103(5), there is a need for standardization for the Niagara County Sheriff's Office in the purchase of Computer Voice Stress Analyzer III, and be it further

RESOLVED, that it is hereby determined that NITV Federal Services, LLC is the sole source for the Computer Voice Stress Analyzer III, and that the Sheriff's Office is hereby authorized to purchase the CVSA III and Certified Examiner Training directly from NITV Federal Services, LLC without the need to solicit for alternate proposals, such purchase to be made in consultation with the Purchasing Department and in accordance with budgetary procedures.

Moved by Gooch, seconded by Myers.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CSS-059-24**

From: Community Safety & Security and Administration Committees.

Dated: June 18, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
SOLE SOURCE STANDARDIZATION OF DRACO SYSTEM**

WHEREAS, the Niagara County Sheriff's Office has a BearCat Armored Vehicle which is utilized by the Emergency Response Team, and

WHEREAS, the Niagara County Sheriff's Office has identified a need to purchase a gas delivery system with hard surface breaching head for the armored vehicle to allow the Emergency Response Team to deploy less lethal chemical agents from within the protection of the armored vehicle, and

WHEREAS, the Sheriff's Office has secured grant funding through the New York State Division of Criminal Justice Services to fund the purchase, and

WHEREAS, the NCSO BearCat is equipped with the DRACO prep package which will only accept the DRACO gas delivery system with hard surface breaching head, and

WHEREAS, J&N Tactical is the sole manufacturer and distributor of the patented DRACO Gas Delivery System (US Patent 10,696,470) and BH-1 Hard Surface Breaching Tool (US Patent D927,271) as well as the mandatory training for use of the system, and

WHEREAS, the grant funded purchase price of the DRACO Gas Delivery System with Hard Surface Breaching Head and mandatory training on the system is \$25,125, now, therefore, be it

RESOLVED, that for reasons of efficiency and economy, pursuant to General Municipal Law 103(5), there is a need for standardization for the Niagara County Sheriff's Office in the purchase of the DRACO Gas Delivery System, Hard Surface Breaching Tool and Training, and be it further

RESOLVED, that it is hereby determined that J&N Tactical is the sole source for the DRACO Gas Delivery System, Hard Surface Breaching Tool and Training, and that the Sheriff's Office is hereby authorized to purchase the DRACO Gas Delivery System, Hard Surface Breaching Tool and Training directly from J&N Tactical without the need to solicit for alternate proposals, such purchase to be made in consultation with the Purchasing Department and in accordance with budgetary procedures.

Moved by Gooch, seconded by Myers.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CSS-060-24**

From: Community Safety & Security and Administration Committees.

Dated: June 18, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
SOLE SOURCE STANDARDIZATION OF OSCR360 LICENSES AND MAINTENANCE**

WHEREAS, the Niagara County Sheriff's Office has identified a need for an OSCR360 High Resolution Capture Kit for use by the Accident Investigation Unit and the Crime Scene Investigation Unit, and

WHEREAS, the OSCR360 High Resolution Capture Kit paired system includes software and a 360 degree spherical image capture kit to allow the documentation of scenes including GPS coordinates and compass sensors which can then build and present a case with a true and accurate depiction of the scene, and

WHEREAS, the OSCR360 High Resolution Capture Kit is available on GSA Contract and the Sheriff's Office also needs to purchase the software licenses and maintenance, and

WHEREAS, the OSCR360 High Resolution Capture Kit with licenses, maintenance and tripod compatible with the camera are available exclusively from L-Tron Corporation, and

WHEREAS, the OSCR360 High Resolution Capture kit is available from L-Tron Corporation under GSA Contract for \$6,291.54 and the necessary licenses and maintenance with tripod are \$14,913.95 but not on GSA Contract, and

WHEREAS, the purchase of the system, licenses, maintenance and tripod will be made with grant funding, now, therefore, be it

RESOLVED, that for reasons of efficiency and economy, pursuant to General Municipal Law 103(5), there is a need for standardization for the Niagara County Sheriff's Office in the purchase of the licenses, maintenance and tripod for the OSCR360 High Resolution Capture Kit, and be it further

RESOLVED, that it is hereby determined that L-Tron Corporation is the sole source for the OSCR360 High Resolution Capture Kit, the licenses, maintenance and tripod for the system, and that the Sheriff's Office is hereby authorized to purchase the licenses, maintenance and tripod for the OSCR360 High Resolution Capture Kit directly from L-Tron Corporation without the need to solicit for alternate proposals, such purchase to be made in consultation with the Purchasing Department and in accordance with budgetary procedures.

Moved by Gooch, seconded by Myers.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CSS-061-24**

From: Community Safety & Security and Administration Committees.

Dated: June 18, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
WILMAC SOLE/ SINGLE SOURCE DESIGNATION FOR SERVICE  
AND MAINTENANCE OF NICE SYSTEM**

WHEREAS, the Niagara County Sheriff's Office Communication 911 Center has a NICE Systems Inc. digital recording system which records and plays back the Sheriff's Office telephone system 911 calls and radio system calls, and

WHEREAS, this system is critical for the function of the Communication Center as well as law enforcement agencies throughout Niagara County, and

WHEREAS, the Niagara County Sheriff's Office wishes to purchase a maintenance contract to include unlimited break/fix service, software assurance for major version upgrades, software patches, bug fixes and minor version upgrades for \$21,395 for 7/1/24 to 6/30/25, and

WHEREAS, Wilmac is the only NICE contracted Premier Public Safety Dealer Business Partner in Western New York State, now, therefore, be it

RESOLVED, that the Niagara County Sheriff's Office be authorized to waive the requirement for a Request for Proposal or additional bids to purchase maintenance contracts for the NICE Systems Inc digital recording system and that Wilmac be recognized as the sole source provider for the Niagara County Sheriff's Office NICE System and its service and maintenance.

Moved by Gooch, seconded by Myers.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CSS-062-24**

From: Community Safety & Security and Administration Committees.

Dated: June 18, 2024

**2024 BUDGET MODIFICATION - FIRE COORDINATOR'S OFFICE  
ACCEPT PAYMENTS FOR FIRE INVESTIGATION REPORT FEES**

WHEREAS, the County Fire Investigation team collected fees for reproducing requested fire investigation reports pertaining to multiple investigations, and

WHEREAS, under Public Officers Law §87(1), an agency is allowed to charge a fee for reproducing requested records, and

WHEREAS, the Fire Coordinator's Office received payments from various insurance companies requesting fire investigation reports totaling an amount of \$150.00 for January through May 2024, and

WHEREAS, the Fire Coordinator's Office is reallocating the collected fees to the Fire Investigation Team for needed supplies, at no cost to the County, now, therefore, be it

RESOLVED, that the following 2024 budget modification be effectuated:

**INCREASE REVENUE:**

A.19.3410.000 41289.08	Other General Gov Income Reimbursement	\$ 150.00
------------------------	--	-----------

**INCREASE APPROPRIATION:**

A.19.3410.000 74550.32	Programs Special Task Force	\$ 150.00
------------------------	-----------------------------	-----------

Moved by Gooch, seconded by Myers.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CSS-063-24**

From: Community Safety & Security and Administration Committees.

Dated: June 18, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE**

**SOLE SOURCE STANDARDIZATION OF ANNUAL SYSTEM MAINTENANCE FOR LIVESCAN SYSTEMS, MULTI-JURISDICTIONAL MGIS AND AFIS SYSTEMS**

WHEREAS, the Niagara County Sheriff's Office utilizes FingerRoll Livescan Systems in conjunction with the Multi-Jurisdictional MGIS and AFIS Systems interface in order to collect and track fingerprints, and

WHEREAS, the Livescan Fingerprint Systems are critical in law enforcement by providing a higher quality inkless electronic means of capturing fingerprints in a digitized format and transmit them to state criminal justice agencies and the FBI in accordance with FBI Automated Fingerprint Identification Standards (IAFIS) image quality standards, and

WHEREAS, ID Networks is the sole source vendor for the hardware, software and service for the FingerRoll Livescan Systems which are currently being used by the Niagara County Sheriff's Office, and

WHEREAS, ID Networks is the sole source vendor to provide service for their Multi-Jurisdictional MGIS and AFIS System interfaces which are currently in place at the Niagara County Sheriff's Office, now, therefore, be it

RESOLVED, that for reasons of efficiency and economy, pursuant to General Municipal Law 103(5), there is a need for standardization for the Niagara County Sheriff's Office in the purchase of annual service maintenance for the FingerRoll Livescan Systems and annual service maintenance for the Multi-Jurisdictional MGIS and AFIS Systems interfaces, and be it further

RESOLVED, that it is hereby determined that ID Networks is the sole source vendor for the annual service maintenance for the FingerRoll Livescan Systems and annual service maintenance for the Multi-Jurisdictional MGIS and AFIS Systems, and that the Sheriff's Office is hereby authorized to purchase the annual service maintenance for the FingerRoll Livescan Systems and annual service maintenance for the Multi-Jurisdictional MGIS and AFIS Systems directly from ID Networks without the need to solicit for alternate proposals, such purchase to be made in consultation with the Purchasing Department and in accordance with budgetary procedures.

Moved by Hill, seconded by Godfrey, 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 Myers.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. CW-010-24**

From: Committee of the Whole.

Dated: June 18, 2024



**RESOLUTION TO AUTHORIZE THE HIRING OF OUTSIDE COUNSEL  
TO CHALLENGE INTERFERENCE IN LOCAL ELECTIONS IN  
THE COUNTY OF NIAGARA BY THE STATE OF NEW YORK**

WHEREAS, throughout the history of the County of Niagara regularly scheduled elections for County Officers have been conducted in odd numbered years, and

WHEREAS, the system of holding local elections allows for the electorate to focus on the issues and matters affecting their local governments without competition from campaigns focusing on state and national issues, and

WHEREAS, the Governor and the Legislature enacted Chapter 741 of the New York Laws of 2023, and

WHEREAS, Chapter 741 of the New York Laws of 2023 amends the Town Law, the County Law, the Village Law, and the Municipal Home Rule Law to move certain (not all) local elections to even numbered years, and

WHEREAS, Chapter 741 was signed into law by the Governor on December 22, 2023, and

WHEREAS, these laws are NOT general laws affecting all municipalities, and

WHEREAS, the County of Niagara did not make a home rule request for this law which radically alters its elections schedule and process, and

WHEREAS, the Constitution of the State of New York expressly provides that, other than Constitutional Officers, local governmental officers “shall be elected by the people of the local government, or of some division thereof, or appointed by such officers of the local government as may be provided by law” Constitution, Article IX. In addition Article IX delegates to the counties of this state the power to adopt, amend or repeal alternative forms of government, and

WHEREAS, it is implicit in the rights delegated to the County of Niagara and the other Counties of this State by the Constitution to determine the terms of office of the County’s Officers and when these local officials are to be elected, and

WHEREAS, Chapter 741 of the New York Laws of 2023 necessarily alters the dates of election and the terms of office of County Officers, and

WHEREAS, Chapter 741 of the New York Laws of 2023 is NOT a general law, but is a special law affecting local government, and such law was not passed pursuant to a request of two thirds of the County Legislature, as required by law, and

WHEREAS, Chapter 741 of the New York Laws of 2023 is NOT a general law, but is a special law affecting local government, and such law was not passed pursuant to the issuance of a certificate of necessity by the Governor, with the concurrence of two thirds of each house of the Legislature, as required by Article IX, §2 of the State Constitution, and

WHEREAS, the claim that moving local elections to even numbered years will cause a savings to the counties because odd numbered year elections would become unnecessary is patently false, and

WHEREAS, the combination of offices elected in odd and even numbered years will create an unduly long and burdensome ballot, delays in the polling places, increased costs and frustration for voters and election officials, creating new burdens upon the right to vote, which will undoubtedly improperly curtail the voters’

Constitutional rights to Free Speech and Free Association (under the State and Federal Constitutions), which are inextricably interwoven with their Constitutional Right to Vote, and

WHEREAS, the provisions of Chapter 741 of the New York Laws of 2023 are not evenly and equitably applied to all municipal entities in the State, and, further, do not cover the election of constitutional officers in the several counties, and, further deny the citizens of this County the equal protection of laws guaranteed by the New York State Constitution, Article I, §11, and

WHEREAS, other municipalities throughout this state are acting to protect the rights of their citizens from this unconstitutional, ill-conceived, and pernicious enactment by the State Government in Albany, to achieve political goals, now, therefore, be it

RESOLVED, that this Legislature hereby directs and authorizes the County Attorney to bring an action in the appropriate Court(s) to have Chapter 741 of the New York Laws of 2023 declared unconstitutional, invalid, null and void, and to have the application of said Chapter enjoined, and it is further

RESOLVED, that the retention of outside counsel to pursue Court proceedings is hereby authorized, and the County shall enter into a contract for counsel with the Law Firm of Perillo Hill, LLP, 285 West Main Street, Sayville, New York, 11782.

Moved by Nemi, seconded by Hill.

Adopted. 10 Ayes, 3 Noes – Elder, Robins, Speranza, 2 Absent – Andres, McKimmie.

**Resolution No. CW-011-24**

From: Committee of the Whole.

Dated: June 18, 2024

**CLAIM SETTLEMENT  
MARY J. KNIGHT V. COUNTY OF NIAGARA.  
NIAGARA COUNTY INDEX NO. E176416/2021**

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

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

WHEREAS, the County Legislature is authorized under Section 6-N of the General Municipal Law to approve claim settlements in excess of \$25,000.00, and

WHEREAS, on December 2, 2020 Mary J. Knight was injured in a slip and fall accident while at TROTT ACCESS Center, located at 1001 11<sup>th</sup> Street Niagara Falls, New York, which is owned and maintained by Niagara County, and

WHEREAS, the case Mary J. Knight v. County of Niagara now presents an opportunity for settlement thereby avoiding additional litigation, trial and adverse judicial determinations, now, therefore, be it

RESOLVED, that the authority to disburse the Mary J. Knight v. County of Niagara., litigation, in settlement, is given to the Risk & Insurance Manager in the amount of \$40,000.00 upon completion and receipt of a General Release for Niagara County and all other agents and employees of Niagara County and Stipulation of Discontinuance from plaintiff's and County's counsel.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. ED-009-24**

From: Economic Development and Administration Committees.

Dated: June 18, 2024.

**BUDGET MODIFICATION – REAPPROPRIATE GRANT FUNDS  
BROWNFIELDS ASSESSMENT**

WHEREAS, Resolution ED-019-21 authorized acceptance of a grant in the amount of Three Hundred Thousand Dollars (\$300,000) from the United States Environmental Protection Agency for a Brownfield Assessment Project that is 100% reimbursable, and

WHEREAS, One Thousand Eighteen Dollars (\$1,018) was budgeted for the 2024 Budget, and

WHEREAS, fringe benefits from 2023 were recalculated in April 2024 resulting in an increase of One Hundred Sixteen Dollars and Thirty Cents (\$116.30) credited back to the grant account, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

**INCREASE REVENUE:**

CM.28.6989.611.44989.04	Other Home and Community Services	\$116.30
	EPA Brownfield Revenue	

**INCREASE APPROPRIATION:**

CM.28.6989.611.71050.00	Overtime Expense	\$ 75.03
CM.28.6989.611.78200.00	FICA Expense	\$ 3.87
CM.28.6989.611.78300.00	Worker's Compensation	\$ 1.38
CM.28.6989.611 74300.03	Mileage	\$ 36.02

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. ED-010-24**

From: Economic Development and Administration Committees.

Dated: June 18, 2024.

**RESOLUTION TO ACCEPT UNUSED AMERICAN RESCUE FUNDS FROM THE NIAGARA  
ORLEANS REGIONAL LAND IMPROVEMENT CORPORATION**

WHEREAS, the Niagara Orleans Land Improvement Corporation (NORLIC) is a non-for-profit corporation whose members include the County of Niagara, City of Lockport, City of Niagara Falls, City of North Tonawanda and the County of Orleans, and

WHEREAS, it's the mission of NORLIC to cultivate the reuse and redevelopment of vacant and tax delinquent residential and commercial properties through the acquisition, listing and sale to responsible parties, whom provide plans for the rehabilitation and future use, and

WHEREAS, it is an objective of the land bank to facilitate additional private capital investment in neighborhoods to promote positive housing development, as well as improved quality of life, blight and nuisance removal and increased property values, and

WHEREAS, the County of Niagara values the mission of NORLIC and supports its efforts through the transfer of properties and funding, and

WHEREAS, the Niagara County Legislature unanimously voted to pass resolution #ED-026-21, on September 21, 2021, transferring \$1,000,000 of American Rescue Funds to NORLIC, and

WHEREAS, NORLIC was the recipient of \$1,000,000 of American Rescue Funds, and as a pass through recipient was obligated to comply with all the requirements of federal funds under CFDA Number 21.027 and comply with all sub-recipient monitoring compliance as defined in Title 2 Code of Federal Regulations Section 200.332, and

WHEREAS, NORLIC obligated \$250,000 for activities that were compliant with the American Rescue funds and has complied with its reporting obligations, and

WHEREAS, NORLIC has not committed \$750,000, and will not do so by December 31, 2024, and NORLIC's Board of Directors voted on May 31, 2024 to return the unused funding to the County of Niagara, now, therefore, be it

RESOLVED, that the County of Niagara agrees to accept \$750,000 from NORLIC.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. ED-011-24**

From: Economic Development and Administration Committees.

Dated: June 18, 2024.

**AUTHORIZATION TO CONVEY CERTAIN TAX LIENS TO  
NIAGARA ORLEANS REGIONAL LAND IMPROVEMENT CORPORATION**

WHEREAS, pursuant to Section 902 of the Real Property Tax Law of the State of New York the Niagara County Treasurer, acting in his capacity as Tax Enforcing Officer, acquired tax liens on the following properties commonly known as (the Properties)

130.15-3-2.1	4225 Hyde Park Blvd., Niagara Falls, New York in the Town of Niagara
130.15-5-10	4401 Hyde Park Blvd., Niagara Falls, New York in the Town of Niagara
130.15-5-11	4425 Hyde Park Blvd., Niagara Falls, New York in the Town of Niagara
130.15-5-14	Delaware Ave., Niagara Falls, New York in the Town of Niagara
130.15-5-15	Delaware Ave., Niagara Falls, New York in the Town of Niagara
130.15-5-19	4311 Hyde Park Blvd., Niagara Falls, New York in the Town of Niagara
130.15-5-20	Hyde Park Blvd., Niagara Falls, New York in the Town of Niagara
130.15-5-21	James Ave., Niagara Falls, New York in the Town of Niagara
130.15-5-8	Pennsylvania Ave., Niagara Falls, New York in the Town of Niagara
130.15-5-9	Pennsylvania Ave., Niagara Falls, New York in the Town of Niagara
131.09-2-28.2	4287 Witmer Rd., Niagara Falls, New York in the Town of Niagara

, and

WHEREAS, the Properties are tax delinquent commercial parcels that require environmental remediation, and

WHEREAS, Section 1616 of the Not-for-Profit Law of the State of New York authorizes a municipality to enter into a contract to sell some or all of the delinquent tax liens held by it to a land bank, and

WHEREAS, the Niagara County Treasurer has requested legislative approval to transfer the above tax liens to the Niagara Orleans Regional Land Improvement Corporation ("NORLIC") with the

understanding that the Properties will be put back on the tax rolls into a productive use, and

WHEREAS, the benefits accruing the County of Niagara (avoidance of the costs of environmental remediation, demolition and other expenses) are in excess of the potential auction value of the properties, and

WHEREAS, NORLIC received the aforementioned liens through resolution ED-024-22, and have marketed the tax liens, and

WHEREAS, NORLIC has been working with developers for the properties mentioned herein, and

WHEREAS, NORLIC has identified developers for these sites, and will transfer the tax liens to developers to purpose of private foreclosure action, now, therefore, be it

RESOLVED, pursuant to County Law Section 215 and Real Property Tax Law Section 902, Niagara County is hereby authorized to enter into a contract with NORLIC to sell the tax liens on 130.15-3-2.1; 130.15-5-10, 130.15-5-11; 130.15-5-14; 130.15-5-15; 130.15-5-19; 130.15-5-20; 130.15-5-21; 130.15-5-8; 130.15-5-9, and 131.09-2-28.2 for one and no more dollars, and be it further

RESOLVED, that following the County Attorney's review, a contract, from the prior tax lien through 2024 and all other reasonable and necessary title transfer documents shall be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. ED-012-24**

From: Economic Development Committee.

Dated: June 18, 2024.

**BROWNFIELD OPPORTUNITY AREA GRANT APPLICATION AUTHORIZATION**

WHEREAS, New York State has funds available through the Brownfield Opportunity Area Program (BOA) to complete county-wide pre-planning to identify and provide preliminary analysis of potential brownfields, and

WHEREAS, Niagara County, herein called the "Applicant", after thorough consideration, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable; and

WHEREAS, §970-r of the General Municipal Law authorizes State assistance to eligible parties for BOA Program grants by means of a State Assistance Contract (the contract); and

WHEREAS, Niagara County deems it to be in the public interest and benefit to enter into a contract therewith, now, therefore, be it,

RESOLVED, that Legislature Chairwoman Rebecca Wydysh is the representative authorized to act on behalf of Niagara County in all matters related to State assistance under §970-r of the General Municipal Law for the Project. The representative is also authorized to: sign and submit the application; execute the contract; request payment advances and reimbursements; redistribute contract reimbursements as appropriate; submit Project documentation; and otherwise act for all matters related to the Project and State assistance; and be it further

RESOLVED, that the Applicant intends to complete a County-wide Pre-Planning: Brownfield Identification and Preliminary Analysis within Niagara County to identify concentrations of known or suspected brownfields and underutilized properties for future specific planning efforts, and be it further

RESOLVED, that the Applicant requests funds in the amount of \$225,000, representing no more than 90% of the total Project cost and be it further

RESOLVED, that the Applicant agrees that it will fund the Applicant's 10% share of the Project through in-kind services and/or funding from a federal brownfields grant; and be it further

RESOLVED, that this Authorization take effect immediately.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. ED-013-24**

From: Economic Development Committee.

Dated: June 18, 2024.

**APPROVAL OF ASSIGNMENT AND ASSUMPTION AGREEMENT**

WHEREAS, Globe Niagara, LLC is the owner of certain land in the County of Niagara, and

WHEREAS, Globe Niagara, LLC and the County of Niagara are parties to an Assignment Agreement dated, September, 2021 regarding a transportation grant concerning certain grants received by the County that were used to improve certain rail facilities on the land owned by Globe Metallurgical, Inc., and

WHEREAS the Transportation Agreement has a 30-year term and provides for certain continuing obligations of Globe Niagara, LLC as the owner of the land to, among other things, maintain a \$300,000 letter of credit or cash security deposit in Niagara County's favor for the term of the Transportation Agreement, and

WHEREAS, as of August 16, 2021, a cash deposit of \$300,000 was made with the County of Niagara to fulfil the security obligation, and

WHEREAS, Globe Niagara, LLC and Highland Ave NY 3801, LLC, have entered into a Purchase and Sale Agreement which Globe Niagara, LLC has agreed to sell the land to Highland Ave NY 3801, LLC and Highland Ave NY 3801, LLC has agreed to purchase the land from Globe Niagara, LLC, and

WHEREAS, in furtherance of the Purchase and Sale Agreement, Globe Niagara, LLC wishes to assign, and Highland Ave NY 3801, LLC wishes to assume, the Transportation Agreement on the terms set forth in this Assignment, now, therefore, be it

RESOLVED, that the Niagara County Legislature approves of the Assignment and Assumption Agreement between Globe Niagara, LLC and Highland Ave NY 3801, LLC, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to sign said Agreement on behalf of Niagara County; subject to receipt of the approval of the Commissioner of the New York State Department of Transportation.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-111-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: June 18, 2024.

**AWARD OF CONTRACT – DATA CABLING PROJECT**

WHEREAS, the Information Technology Department has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Data Cabling Project for various Niagara County locations, and

WHEREAS, funds are available in account number H597.15.1650.000 72100.26, Information Technology Systems – Capital, and

WHEREAS, the bids were publicly opened and read by our Purchasing Department on June 4, 2024 and

WHEREAS, the Purchasing Department and Information Technology examined the bid proposals and the resulting lowest bid is:

Working Knowledge	\$193,442.00
435 Lawrence Bell Dr., Suite 3	
Buffalo, NY 14221	

WHEREAS, Purchasing and Information Technology examined the bid proposals, 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, and

RESOLVED, that the contract for the Data Cabling Project be awarded to the lowest responsible bidder, Working Knowledge, and not to exceed \$193,442.00 and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-112-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: June 18, 2024.

**AWARD OF CONTRACT**

**LEASING NIAGARA COUNTY REFUSE DISPOSAL DISTRICT LOCKPORT LANDFILLS FOR  
COMMUNITY SOLAR DEVELOPMENT**

WHEREAS, the Refuse Disposal District in coordination with Economic Development, has prepared specifications and the Purchasing Department advertised for a Request for Proposal for leasing Niagara County Refuse Disposal District Lockport Landfills for Community Solar Development, and

WHEREAS, the Refuse Disposal District Administrative Board finds that a Community Solar Development project on three (3) closed landfill sites in the Town and City of Lockport financially benefits Refuse Disposal District, County and NYSEG subscribers, and

WHEREAS, the Refuse Disposal District intent is to enter into a lease agreement with a developer that will install, own, operate, and maintain a solar photovoltaic energy system, and

WHEREAS, eight proposals were received by our Purchasing Department on May 23, 2024, and

WHEREAS, a review team consisting of the Niagara County Environmental Coordinator and Environmental Analyst, ranked each response, and

WHEREAS, the review team recommended an award to BQ Energy Development LLC, 400 Market Industrial Park, STE 32, Wappingers Falls, NY 12590 to develop, build, commission, own, operate and maintain a 2.74 MW ac solar energy project on the closed landfill sites to supply approximately 4,132 MWh or electricity to Niagara County and the surrounding community, and

WHEREAS, BQ Energy Development LLC, proposed to develop and lease up to 15 acres for the construction and operation of a solar energy system for 35 years with two mutually agreed upon 50year extensions at \$1,375/acre with and annual lease escalator of 2.0%, and

WHEREAS, BQ Energy Development, LLC will pay the County a Site Lea Option fee of \$10,00 per year for exclusive rights to develop the solar projects for a period of 3 years, with two 1 year extensions, and

WHEREAS, BQ Energy Development LLC is a firm solely focused on transforming unusable land, such as brownfields and landfills, into operating solar projects that act as a benefit to the community, and

WHEARAS, BQ Energy Development LLC will install a perimeter fence around the entire utilized portion of the site and maintain all vegetation for the duration of the lease, 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 award of contract for RFP 2024-34: Solar Energy Development for Niagara County Refuse Disposal District Landfills go to BQ Energy Development LLC, 400 Market Industrial Park, STE 32, Wappingers Falls, NY 12590, for development of a Community Distributed Generation (CDG) project at the Niagara County Refuse Disposal District Lockport Landfill site per the review and recommendation of the RFP review team, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

#### **Resolution No. IF-113-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: June 18, 2024.

### **TOWNLINEROAD FROM QUAKER ROAD TO COUNTYLINE ROAD PAVEMENT RECONSTRUCTION - TOWNS OF HARTLAND AND SOMERSET LOCAL PROJECT AGREEMENT**

WHEREAS, the Townline Road from Quaker Road to Countyline Road Pavement Reconstruction Project, towns of Hartland and Somerset, Niagara County, PIN 5764.29 (the "Project"), is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% Non-Federal Funds, and



WHEREAS, the County of Niagara desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Design Phases I-VI and Right-of-Way Incidentals Phases of the project, 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 Legislature of the County of Niagara hereby approves the above-subject project, and be it further

RESOLVED, that the Legislature of the County of Niagara hereby authorizes the County of Niagara to pay in the first instance 100% of the federal and non-federal shares of the cost of the Construction/Construction Inspection phases of the Project or portions thereof, and be it further

RESOLVED, that the following budget modification be effectuated to reflect the funding levels set forth by Schedule A in the agreement:

INCREASE ANTICIPATED REVENUE:

H779.15.5112.000 44597.01	Federal Aid Cap Const Hwy Rev	\$568,000
H779.15.5112.000 43591.00	State Aid Cap Const Hwy Rev	\$106,500

INCREASE ANTICIPATED APPROPRIATIONS:

H779.15.5112.000 72600.01	Infrastructure Roads	\$674,500
---------------------------	----------------------	-----------

and be it further

RESOLVED, that in the event the amount required to pay the full Federal and Non-Federal shares of the cost of the project's Design Phases I-VI and Right-of-Way Incidentals Phases exceeds the amount appropriated above, the County of Niagara shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation, and be it further

RESOLVED, that the Chair of the Legislature of the County of Niagara be, and hereby is, authorized to execute all necessary Agreements, certifications, or reimbursement requests for Federal Aid on behalf of the County of Niagara with the New York State Department of Transportation, in connection with the advancement or approval of the Project providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, 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, and be it further

RESOLVED, that this Resolution shall take effect immediately.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-114-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: June 18, 2024.

**AWARD CONSULTANT CONTRACT - TOWNLINE ROAD FROM QUAKER ROAD TO  
COUNTYLINE ROAD PAVEMENT RECONSTRUCTION**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Townline Road from Quaker Road to Countyline Road Pavement Reconstruction Project, and

WHEREAS, funds are available in account H779.15.5112.000 72600.01, Roads, and

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

RESOLVED, that the consultant services contract for the Townline Road from Quaker Road to Countyline Road Pavement Reconstruction Project, be awarded to Erdman, Anthony & Associates Inc., 8608 Main Street, Buffalo, NY 14221, for a contract amount not to exceed \$799,000, and be it further

RESOLVED, that following the County Attorney's review, the Contract may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-115-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: June 18, 2024.

**AWARD OF CONTRACT – PUBLIC SAFETY ROOF AND ROOFTOP UNIT REPLACEMENTS  
GENERAL CONSTRUCTION BID**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Public Safety Roof and Rooftop Unit Replacements Project, and

WHEREAS, funds are available in account number H782.15.1620.000 72200.01, Building Improvements, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on May 23, 2024 as tabulated below:

- |    |  |               |
|----|--|---------------|
| 1. | Grove Roofing<br>131 Reading Street<br>Buffalo, NY 14220               | \$593,950.00  |
| 2. | Weaver Metal and Roofing<br>40 Appenheimer Avenue<br>Buffalo, NY 14214 | \$702,000.00  |
| 3. | Jameson Roofing Co. Inc.<br>3649 East Lake Road<br>Dunkirk, NY 14048   | \$892,000.000 |
| 4. | Titan Roofing, Inc.<br>200 Tapley Street<br>Springfield, MA 01104      | bid withdrawn |

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 Public Safety Roof and Rooftop Unit Replacements Project, be awarded to the lowest responsible bidder, Grove Roofing, 131 Reading Street, Buffalo, NY 14220, in the amount of \$593,950.00, and be it further

RESOLVED, that, following the County Attorney’s review, the Agreement for the Public Safety Roof and Rooftop Unit Replacements Project, may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-116-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: June 18, 2024.

**AWARD OF CONTRACT – PUBLIC SAFETY ROOF AND ROOFTOP UNIT REPLACEMENTS  
MECHANICAL CONSTRUCTION BID**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Public Safety Roof and Rooftop Unit Replacements Project, and

WHEREAS, funds are available in account number H782.15.1620.000 72200.01, Building Improvements, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on May 23, 2024 as tabulated below:

- |    |   |              |
|----|---|--------------|
| 1. | Parise Mechanical, Inc.<br>1106 Sheridan Drive<br>Tonawanda, NY 14150     | \$389,000.00 |
| 2. | Greater Niagara Mechanical<br>7311 Ward Road<br>North Tonawanda, NY 14120 | \$448,600.00 |

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 mechanical construction contract for the Public Safety Roof and Rooftop Unit Replacements Project be awarded to the lowest responsible bidder, Parise Mechanical, Inc., 1106 Sheridan Drive, Tonawanda, NY 14150, in the amount of \$389,000.00, and be it further

RESOLVED, that, following the County Attorney’s review, the Agreement for the Public Safety Roof and Rooftop Unit Replacements Project, may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-117-24**

From: Infrastructure & Facilities and Administration Committees.  
Dated: June 18, 2024.

**AWARD CONSULTANT CONTRACT – DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION AND PRIORITIZATION FOR TIP SUBMISSION**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Road Ratings for TIP (Transportation Improvement Program) Project, and

WHEREAS, the DPW seeks a qualified firm to provide professional services for the evaluation, prioritization, cost estimation, and GBNRTC Form submittal of ten (10) street segments, and

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

RESOLVED, that the following line item transfer be effectuated to allow the project to proceed:

FROM:

D.15.5120.000 74800.06	Bridges - Repairs and Maintenance	\$100,000
------------------------	-----------------------------------	-----------

TO:

D.15.5110.000 74650.07	Roads - Professional Engineering Services	\$100,000
------------------------	---	-----------

and be it further

RESOLVED, that the consultant services contract for the Road Evaluation and Prioritization for TIP Submission Project, be awarded to Urban Engineers of NY, P.C., 403 Main Street, Suite 530, Buffalo, NY 14203, for a contract amount not to exceed \$97,857, and be it further

RESOLVED, that following the County Attorney's review, the Contract may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-118-24**

From: Infrastructure & Facilities and Administration Committees.  
Dated: June 18, 2024.

**MANN ROAD BRIDGE OVER MUD CREEK BRIDGE REPLACEMENT  
CONSULTANT AMENDMENT NO. 1**

WHEREAS, Resolution No. IF-099-23, dated June 20, 2023, awarded the contract for consultant services for the Mann Road Bridge over Mud Creek Bridge Replacement Project to Greenman-Pedersen Inc., 4950 Genesee Street, Suite 100, Cheektowaga, NY 14225, for a contract amount not to exceed \$135,322, and

WHEREAS, it is necessary to extend the contract completion date to September 30, 2024, and

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

RESOLVED, that the contract to Greenman-Pedersen Inc., 4950 Genesee Street, Suite 100, Cheektowaga, NY 14225, be extended to September 30, 2024 at no additional cost to the County, and be it further

RESOLVED, that, following the County Attorney's review, the Amendment may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-119-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: June 18, 2024.

**ROYALTON CENTER ROAD BRIDGE OVER MUD CREEK BRIDGE REPLACEMENT  
CONSULTANT AMENDMENT NO. 2**

WHEREAS, Resolution No. IF-100-23, dated June 20, 2023, awarded the contract for consultant services for the Royalton Center Road Bridge over Mud Creek Bridge Replacement Project to Greenman-Pedersen Inc., 4950 Genesee Street, Suite 100, Cheektowaga, NY 14225, for a contract amount not to exceed \$135,362, and

WHEREAS, Resolution No. IF-016-24, dated January 23, 2024, increased the contract in the amount of \$1,000 for the preparation of a Bridge New York application for this bridge, for a revised contract amount of \$136,362, and

WHEREAS, it is necessary to extend the contract completion date to September 30, 2024, and

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

RESOLVED, that the contract to Greenman-Pedersen Inc., 4950 Genesee Street, Suite 100, Cheektowaga, NY 14225, be extended to September 30, 2024, at no additional cost to the County, and be it further

RESOLVED, that, following the County Attorney's review, the Amendment may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-120-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: June 18, 2024.

**ROYALTON RAVINE FRONT BUILDOUT  
CHANGE ORDER NO. 1**

WHEREAS, Resolution No. IF-030-24, dated January 23, 2024, awarded the contract for the Royalton Ravine Front Buildout Project to LDC Construction, Inc., 1920 Baseline Road, Grand Island, NY 14072, for a contract amount not to exceed \$88,690, and

WHEREAS, it is necessary to extend the contract completion date to November 29, 2024 and increase the contract in the amount of \$31,700 to provide labor, material, equipment, and supervision for additional work related to hauling, dumping and spreading of materials on site, for a revised contract amount of \$120,390, and

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

RESOLVED, that the following budget modification be effectuated to allow the project to continue:

**DECREASE REVENUE:**

H747.15.7110.000 44089.07	Other ARPA State/Local Rec Fund	\$50,000
---------------------------	---------------------------------	----------

**DECREASE APPROPRIATIONS:**

H747. 15.7110.000 72400.00	Land Improvements Expense	\$50,000
----------------------------	---------------------------	----------

**INCREASE REVENUE:**

H749.15.7110.000 44089.07	Other ARPA State/Local Rec Fund	\$50,000
---------------------------	---------------------------------	----------

**INCREASE APPROPRIATIONS:**

H749.15.7110.000 72400.00	Land Improvements Expense	\$50,000
---------------------------	---------------------------	----------

and be it further

RESOLVED, that Change Order No. 1 to extend the contract completion date to November 29, 2024 and increase the contract by \$31,700 to LDC Construction, Inc., 1920 Baseline Road, Grand Island, NY 14072, for the Royalton Ravine Front Buildout Project, for a revised contract amount of \$120,390, be approved, and be it further

RESOLVED, that, following the County Attorney's review, the Change Order may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-121-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: June 18, 2024.

**REPLACEMENT OF QUAKER ROAD CULVERT OVER MUD CREEK,  
CULVERT NO. 15-9  
CONSTRUCTION CONTRACT – CHANGE ORDER NO. 1**

WHEREAS, Resolution No. CW-022-23, dated June 20, 2023, awarded the contract for the Replacement of Quaker Road Culvert over Mud Creek, Culvert No. 15-9, Project to J. Bognar Construction, P.O. Box 4, Sardinia, NY 14134, for a contract amount not to exceed \$491,311.97, and

WHEREAS, it is necessary to extend the contract completion date to August 7, 2024, at no additional cost to the County, and

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

RESOLVED, that Change Order No. 1 to extend the contract to August 7, 2024 for J. Bognar Construction, P.O. Box 4, Sardinia, NY 14134, for the Replacement of Quaker Road Culvert over Mud Creek, Culvert No. 15-9, Project, be approved, at no additional cost to the County, and be it further

RESOLVED, that, following the County Attorney's review, the Change Order may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-122-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: June 18, 2024.

**PUBLIC SAFETY ROOF AND ROOFTOP UNIT REPLACEMENTS  
GENERAL CONSTRUCTION BID  
CHANGE ORDER NO. 1**

WHEREAS, Resolution No. IF-XXX-24, dated June 18, 2024, awarded the contract for the Public Safety Roof and Rooftop Unit Replacements Project to Grove Roofing, 131 Reading Street, Buffalo, NY 14220, for a contract amount not to exceed \$593,950, and

WHEREAS, it is necessary to increase the contract in the amount of \$32,682.82 for additional work to remove the existing lightning protection system and furnish and install a new lightning protection system per plans and specifications, for a revised contract amount of \$626,632.82, and

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

RESOLVED, that Change Order No. 1 to increase the contract by \$32,682.82 for the Public Safety Roof and Rooftop Unit Replacements Project, to Grove Roofing, 131 Reading Street, Buffalo, NY 14220, for a revised contract amount of \$626,632.82, be approved, and be it further

RESOLVED, that, following the County Attorney's review, the Change Order may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-123-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: June 18, 2024.

**OPPENHEIM PARK PAVING AND DRAINAGE  
CHANGE ORDER NO. 2**

WHEREAS, Resolution No. CW-029-23, dated September 19, 2023, awarded the contract for the Oppenheim Park Paving and Drainage Project to Concrete Applied Technologies Corp., d/b/a CATCO, 1266 Townline Road, Alden, NY 14004, for a contract amount not to exceed \$781,798.50, and

WHEREAS, Resolution No. IF-083-24, dated April 23, 2024, authorized Change Order No. 1 to the contract in the amount of \$723,195.00 to provide labor, material, equipment, and supervision to furnish and install additional work as identified on Exhibit A and labeled as Change Order No. 1, for a revised contract amount of \$1,504,993.50, and

WHEREAS, it is necessary to extend the contract completion date to July 31, 2024, at no additional cost to the County, and

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

RESOLVED, that Change Order No. 2 to extend the contract to July 31, 2024 for CATCO, 1266 Townline Road, Alden, NY 14004, for the Oppenheim Park Paving and Drainage Project, be approved, and be it further

RESOLVED, that, following the County Attorney's review, the Change Order may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-124-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: June 18, 2024.

**APPROVAL OF CAPITAL PROJECTS - 2024**

WHEREAS, Niagara County Departments have submitted various Capital Project Requests, such projects to be funded by Federal, State, Local and other revenue sources, and

WHEREAS, the Niagara County Legislature, has established the strengthening of Public Works and County Infrastructure as a priority, and

WHEREAS, the Niagara County Legislature as part of its efforts to strengthen Public Works and County infrastructure supports: continuing to pursue road and bridge development and maintenance in accordance with limited resources, continuing to pursue building and park structure development and maintenance in accordance with limited resources, the purchase or replacement of sheriff/jail equipment and highway heavy equipment, now, therefore, be it

RESOLVED, that the Capital Projects, per the list, are hereby reviewed and approved in the 2024 Capital Program.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-125-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: June 18, 2024.

**2024 CAPITAL IMPROVEMENT PROJECTS  
FUNDING FROM FUND BALANCE AND FEDERAL/STATE AID**

WHEREAS, the County Manager and Budget Director recommend that the following capital improvement projects be funded using funds from Assigned Fund Balance in the General Fund, General Fund appropriations, and Power Allocation Credits: NCCC Electrical Infrastructure Investments, NCCC Science Lab Renovations, Jail Kitchen Equipment Replacement, Retrofit of Jail Sliding Doors, Communication Console Refurbishment, Communications Console Computer Replacement, Forensic Lab Equipment Replacement, Trott ACCESS Center Improvements, Park HVAC Improvements, Wilson Burt Road Bridge over Eighteen Mile Creek Vertical Down project, Braley Road Bridge over Twelve Mile Creek, Culvert Lining Project, Ewings Road Bridge over Eighteen Mile Creek and Quaker Road Bridge over Golden Hill, Bridge Deck Overlays, Hartland Road Bridge over Golden Hill, Hess Road



Culvert Replacement, Hunt Street Road Bridge over Bergholz Creek, Lockport Road Bridge over CSX Railroad, Highway Heavy Equipment, Public Works Facility Design and Construction, Bridge Rail and Guide Rail Safety Improvements, East Canal Road Rehabilitation, Raymond Road Rehabilitation and Upper Mountain Road Rehabilitation, now, therefore be it

RESOLVED, that the following budget modification be effectuated:

INCREASE APPROPRIATED FUND BALANCE:

A 40599.00	Appropriated Fund Balance	\$2,823,000
A 40599.01	Committed Fund Balance	\$ 75,000

INCREASE APPROPRIATIONS:

A.07.9901.000.79010.10	Transfer to Capital Reserve	\$2,823,000
A.07.9950.000 79010.00	Transfer to Capital Construction	\$ 75,000

INCREASE APPROPRIATED FUND BALANCE:

AH40511.00	Appropriated Capital Reserve	\$2,823,000
------------	------------------------------	-------------

INCREASE CAPITAL CONSTRUCTION:

AH.07.9950.000.79010.00	Transfer to Capital Construction	\$2,823,000
-------------------------	----------------------------------	-------------

INCREASE ESTIMATED REVENUE:

H790.15.2497.000 45031.10	Interfund Transfers – From Capital Reserve - NCCC	\$ 500,000
H802.17.3150.000 45031.10	Interfund Transfers – From Capital Reserve	\$ 130,000
H803.17.3150.000 45031.10	Interfund Transfers – From Capital Reserve	\$ 380,000
H804.17.3197.000 45031.10	Interfund Transfers – From Capital Reserve	\$ 325,000
H805.17.3197.000 45031.10	Interfund Transfers – From Capital Reserve	\$ 400,000
H698.15.5197.000 45031.10	Interfund Transfers – From Capital Reserve	\$ 413,000
H719.15.1620.000 45031.10	Interfund Transfers – From Capital Reserve	\$ 275,000
H767.15.5197.000 45031.10	Interfund Transfers – From Capital Reserve	\$ 400,000
H731.15.5112.000 43501.00	Consolidated Highway Aid Revenue	\$ 900,000
H806.15.5112.000 43501.00	Consolidated Highway Aid Revenue	\$ 323,000
H807.15.7110.000 45031.02	Interfund Transfers – From NYPA Committed Funds	\$ 75,000
INCREASE ESTIMATED REVENUE TOTALS:		\$4,121,000

INCREASE APPROPRIATIONS:

H790.15.2497.000 72200.02	NCCC Buildings	\$500,000
H802.17.3150.000 72100.07	Jail Kitchen Equipment	\$130,000
H803.17.3150.000 72200.01	Building Improvements	\$380,000
H804.17.3197.000 72100.26	Technology Systems	\$325,000
H805.17.3197.000 72100.04	Forensic Equipment	\$400,000
H698.15.5197.000 72600.02	Infrastructures Bridges – Wilson Burt Rd over 18 Mile Crk	\$413,000
H719.15.1620.000 72200.01	Building Improvements	\$275,000
H767.15.5197.000 72600.02	Infrastructures Bridges – Braley Rd	\$400,000
H731.15.5112.000 72600.01	Infrastructures Roads	\$900,000
H806.15.5112.000 72100.10	Highway Heavy Equipment	\$323,000
H807.15.7110.000 72200.01	Building Improvements	\$ 75,000
INCREASE APPROPRIATIONS TOTAL:		\$4,121,000

and, be it further

RESOLVED, that the Niagara County Treasurer is authorized to complete the payment to NCCC in the amount of \$500,000.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IF-126-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: June 18, 2024.

**NIAGARA COUNTY SECTION 5311 CONSOLIDATED GRANT APPLICATION**

WHEREAS, the county of Niagara is submitting a request for a consolidated grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for federal financial operating assistance not to exceed the amount of \$918,867, for the contract period January 1, 2023 through March 31, 2029, for a project to provide a route deviation public transportation service for the non-urbanized areas of Niagara County including the towns of Cambria, Hartland, Lewiston, Lockport, Newfane, Niagara, Pendleton, Porter, Royalton, Somerset, Wheatfield, Wilson, and the cities of Lockport, Niagara Falls and North Tonawanda, to be serviced by Niagara Falls Coach Lines, Inc. during the period January 1, 2024 through December 31, 2024, and

WHEREAS, the county of Niagara and the State of New York have entered into a continuing agreement which authorizes the undertaking of the Project and reimbursement of the federal and applicable state Shares, and

WHEREAS, the county of Niagara, is contracting with a third party subcontractor, Niagara Falls Coach Lines, Inc., for the project described above, and

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

RESOLVED, that the Chairman of the Niagara County Legislature is authorized to act on behalf of the County of Niagara to sign the application and progress and complete the above named project, and be it further

RESOLVED, the Chairman of the Niagara County Legislature is authorized to sign any contracts or agreements between the County of Niagara and any third party subcontractor necessary to complete the public transportation project, subject to the approval of the County Attorney.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IL-089-24**

From: Legislator David E. Godfrey and Economic Development Committee.

Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF THE WILSON LIONS CLUB  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Wilson Lions Club has been in existence almost 84 years, and

WHEREAS, the Wilson Lions Club is starting a “new” Leos’ program within the club, and

WHEREAS, the Leos’ program will specialize in activities that will help develop life skills with the opportunity to learn important knowledge in the areas of problem solving, decision-making and leadership, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Wilson Lions Club by appropriating monies from said Community Partnership Fund as follows:

The Wilson Lions Club	\$1,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.	

**Resolution No. IL-090-24**

From: Legislator David E. Godfrey and Economic Development Committee.

Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF THE TOWN OF WHEATFIELD LIONS CLUB  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, The Town of Wheatfield Lions Club was chartered in 1973, and is located in the Five Senses Nature Park on Ward Rd, and

WHEREAS, the Five Senses Nature Park is a 17 acre area, part of which is specifically designed with plantings of herbs and other flowers, as well as a pond for the sight-impaired, and

WHEREAS, the Town of Wheatfield Lions Club, has the only clubhouse in the area, which hosts a variety of events throughout the year, and

WHEREAS, the clubhouse is available to rent for family reunions, birthday parties, and boy scouts; and other not for profit organizations can use the facilities free of charge, and

WHEREAS, the Town of Wheatfield Lions Club Clubhouse is in need of interior upgrades, which will allow for the continued usage of the facilities for public and not for profit activities, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports The Town of Wheatfield Lions Club by appropriating monies from said Community Partnership Fund as follows:

Town of Wheatfield Lions Club	\$2,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.	

**Resolution No. IL-091-24**

From: Legislators Anthony J. Nemi, Carla L. Speranza, Richard E. Abbott and Economic Development Committee.

Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF THE LOCKPORT MIDGET LEAGUE  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Community Partnership funds help support numerous organizations across Niagara County that are important to local communities, and

WHEREAS, the Lockport Midget League has been providing baseball opportunities for area youth since 1939, and

WHEREAS, through the Lockport Midget League children not only learn to play baseball, but also the importance of teamwork and sportsmanship, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Lockport Midget League by appropriating monies from said Community Partnership Program Fund as follows:

Lockport Midget League	\$2,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.	

**Resolution No. IL-092-24**

From: Legislator Anthony J. Nemi and Economic Development Committee.

Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF ORGANIZATIONS IN THE TOWN OF PENDLETON  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Community Partnership funds help support numerous organizations across Niagara County that are important to local communities, and

WHEREAS, the Pendleton Business & Community Association helps promote local businesses and community pride, and

WHEREAS, the Pendleton Veterans Association exists to recognize the veterans of our community with gratitude for their distinguished service, and are working on a Home Town Heroes project, and

WHEREAS, the Pendleton Lions Club serves the community by helping the blind, deaf, physically handicapped and anyone in our community that needs assistance, and

WHEREAS, the Pendleton Seniors offers important services to our local senior citizen community, and

WHEREAS, the Pendleton Historical Society plays an important part in preserving and promoting the town's tremendous history for both local residents and visitors, and

WHEREAS, the Wendelville Volunteer Fire Company is an all-volunteer emergency services provider that protects the Town of Pendleton, and

WHEREAS, the Pendleton Food Pantry provides food to persons in need residing in the Starpoint School District area, and

WHEREAS, the Boy Scouts of America (BSA) provides the nation's foremost youth program of character development and values-based leadership training, serving 2.2 million youth members between the ages of 5 and 21, including Boy Scout Troop 98 out of Pendleton Church Center and Boy Scout Troop 47 out of Good Shepard Church, and

WHEREAS, Boy Scout Troop 47 is designing and building a trail head information kiosk for an Eagle Scout project, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership, and be it further

RESOLVED, that Niagara County supports the above mentioned organizations as follows:

Pendleton Community & Business Association	\$3,200.00
Pendleton Veterans Association	\$1,000.00
Pendleton Lions Club	\$1,000.00
Pendleton Seniors	\$1,000.00
Pendleton Historical Society	\$1,000.00
Wendelville Volunteer Fire Company	\$1,000.00
Pendleton Food Pantry	\$1,000.00
Boy Scout Troop 98	\$250.00
Boy Scout Troop 47	\$250.00
Boy Scout Troop 47 Trail Kiosk	\$500.00

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IL-093-24**

From: Legislator Christopher Voccio and Economic Development Committee.

Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF NIAGARA HERITAGE OF HOPE AND SERVICE  
(HOLY TRINITY) THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Heritage of Hope and Service is a non-profit organization that maintains the Holy Trinity historic complex on Falls Street in Niagara Falls, and

WHEREAS, the Niagara Heritage of Hope and Service provides much needed services to the community in and beyond the Falls Street corridor, and

WHEREAS, the Niagara Heritage of Hope and Service is working to upgrade its facilities, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Niagara Heritage of Hope and Service by appropriating monies from said Community Partnership Fund as follows:

Niagara Heritage of Hope and Service	\$3,000.00
--------------------------------------	------------

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IL-094-24**

From: Legislator Christopher Voccio and Economic Development Committee.

Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF NIAGARA STREET NEIGHBORHOOD REVITALIZATION  
ORGANIZATION THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Street Neighborhood Revitalization Organization is a group dedicated to improving the Niagara Street corridor in Niagara Falls, and

WHEREAS, the Niagara Street Neighborhood Revitalization Organization is in need of funding for a series of improvements to Gill Creek Park, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Niagara Street Neighborhood Revitalization Organization by appropriating monies from said Community Partnership Fund as follows:

Niagara Street Neighborhood Revitalization Organization	\$6,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.	

**Resolution No. IL-095-24**

From: Legislator David E. Godfrey and Economic Development Committee.

Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF THE LEWISTON CHRISTMAS WALK WEEKEND  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the mission of the Lower Niagara River Region Chamber of Commerce, dba Upward Niagara Chamber of Commerce is to strengthen the local economy, represent the interest of business with government, promote community and build business relationships, and

WHEREAS, the 2024 Lewiston Christmas Walk Weekend has been planned for December 5th through the 8th, 2024, and

WHEREAS, this over 40-year old tradition highlights the Village of Lewiston merchants, the arrival of Santa Claus to the Village, a weekend of family events and activities, culminating in the Lewiston Christmas Lights Parade, and

WHEREAS, the event will draw large crowds of visitors to the region from surrounding Western New York communities and Canada, to the benefit of local businesses, and

WHEREAS, an event of this magnitude can only be successful through full community participation and sponsorships, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Lewiston Christmas Walk Weekend by appropriating monies from said Community Partnership Program Fund as follows:

Lower Niagara River Chamber of Commerce	\$2,500.00
Moved by Bradt, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.	

**Resolution No. IL-096-24**

From: Legislator David E. Godfrey and Economic Development Committee.

Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF THE LEWISTON HARVEST & HOPS FESTIVAL  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the mission of the Lower Niagara River Region Chamber of Commerce, dba Upward Niagara Chamber of Commerce is to strengthen the local economy, represent the interest of business with government, promote community and build business relationships, and

WHEREAS, the Lewiston Harvest & Hops Festival has been planned for September 28<sup>th</sup> & 29<sup>th</sup>, 2024, and

WHEREAS, this fall street festival will highlight over 100 artisan vendors, craft beer, and farmers' market, and

WHEREAS, an event of this magnitude can only be successful through full community participation and sponsorships, and

WHEREAS, the festival will draw thousands of visitors to the river region from surrounding Western New York communities and Canada, to the benefit of local businesses, and the Niagara County Legislature wishes to support this influx of revenue, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Lewiston Harvest & Hops Festival by appropriating monies from said Community Partnership Program Fund as follows:

Lower Niagara River Region Chamber of Commerce	\$2,500.00
Moved by Bradt, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.	

**Resolution No. IL-097-24**

From: Legislator David E. Godfrey and Economic Development Committee.

Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF LOCKPORT MAIN STREET INC.  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Lockport Main Street, Inc. is a 501(c) (3) nonprofit dedicated to community and economic growth in downtown Lockport through community programming, special events and tourism & marketing, and

WHEREAS, Lockport Main Street Inc. organizes and executes special events in the City of Lockport to highlight the small business sector, engage tourists and community members alike and spur economic growth in the downtown sector, and

WHEREAS, these special events include but are not limited to Chalk Fest and Locktoberfest, where funds are needed for equipment and other expenses to promote these events annually, and

WHEREAS, this equipment is essential and will help preserve these events in the foreseeable future, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports Lockport Main Street, Inc. by appropriating monies from said Community Partnership Program Fund as follows:

Lockport Main Street, Inc.	\$1,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.	

**Resolution No. IL-098-24**

From: Legislators Richard L. Andres, Randy R. Bradt, Jesse P. Gooch and Economic Development Committee.  
Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF THE NORTH TONAWANDA FOOTBALL HALL OF FAME  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the North Tonawanda Hall of Fame is a not for profit corporation organized for promoting both history and present day North Tonawanda High School Football, and

WHEREAS, for over 50 years, the North Tonawanda Football Hall of Fame has honored nearly 200 players, coaches and volunteer boosters with induction into the Hall of Fame, and

WHEREAS, the North Tonawanda Football Hall of Fame is requesting funding to purchase an automatic external defibrillator to be place inside the building, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the North Tonawanda Football Hall of Fame by appropriating monies from said Community Partnership Fund as follows:

North Tonawanda Football Hall of Fame	\$2,100.00
Moved by Bradt, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.	

**Resolution No. IL-099-24**

From: Legislators Christopher A. Robins, Christopher J. McKimmie, Jeffrey Elder, Christopher Voccio and Economic Development Committee.  
Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF HANDS HEALING HEROES  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Hands Healing Heroes, creates the Field of Flags each year in the City of Niagara Falls, and

WHEREAS, the Hands Healing Heroes is a benefit to the City of Niagara Falls, and

WHEREAS, the Niagara County Legislature wishes to support the Hands Healing Heroes, in their commitment to our local Veterans, now, therefore, be it



RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Hands Healing Heroes, by appropriating monies from said Community Partnership Fund as follows:

Hands Healing Heroes	\$ 250
Moved by Bradt, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.	

**Resolution No. IL-100-24**

From: Legislator David E. Godfrey and Economic Development Committee.

Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF THE TOWN OF WHEATFIELD PARK PAVILION  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Town of Wheatfield completed a new inclusive playground at Fairmount Park in 2023, and

WHEREAS, this playground allows children of all abilities to play in a safe manner, and

WHEREAS, the Town of Wheatfield is planning to add an observation pavilion next to the playground, so that parents have a shaded area to observe their children at play, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the efforts of the Town of Wheatfield by appropriating monies from said Community Partnership Fund as follows:

Town of Wheatfield	\$5,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.	

**Resolution No. IL-101-24**

From: Legislator David E. Godfrey and Economic Development Committee.

Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF THE VILLAGE OF WILSON AND THE  
WILSON LEON FESTIVAL THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Village of Wilson will be hosting the LEON Festival a celebration of being halfway to Christmas, on June 15, 2024 and

WHEREAS, the Village of Wilson is requesting funds to help support this event, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the efforts of the Village of Wilson by appropriating monies from said Community Partnership Fund as follows:

Village of Wilson – LEON Festival  
Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

\$750.00

**Resolution No. IL-102-24**

From: Legislator David E. Godfrey and Economic Development Committee.  
Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF THE WILSON COMMUNITY LIBRARY  
THROUGH THE USE OF COMMUNITY PARTERSHIP FUNDING**

WHEREAS, the Wilson Community Library is committed to excellent service and providing access to quality materials as a way to empower the community and connect people and ideas to inspire lifelong learning through curiosity and creativity, and

WHEREAS, the library is currently undergoing several upgrades, and is seeking assistance to replace the circulation desk at the library, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the efforts of the Wilson Community Library by appropriating monies from said Community Partnership Fund as follows:

Wilson Community Library	\$5,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.	

**Resolution No. IL-103-24**

From: Legislator David E. Godfrey and Economic Development Committee.  
Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF THE TOWN OF CAMBRIA CAR SHOW  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Town of Cambria will be hosting a community car show on July 13, 2024, and

WHEREAS, the Town of Cambria is excited to offer this event to the community, which will include a variety of vendors and food trucks, along with entertainment, and

WHEREAS, the Town of Cambria is seeking assistance to ensure a safe, enjoyable, and memorable experience for all those in attendance, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Town of Cambria by appropriating monies from said Community Partnership Program Fund as follows:

Town of Cambria	\$3,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.	

**Resolution No. IL-104-24**

From: Legislator Irene M. Myers and Economic Development Committee.

Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF SPECIAL OLYMPICS NEW YORK  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, for over 55 years Special Olympics has touched the lives of many people in the WNY community, providing inclusive opportunities for children and adults with intellectual disabilities to discover and unleash the champion within, and

WHEREAS, individuals who participate learn to overcome defeat, enjoy the thrill of sports, taste victory and stay active for life, and

WHEREAS, Special Olympics is planning their first fundraiser in Niagara County, with all proceeds go directly to our local athletes, allowing them to train and compete without being charged, and

WHEREAS, Special Olympics needs support for this program in order for it to continue to offer the training and competitions, now, therefore, be it

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

RESOLVED, that Niagara County supports the Special Olympics of New York by appropriating monies from said Community Partnership as follows:

Special Olympics of New York

\$500.00

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IL-105-24**

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

Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF GRATWICK HOSE COMPANY INC.  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Gratwick Hose Company and the North Tonawanda Volunteer Firemen's Association will be hosting the annual Firemen's Inspection Day Parade on June 15, 2024, and

WHEREAS, this Firemen's Inspection Day Parade is the longest running in New York State, and

WHEREAS, an event like this can only be successful through full community participation and sponsorship, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Gratwick Hose Company, Inc. by appropriating monies from said Community Partnership Program Fund as follows:

Gratwick Hose Company, Inc.

\$1,500.00

Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IL-106-24**

From: Legislator Irene M. Myers and Economic Development Committee.  
Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF THE RANSOMVILLE VOLUNTEER FIRE  
COMPANY THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Ransomville Volunteer Fire Company has been serving the residents of the Town of Porter and Ransomville Hamlet for 100 years, and

WHEREAS, the Ransomville Volunteer Fire Company is always raising money for new equipment that offers protection and emergency services to the community as well as providing safety equipment to the first responders, and

WHEREAS, funds are always needed to keep equipment up to date, and continually train the volunteers, and

WHEREAS, the volunteers of the Ransomville Fire Company hold programs offered to community participants socially and educationally, now, therefore, be it

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

RESOLVED, that Niagara County supports Ransomville Fire Company by appropriating monies from said Community Partnership Fund as follows:

Ransomville Volunteer Fire Company	\$500.00
------------------------------------	----------

Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

**Resolution No. IL-107-24**

From: Legislator Shawn A. Foti and Economic Development Committee.  
Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF THE NEWFANE SOCCER CLUB  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Newfane Soccer Club is a recreational soccer league dedicated to meeting the needs of young people in the Town of Newfane and surrounding areas, and

WHEREAS, the Newfane Soccer Club is dedicated to providing youth with a recreational program that helps them develop soccer skills, foster team participation and sportsmanship, in a safe environment, and

WHEREAS, the Newfane Soccer Club is purchasing an Automated External Defibrillator (AED), to protect the players and community members in the event of a medical emergency, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Newfane Soccer Club by appropriating monies from said Community Partnership Program Fund as follows:

Newfane Soccer Club	\$1,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.	

**Resolution No. IL-108-24**

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

Dated: June 18, 2024.

**RESOLUTION IN SUPPORT OF CARNEGIE ART CENTER  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Carnegie Art Center is a 501 (c)3 that is located in the City of North Tonawanda, and

WHEREAS, the Carnegie Art Center is always looking for new ways to serve the artists and community members who participate in the various events at the center, and

WHEREAS, this year the Carnegie Art Center is planning to host the Carnegie Art Spree and Live on the Lawn events, and

WHEREAS, events like this can only be successful through full community participation and sponsorship, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Carnegie Art Center by appropriating monies from said Community Partnership Program Fund as follows:

Carnegie Art Center	\$3,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.	

**Resolution No. IL-109-24**

From: Legislators Richard L. Andres, Anthony J. Nemi, Shawn A. Foti. Randy R. Bradt, Jeffrey Elder and Parks, Recreation, Tourism Ad Hoc Committee.

Dated: June 18, 2024.

**SUPPORT FOR TOWN OF HARTLAND ENHANCED RECREATIONAL ACCESS AND  
CONNECTIONS WITH GREENWAY PROJECT**

WHEREAS, the Niagara Power Coalition (“NPC”) and the New York Power Authority agreed to a licensing settlement for the next 50 years for the Niagara Power Project, and

WHEREAS, that settlement allows Niagara County to receive, through NPC Host Community Standing Committee (“HCSC”), up to \$390,000 annually to fund projects which are found to be consistent with the Niagara Greenway projects along the Greenway Trail, and

WHEREAS, the Town of Hartland has made application to Niagara County’s Ad Hoc Committee on Parks, Recreation and Tourism for Greenway funds to support its Enhanced Recreational Access and Connections

within Greenway Project for improvement of the connection of walkways centrally located, and the enhancements of the Hartland Town Park by proposing the addition of multiuse courts, a pavilion and playground equipment as the park is an integral part of the community, and

WHEREAS, the Town of Hartland Project will give visitors a recreational area to enjoy the outdoors and the project will improve the trails and walking areas to promote a wider audience to participate in outdoor recreation and encourage the use of the Greenway trail, and

WHEREAS, the improvements and the wayfinding signage throughout the will help connect Hartland Town Park and the Canal Corridor recreational areas to the development of the region as a whole, and

WHEREAS, Town of Hartland Enhanced Recreational Access and Connections within Greenway Project meets the guiding principles of the Niagara River Greenway, and

WHEREAS, the Ad Hoc Committee for Parks, Recreation and Tourism appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Niagara Power Coalition and the Host Community Standing Committee, has recommended that Niagara County approve and support this project, and

WHEREAS, Town of Hartland Enhanced Recreational Access and Connections within Greenway has the support and approval of Niagara County, and

WHEREAS, 50% of this Project will be comprised of a matching grant funding through the Town of Hartland, Niagara County and the Griggs Lewis Foundation; the Town is requesting the sum of \$200,000 of the total project cost of \$340,000, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of up to \$180,000.00, for the Town of Hartland Enhanced Recreational Access and Connections Within Greenway Project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

#### **Resolution No. IL-110-24**

From: Legislators Richard L. Andres, Anthony J. Nemi, Shawn A. Foti, Randy R. Bradt, Jeffrey Elder and Parks Recreation, Tourism Ad Hoc Committee.

Dated: June 18, 2024.

### **SUPPORT FOR THE CAROUSEL SOCIETY OF THE NIAGARA FRONTIER MUSIC ROOM PROJECT**

WHEREAS, the Niagara Power Coalition (“NPC”) and the New York Power Authority agreed to a licensing settlement for the next 50 years for the Niagara Power Project, and

WHEREAS, that settlement allows Niagara County to receive, through NPC Host Community Standing Committee (“HCSC”), up to \$390,000 annually to fund projects which are found to be consistent with the Niagara Greenway projects along the Greenway Trail, and

WHEREAS, the Carousel Society of the Niagara Frontier, Inc. operates the Herschell Carrousel Factory Museum and has made application to the Niagara County’s Ad Hoc Committee on Recreation and Tourism for additional Greenway funds to complete its Carousel Society of the Niagara Frontier Music Room project, and

WHEREAS, the Carousel Society of the Niagara Frontier, Inc. wishes to complete the restoration to the Allan Herschell complex, a portion which collapsed in 1995, in order to increase the capacity of the Carrousel Museum to fulfill its mission and serve its visitors, by providing an exhibit space for the band organ collection, interpretation of the North Tonawanda band organ manufacturing heritage, demonstration of the roll making equipment, STEM and Music Arrangement lessons for students and an increased tourism attraction, and

WHEREAS, in 2017, the Niagara County Legislature supported and sponsored the initial funding of \$110,000.00 for the Carousel Society of the Niagara Frontier Music Room project, and

WHEREAS, certain state funding was held up until recently which resulted in an increase in the price of materials and labor that increased the project cost to \$1,082,170, leaving the applicant, after finding additional funding, a shortfall of \$170,000, and

WHEREAS, the Carousel Society of the Niagara Frontier Music Room Project meets the guiding principles of the Niagara Greenway, and

WHEREAS, the proposed Carousel Society of the Niagara Frontier Music Room project will promote increased access to the County's historical and cultural sites, and

WHEREAS, the ad hoc committee for recreation and tourism fund appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Niagara Power Coalition and the Host Community Standing Committee has recommended that Niagara County approve and support this project, and

WHEREAS, after receipt of grants and other funding for the project, the remaining \$170,000 of funds is being requested, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of up to \$170,000.00 for the Carousel Society of the Niagara Frontier Music Room project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

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

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Andres, McKimmie.

#### **APPOINTMENTS:**

	Appt.	Expires
COMMUNITY SERVICES BOARD:		
Very Rev. Francis Kadryna	06/18/24	12/31/27
250 27th St. Niagara Falls, 14303		
Kelly Biehls, Ed.M	06/18/24	12/31/27
4921 Meyer Rd. Pendleton, 14120		
Moved by Bradt, second by Robins.		
Approved.		

Moved by Myers, second by Speranza to enter into Executive Session at 7:56 p.m. for discussion of Pending Litigation.

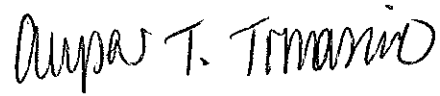
Moved by Hill, second by Voccio to adjourn Executive Session at 8:03 p.m.

**Resolution No. CW-011-24 was read at this time. (Appears in numerical order)**

Motion by Gooch, second by Hill to adjourn the board.

The Chairman declared the Board adjourned at 8:05 pm, subject to the call of the Clerk.

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

A handwritten signature in black ink, reading "Alysa T. Tomasino". The signature is written in a cursive, flowing style.

Alysa T. Tomasino, Clerk