



AGENDA
NIAGARA COUNTY LEGISLATURE
JANUARY 18, 2022 – 6:00 P.M.

1. CALL TO ORDER
2. CLERK CALLS THE ROLL
3. PRAYER & PLEDGE
4. CORRESPONDENCE/ RECOGNITION:
5. PRESENTATIONS:
6. PUBLIC SPEAKERS: Clerk will read the names on the sheet for Public Speakers on Agenda items.
7. RECESS
8. RESOLUTIONS
9. COUNTY MANAGER
10. APPOINTMENTS:
11. EXECUTIVE SESSION
12. ADJOURNMENT
13. PUBLIC SPEAKERS: Clerk will read names on the sheet for Public Speakers for the General Welfare of the County

Alysa T. Tomasino

Alysa T. Tomasino, Clerk
Niagara County Legislature

The next meeting of the Legislature will be held on February 15, 2022



AGENDA
NIAGARA COUNTY LEGISLATURE
JANUARY 18, 2022 – 6:00 P.M.

Regular Meeting – January 18, 2022:

- *AD-001-22 Administration, re Authorization of Real Property Tax Refunds/Corrections 2022
- *AD-002-22 Administration, re Extension of Contract with Eastern Niagara Hospital/Western New York Occupation Medicine, P.C. – HR
- *AD-003-22 Administration, re Niagara County Board of Elections Budget Modification – Grant Acceptance
- *CS-001-22 Community Services and Administration, re Niagara County Department of Health & Substance Abuse Svcs Program Restructure - Abolish Licensed Clinician Position, Abolish Registered Nurse Position/Create and Fill Staff Social Worker and Licensed Practical Nurse Positions / Budget Modification
- *CS-002-22 Community Services and Administration, re Abolish E& T Coordinator/Create and Fill E&T Training Counselor Position – Employment & Training
- *CS-003-22 Community Services and Administration, re Budget Modification – Create Temporary Position – OFA
- *CSS-001-22 Community Safety & Security and Administration, re Niagara County Sheriff's Office Accept Motor Vehicle Theft and Insurance Fraud Prevention Grant
- *CSS-002-22 Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification –Extension of Residential Substance Abuse Treatment Grant
- *CSS-003-22 Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification - Extension of FY18 Statewide Interoperable Communications Formula Grant
- *CSS-004-22 Community Safety & Security and Administration, re Niagara County Sheriff's Office Extension of FY19 Statewide Interoperable Communications Grant
- *CSS-005-22 Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification FY20 Statewide Interoperable Communications Formula Grants Program

- ***CSS-006-22** Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification - Complex Coordinated Terrorism Attack Grant Extension
- ***CSS-007-22** Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification - Accept Domestic Cannabis Eradication/Suppression Program
- ***CSS-008-22** Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification -Jail Body Scanner
- ***CSS-009-22** Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification -COPS Office Community Policing Development (CPD) Program Grant
- ***CSS-010-22** Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification -STOP DWI Foundation Grant
- ***CSS-011-22** Community Safety & Security and Administration, re Niagara County Sheriff's Office Federal Equitable Sharing Annual Recertification
- ***CSS-012-22** Community Safety & Security and Administration, re Niagara County Sheriff's Office Intermunicipal Agreement Monroe County Substitute Jail Order
- ***CSS-013-22** Community Safety & Security, re Niagara county Sheriff's Office SCAAP Grant
- ***CSS-014-22** Community Safety & Security and Administration, re Niagara County Public Defender Accept Office of Indigent Legal Services (OILS) Distribution #12 (C120029) Grant
- ***CSS-015-22** Community Safety & Security and Administration, re Regional Agreement between Niagara and Erie County to Perform Autopsy Services – Coroners
- ***CSS-016-22** Community Safety & Security and Administration, re Waiver of Residency Requirement – Conflict Attorney
- ***ED-001-22** Economic Development, re Approval of Low Cost Power Benefit to Niagara Envelope, Inc. Under Agreement for the Sale & Purchase of Niagara Project Power & Energy (ASPNPPE)
- ***ED-002-22** Economic Development, re Approval of Low Cost Power Benefit to Virtual Polymer Compounds, LLC Under Agreement for the Sale & Purchase of Niagara Project Power & Energy (ASPNPPE)
- ***IF-001-22** Infrastructure & Facilities and Administration, re Asbestos Abatement and Floor Preparation - Court House and Civic Building Change Order No.7
- ***IF-002-22** Infrastructure & Facilities and Administration, re Bear Ridge Road Culvert Rehabilitation Project Change Order No. 3 – Final
- ***IF-003-22** Infrastructure & Facilities and Administration, re Culvert Rehabilitation-Precision Trenchless LLC Change Order No. 2 – Final
- ***IF-004-22** Infrastructure & Facilities and Administration, re Sunset Drive Road and Drainage Improvements Change Order No. 2 – Final

- *IF-005-22 Infrastructure & Facilities and Administration, re Bear Ridge Road Resurfacing Cambell Blvd. to West Canal Road Change Order No. 1 – Final
- *IF-006-22 Infrastructure & Facilities and Administration, re Carmen Road Bridge over Johnson Creek Consultant Amendment No. 1
- *IF-007-22 Infrastructure & Facilities, re Renew the Shared Services Agreement for Stormwater Management Coordinator
- *IF-008-22 Infrastructure & Facilities and Administration, re Akron Road Pavement Rehabilitation Dysinger Road to Lockport City Line Federal Aid Local Project Agreement Supplemental Agreement No. 2
- *IF-009-22 Infrastructure & Facilities and Administration, re Carmen Road Bridge over Johnson Creek Bridge Replacement Supplemental Agreement No. 1
- *IF-010-22 Infrastructure & Facilities and Administration, re DPW – Highway Expenditure of County Road Fund Monies

Alysa T. Tomasino

Alysa T. Tomasino, Clerk
Niagara County Legislature

*** Indicates Preferred Agenda items**

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

The next meeting of the Legislature will be held on February 15, 2022

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 01/18/22 RESOLUTION #: AD-001-22

APPROVED BY CO. ATTORNEY [Signature] REVIEWED BY CO. MANAGER COMMITTEE ACTION AD - 1/10/22 LEGISLATIVE ACTION Approved: Ayes Abs. Noes Rejected: Ayes Abs. Noes Referred:

AUTHORIZATION FOR REAL PROPERTY TAX REFUNDS/CORRECTIONS - 2022

WHEREAS, New York State Real Property Tax Law, sections 554 and section 556, provides for an administrative correction of error process that assists property owners in obtaining refunds and/or corrections for real property tax payments or billings, and

WHEREAS, certain clerical errors, unlawful entries and errors in essential fact, as defined in the New York State Real Property Tax Law, are permitted to be corrected by a taxing jurisdiction based upon the recommendation of the Director of Real Property Tax Services, and

WHEREAS, the taxing jurisdiction can delegate, by resolution, on an annual basis, to an official who is empowered to authorize payment of bills without prior audit, the authority to perform the duties of the tax levying body in regard to Real Property Tax Law, Sections 554 and 556, now, therefore, be it

RESOLVED, that the Niagara County Treasurer is hereby delegated the authority to perform the duties of the tax levying body during 2022 when the Real Property Tax Director's recommended refund and/or correction is twenty five hundred dollars or less, and be it further

RESOLVED, that on or before the fifteenth day of each month, the Niagara County Treasurer shall submit a report to the Niagara County Legislature of the refunds and/or corrections processed during the preceding month, containing the name of each recipient, the location of the property, and the amount of the refund.

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee **DATE:** 01/18/22 **RESOLUTION #:** AD-002-22

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>AD - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**EXTENSION OF CONTRACT WITH EASTERN NIAGARA HOSPITAL/WESTERN NEW YORK
OCCUPATIONAL MEDICINE, P.C.**

WHEREAS, Niagara County has had a contractual agreement with Eastern Niagara Hospital/Western New York Occupational Medicine, P.C., to provide certain occupational medicine professional services for the County of Niagara, and

WHEREAS, the contract with Eastern Niagara Hospital/Western New York Occupational Medicine, P.C. expired on December 31, 2021, and

WHEREAS, Niagara County issued RFP 2021-49 seeking competitive bids for professional services, and

WHEREAS, as a result of the RFP 2021-49, the County of Niagara desires to continue this contractual relationship and enter into a new contract term with Eastern Niagara Hospital/Western New York Occupational Medicine, P.C. for the period of January 1, 2022 through December 31, 2024, and

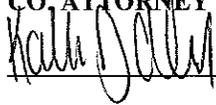
WHEREAS, prior to the execution of the contract, the County Attorney will review the contract for approval as to legal form, language and compliance, now, therefore, be it

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature is hereby authorized to execute said contract on behalf of Niagara County.

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee **DATE:** 01/18/22 **RESOLUTION #:** AD-003-22

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>AD - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**NIAGARA COUNTY BOARD OF ELECTIONS
BUDGET MODIFICATION – GRANT ACCEPTANCE**

WHEREAS, the Niagara County Board of Elections Office has been awarded a grant in the amount of \$119,055.71 for the period of December 21, 2019 through December 31, 2023 from the New York State Board of Elections to implement cybersecurity and the various accompanying services and/or accessories required, and

WHEREAS, the grant will allow the Niagara County Board of Elections Office to purchase equipment and or services regarding cybersecurity, and

WHEREAS, the 2022 budget will need to be modified to allow for the spending of this grant, now therefore, be it

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

RESOLVED that the 2022 budget be modified as follows:

INCREASE REVENUE:

A.14.1450.000 44089.01 Help America Vote Act \$29,056.71

INCREASE APPROPRIATIONS:

A.14.1450.000 74500.01 Contractual Expense \$29,056.71

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee and Administration Committee DATE: 01/18/22 RESOLUTION #: CS-001-22

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

NIAGARA COUNTY DEPARTMENT OF MENTAL HEALTH & SUBSTANCE ABUSE SVCS PROGRAM RESTRUCTURE - ABOLISH LICENSED CLINICIAN POSITION, ABOLISH REGISTERED NURSE POSITION/ CREATE AND FILL STAFF SOCIAL WORKER AND LICENSED PRACTICAL NURSE POSITIONS / 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, a Niagara County Department of Mental Health & Substance Abuse Services program restructure is necessary to address organizational and client needs, and

WHEREAS, creating a Staff Social Worker position will provide leadership, guidance, and support to Licensed Clinicians in the Assisted Outpatient Treatment program, and support clinical decision making in light of increasing complexity of high-risk clients,

WHEREAS, the reorganization of our nursing services is necessary to respond to workforce shortage concerns, RN recruitment challenges, and address the need to expand medical care management for clinic clients, and

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

WHEREAS, the Staff Social Worker position is supported 100% through State Aid, and the LPN position is supported 100% through generated revenue, both positions at no cost to the County, and

WHEREAS, these changes will result in an overall cost savings to the Department; now, therefore, be it

RESOLVED, that one Licensed Clinician (vacant as of June 3, 2021), Grade 11, Step 1, position number MHD300100.10818, salary range \$51,870.00 - \$60,624.20, and one Registered Nurse (RN) (vacant as of October 10, 2021), Grade 12, Step 1, position number MHD300100.13633, salary range \$55,892.20 - \$65,520.00 be abolished, effective January 24, 2022, and be it further

RESOLVED, that one Staff Social Worker, Grade 13, Step 1, position number, MHD300100.XXXXX, salary range \$60,496.80 - \$70,470.40, and one Licensed Practical Nurse (LPN), Grade 8, Step 1, position number, MHD300100.XXXXX, salary range \$40,513.20 - \$47,429.20 be created within the Niagara County Department of Mental Health, and filled effective January 24, 2022, and be it further

RESOLVED, that the following transfer of position funds in the 2022 budget be effectuated:

INCREASE REVENUE:

A.21.4310.000.43490.05 Reinvestment Programs \$10,268

DECREASE REVENUE:

A.21.4310.000.41620.00	Mental Health Fees	\$18,307
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INCREASE APPROPRIATIONS:

A.21.4310.000.71010.XXXXX	Positions (Staff Social Worker)	\$60,497
A.21.4310.000.71010.XXXXX	Positions (LPN)	\$40,513
A.21.4310.000.78100.00	Retirement Expense	\$ 8,838
A.21.4310.000.78200.00	FICA	\$ 7,727
A.21.4310.000.78300.00	Worker's Comp	\$ 2,656

DECREASE APPROPRIATIONS:

A.21.4310.000.71010.00.10818	Positions (Licensed Clinician)	\$51,870
A.21.4310.000.71010.10633	Positions (RN)	\$55,892
A.21.4310.000.78100.00	Retirement Expense	\$ 9,430
A.21.4310.000.78200.00	FICA	\$ 8,244
A.21.4310.000.78300.00	Worker's Comp	\$ 2,834

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee and Administration Committee DATE: 01/18/22 RESOLUTION #: CS-002-22

APPROVED BY CO. ATTORNEY [Signature] REVIEWED BY CO. MANAGER COMMITTEE ACTION CS - 1/10/22 AD - 1/10/22 LEGISLATIVE ACTION Approved: Ayes Abs. Noes Rejected: Ayes Abs. Noes Referred:

ABOLISH E&T COORDINATOR/CREATE & FILL E&T TRAINING COUNSELOR POSITION- EMPLOYMENT & TRAINING

WHEREAS, the duties of Employment & Training Coordinator do not meet the present needs of Employment & Training, and

WHEREAS, the duties of Employment & Training Counselor represent the duties necessary for the daily operations of Employment & Training, and

WHEREAS, the flexibility and scope of duties of Employment & Training Counselor better serves Employment & Training needs, and

WHEREAS, the change reflects no increase to the County, now, therefore, be it

RESOLVED, that effective January 31, 2022 Employment & Training Coordinator (Position #13624), CSEA Job Grade 9 at \$45,464 per year be abolished, and be it further

RESOLVED, that effective January 31, 2022 the position of Employment & Training Counselor, CSEA Job Grade 9, Step 1 at \$43,989 be created and filled.

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/18/22 **RESOLUTION #:** CSS-001-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CSS - 1/10/22</u> <u>AD - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**NIAGARA COUNTY SHERIFF'S OFFICE
ACCEPT MOTOR VEHICLE THEFT AND INSURANCE FRAUD PREVENTION GRANT**

WHEREAS, the Niagara County Sheriff's Office was notified by the New York State Division of Criminal Justice Services that it has been awarded \$20,000 under the Motor Vehicle Theft and Insurance Fraud Prevention Program, and

WHEREAS, the Motor Vehicle Theft and Insurance Fraud Prevention Grant has been awarded to the Niagara County Sheriff's Office for many years, and

WHEREAS, the performance period for this grant is January 1, 2022 through December 31, 2022, and

WHEREAS, the grant is used to coordinate efforts to reduce the incidents of motor vehicle theft and motor vehicle insurance fraud County-wide; this partnership provides an integrated means to prevent and deter motor vehicle theft and insurance fraud related crime through the expanded use of crime data, crime analysts, technology and information sharing, and

WHEREAS, the funds are included in the 2022 budget, now, therefore, be it

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

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/18/22 **RESOLUTION #:** CSS-002-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER _____	COMMITTEE ACTION <u>CSS - 1/10/22</u> <u>AD - 1/10/22</u> _____	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**NIAGARA COUNTY SHERIFF'S OFFICE BUDGET MODIFICATION
EXTENSION OF RESIDENTIAL SUBSTANCE ABUSE TREATMENT GRANT**

WHEREAS, on May 12, 2020 the Niagara County Legislature accepted a grant from the New York State Department of Criminal Justice Services (resolution #CSS-022-20) in the amount of \$50,000 for a third year to support a Residential Substance Abuse Treatment (RSAT) Cognitive-Behavioral Intervention program within the Niagara County Jail for the period of January 1, 2020 through December 31, 2020, and

WHEREAS, the Niagara County Legislature accepted an extension of the Residential Substance Abuse Treatment (RSAT) Cognitive-Behavioral Intervention Program through September 30, 2021 in Resolution #CSS-030-21 on March 23, 2021, and

WHEREAS, the Niagara County Sheriff's Office been notified by the New York State Department of Criminal Justice Services that the performance period for the grant has been extended through July 31, 2022, and

WHEREAS, it is well known that jails and prisons are dealing with incarcerated individuals who have substance abuse and addiction problems, and

WHEREAS, it is desirable to have a program which addresses the substance abuse and addiction issues with the goal of changing the incarcerated individuals' addiction behaviors to improve their lives and reduce recidivism, and

WHEREAS, this grant will allow the Niagara County Jail to continue this program which was started in 2018 by contracting with an outside agency to provide a substance abuse treatment cognitive-behavioral intervention program, and

WHEREAS, the 2022 budget needs to be amended to accept and expend this grant extension, now, therefore, be it

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

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

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.17.3150.000.44089.00	Federal Aid, Other Revenue	\$25,666
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INCREASE APPROPRIATIONS:

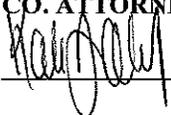
A.17.3150.000.74400.09	Payments Other Agencies	\$25,666
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COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/18/22 **RESOLUTION #:** CSS-003-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CSS - 1/10/22</u> <u>AD - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – EXTENSION OF FY18 STATEWIDE INTEROPERABLE
COMMUNICATIONS FORMULA GRANT**

WHEREAS, the Niagara County Legislature accepted a grant from the New York State Division of Homeland Security and Emergency Services in the amount of \$669,712.00 to the Niagara County Sheriff's Office for the grant period of January 1, 2019 through December 31, 2020 in Resolution #CSS-002-19 on January 15, 2019, and

WHEREAS, the New York State Division of Homeland Security and Emergency Services has extended the performance period of this grant until December 31, 2022, and

WHEREAS, this grant allows the Sheriff's Office to continue the improvement of the interoperable communications network which will have the benefit to the residents of Niagara County of improved reliability of communication for their safety and protection, and

WHEREAS, an improved interoperable communications network will also enhance interoperable communications with other counties and agencies when participating in Mutual Aid emergencies, and

WHEREAS, the 2022 budget will need to be modified to allow for the spending of the balance of this grant, now, therefore, be it

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be and hereby is authorized to execute the extension of this grant through December 31, 2022, and be it further

RESOLVED, that the following budget modifications be effectuated:

INCREASE REVENUE:

A.17.3645.000.43305.02 State Aid, Civil Defense Homeland Security \$226,062

INCREASE APPROPRIATIONS:

A.17.3645.000.72100.15 Machinery and Equipment Communications Equipment \$226,062

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee DATE: 01/18/22 RESOLUTION #: CSS-004-22
and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	<u>CSS - 1/10/22</u>	Approved: Ayes _____ Abs. _____ Noes _____
		<u>AD - 1/10/22</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

NIAGARA COUNTY SHERIFF'S OFFICE
EXTENSION OF FY19 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT

WHEREAS, the Niagara County Legislature accepted a grant from the New York State Division of Homeland Security and Emergency Services in the amount of \$680,557 for the grant period of January 1, 2020 through December 31, 2021 in Resolution #CSS-019-20 on April 21, 2020, and

WHEREAS, this grant allows the Sheriff's Office to continue the improvement of the interoperable communications network which will have the benefit to the residents of Niagara County of improved reliability of communication for their safety and protection, and

WHEREAS, an improved interoperable communications network will also enhance interoperable communications with other counties and agencies when participating in Mutual Aid emergencies, and

WHEREAS, the New York State Division of Homeland Security and Emergency Services has extended the grant performance period until December 31, 2022, and

WHEREAS, the grant funds are in the 2022 budget, now, therefore, be it

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the agreement for the grant extension through December 31, 2022.

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee and Administration Committee DATE: 01/18/22 RESOLUTION #: CSS-005-22

APPROVED BY CO. ATTORNEY REVIEWED BY CO. MANAGER COMMITTEE ACTION CSS - 1/10/22 AD - 1/10/22 LEGISLATIVE ACTION Approved: Ayes Abs. Noes Rejected: Ayes Abs. Noes Referred:

NIAGARA COUNTY SHERIFF'S OFFICE BUDGET MODIFICATION FY20 STATEWIDE INTEROPERABLE COMMUNICATIONS FORMULA GRANTS PROGRAM

WHEREAS, the Niagara County Legislature accepted a grant from the New York State Division of Homeland Security and Emergency Services in the amount of \$755,125 to the Niagara County Sheriff's Office under the New York State FY2020 Statewide Interoperable Communications Formula Grant Program for the grant period of January 1, 2021 through December 31, 2022 in Resolution #CSS-100-21 on October 19, 2021, and

WHEREAS, this grant will allow the Sheriff's Office to continue the improvement of the interoperable communications network which will have the benefit to the residents of Niagara County of improved reliability of communication for their safety and protection, and

WHEREAS, an improved interoperable communications network will also enhance interoperable communications with other counties and agencies when participating in Mutual Aid emergencies, and

WHEREAS, the funds need to be added to the 2022 Budget in order to utilize the grant, now, therefore, be it

RESOLVED, that the following budget modifications be made,

INCREASE REVENUE

A.17.3645.000 43305.02 State Aid, Civil Defense \$755,125

INCREASE APPROPRIATIONS

A.17.3645.000 72100.15 Communications Equipment \$755,125

COMMUNITY SAFETY & SECURITY COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee and Administration Committee DATE: 01/18/22 RESOLUTION #: CSS-006-22

APPROVED BY CO. ATTORNEY REVIEWED BY CO. MANAGER COMMITTEE ACTION CSS - 1/10/22 AD - 1/10/22 LEGISLATIVE ACTION Approved: Ayes Abs. Noes Rejected: Ayes Abs. Noes Referred:

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NIAGARA COUNTY SHERIFF'S OFFICE BUDGET MODIFICATION COMPLEX COORDINATED TERRORISM ATTACK GRANT EXTENSION

WHEREAS, the Niagara County Legislature passed resolution CSS-031-18 on April 17, 2018 to accept a revenue on behalf of the Niagara County Sheriff's Office for \$29,700 as part of a Complex Coordinated Terrorism Attack Grant for the performance period of March 1, 2018 through August 31, 2020, and

WHEREAS, the Niagara County Legislature also accepted an extension of the grant into 2021 in Resolution #CSS-065-21 on June 12, 2021, and

WHEREAS, the Complex Coordinated Terrorism Attack Grant is a cooperative grant for the BEN UASI region, and

WHEREAS, the Niagara County Sheriff's Office participation in this grant enhances the preparedness of Niagara County for the safety of its citizens, and

WHEREAS, the grant has been extended past August 31, 2021 with remaining funds in the grant, and

WHEREAS, the 2022 budget will need to be modified to allow for these funds to be used, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.17.3645.000.44305.02 Civil Defense Homeland Security Project 17GRTCCTA \$ 10,000

INCREASE APPROPRIATIONS:

A.17.3645.000.71050.00 Overtime Expense 17GRTCCTA \$ 8,334
A.17.3645.000.78100.00 Retirement Expense 17GRTCCTA 815
A.17.3645.000.78200.00 FICA Expense 17GRTCCTA 637
A.17.3645.000.78300.00 Worker's Compensation Expense 17GRTCCTA 214

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/18/22 **RESOLUTION #:** CSS-007-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER _____	COMMITTEE ACTION <u>CSS - 1/10/22</u> <u>AD - 1/10/22</u> _____	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**NIAGARA COUNTY SHERIFF'S OFFICE BUDGET MODIFICATION
ACCEPT DOMESTIC CANNABIS ERADICATION/SUPPRESSION PROGRAM**

WHEREAS, the Niagara County Sheriff's Office wishes to continue an agreement with the U.S. Department of Justice Drug Enforcement Administration for the year 2022, and

WHEREAS, this agreement allows the Sheriff's Office to work in conjunction with the local DEA Office to curtail illegal cannabis trafficking and in eradication of illicit cannabis plants throughout Niagara County, and

WHEREAS, the DEA will reimburse the Sheriff's Office for the costs incurred with this project, now, therefore, be it

RESOLVED, that Niagara County continue an agreement with the U.S. Department of Justice, and be it further

RESOLVED that the 2022 budget be modified as follows:

INCREASE REVENUE:

A.17.3110.000.44389.04	Other Public Safety Operation Green Monster	\$100,000
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INCREASE APPROPRIATIONS:

A.17.3110.000.71050.00	Overtime	\$68,500
A.17.3110.000.74400.09	Payments to Other Agencies	15,500
A.17.3110.000.74600.03	Training/Education	5,000
A.17.3110.000.74750.05	Law Enforcement Supplies	5,000
A.17.3110.000.74800.11	Vehicle Maintenance (Helicopter)	6,000

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/18/22 **RESOLUTION #:** CSS-008-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CSS - 1/10/22</u> <u>AD - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – JAIL BODY SCANNER**

WHEREAS, the Niagara County Correctional Facility has been greatly affected by the presence of the COVID virus in the community and in the jail, and

WHEREAS, the Niagara County Jail has revised their operating procedures to include quarantine of incoming incarcerated individuals for 14 days before introduction to the general population, isolation of incarcerated individuals who are ready to transfer to State Prison, and isolation of any incarcerated individuals who test COVID positive, and

WHEREAS, the Niagara County Jail is consistently looking for new procedures to reduce the risk of the spread of COVID-19 within the jail while still maintaining the priority of the safety and security of the incarcerated individuals and staff, and

WHEREAS, an important preventive measure within jails is to search all incoming individuals for possible contraband whether obvious or hidden which requires close contact with individuals, and

WHEREAS, the Niagara County Jail has identified a need for a whole body security scanning system which allows for no-contact screening for both metallic and nonmetallic threats including weapons, drugs, cell phone and other contraband with a thermal camera to detect fevers, and

WHEREAS, the scanner will greatly improve the jail's ability to detect contraband, it will also provide safer scanning process for the jail staff, and

WHEREAS the County has received stimulus funds to offset COVID related costs in correctional facilities, and

WHEREAS, the County of Niagara will utilize funds from the Coronavirus State and Local Fiscal Recovery Fund (CSLFRF), a part of the America Rescue Plan Act, to fund this equipment, and

WHEREAS, the 2022 budget will need to be modified to allow for these funds to be used, now, therefore, be it

RESOLVED, that the following line item transfers be effectuated:

INCREASE REVENUE:

A.17.3150.000 44089.07 Federal Aid, Other ARPA State/Local Fiscal Rec Fund \$159,000

INCREASE APPROPRIATIONS:

A.17.3150.000 72100.21 Law Enforcement Equipment \$159,000

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee and Administration Committee DATE: 01/18/22 RESOLUTION #: CSS-009-22

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

NIAGARA COUNTY SHERIFF'S OFFICE BUDGET MODIFICATION - COPS OFFICE COMMUNITY POLICING DEVELOPMENT (CPD) PROGRAM GRANT

WHEREAS, the Niagara County Legislature accepted a COPS Office FY2021 Community Policing Development (CPD) Program Grant for the performance period September 1, 2021 through August 31, 2023 in the amount of \$200,000 with a match of \$84,434 in resolution #CSS-108-21 on November 16, 2021, and

WHEREAS, the grant funds will be used to ensure that 100% of the officers at the Sheriff's Office and at other Niagara County Law Enforcement Agencies are trained and experienced in de-escalation techniques, and

WHEREAS, to accomplish this goal the Sheriff's Office will use the grant funds to cover training costs for 2 Train the Trainers for a De-Escalation Course to train the other officers in the county, for overtime for officers to attend the De-Escalation Training Course and to purchase a Virtual Reality Training Simulator VirTra Machine to allow officers to practice the skills and techniques they have learned in the De-Escalation Course, and

WHEREAS, the Niagara County Sheriff's Office will use part of the cost of the Virtual Reality Training Simulator as the match for this grant, and

WHEREAS, the funds need to be added to the 2022 Budget in order to utilize the grant, now, therefore, be it

RESOLVED, that the following budget modifications be made:

INCREASE REVENUE:

A.17.3645.000 44305.02 Civil Defense Homeland Security \$200,000

INCREASE APPROPRIATIONS

A.17.3645.000 71050.00 Overtime Expense \$ 44,809
A.17.3645.000 72100.21 Law Enforcement Equipment 100,000
A.17.3645.000 74400.09 Payments other agencies 54,441
A.17.3645.000 74600.03 Training and Education 750

COMMUNITY SAFETY & SECURITY COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/18/22 **RESOLUTION #:** CSS-010-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CSS - 1/10/22</u> <u>AD - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – STOP DWI FOUNDATION GRANT**

WHEREAS, the New York State Governor's Traffic Safety Committee, STOP-DWI Foundation has notified the Niagara County Sheriff's Office of an additional \$3,000 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 revenue and appropriations to utilize these funds, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.17.3315.000.44389.09 Other Public Safety Traffic \$3,000

INCREASE APPROPRIATIONS:

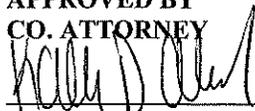
A.17.3315.000.74400.09 Miscellaneous Expenses Payments Other Agencies \$ 3,000

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/18/22 **RESOLUTION #:** CSS-011-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER _____	COMMITTEE ACTION <u>CSS - 1/10/22</u> <u>AD - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**NIAGARA COUNTY SHERIFF'S OFFICE
FEDERAL EQUITABLE SHARING ANNUAL RECERTIFICATION**

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

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

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

RESOLVED, that prior to the execution of the Federal Equitable Sharing Agreement and Certification, the County Attorney will review the Federal Equitable Sharing Agreement and Certification for approval as to legal form, language and compliance, and be it further

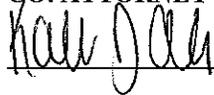
RESOLVED, that following the County Attorney's review, the Chairman of the Niagara County Legislature be, and hereby is, authorized to execute the Annual Equitable Sharing Agreement and Certification.

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/18/22 **RESOLUTION #:** CSS-012-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CSS - 1/10/22</u> <u>AD - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**NIAGARA COUNTY SHERIFF'S OFFICE
INTERMUNICIPAL AGREEMENT
MONROE COUNTY SUBSTITUTE JAIL ORDER**

WHEREAS, the Monroe County Jail contacted the Niagara County Jail in April of 2021 regarding the need for assistance with a substitute jail order for an individual in Monroe County who was deemed to be a safety risk to house in the Monroe County Jail ,and

WHEREAS, the Niagara County Sheriff's Office agreed to assist the Monroe County Sheriff's Office, and

WHEREAS, Monroe County agreed to reimburse Niagara County for any overtime hours incurred in the supervision of this inmate at the overtime rate of a Step 10 Correction Officer, now, therefore, be it

RESOLVED, that the Niagara County Sheriff's Office and Niagara County enter into an Intermunicipal Agreement with Monroe County and the Monroe County Sheriff's Office to be reimbursed from this substitute jail order in 2021, and be it further

RESOLVED, that prior to the execution of the Intermunicipal Agreement, the County Attorney will review the agreement for approval as to legal form, language and compliance, and be it further

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

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/18/22 **RESOLUTION #:** CSS-013-22

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CSS - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**NIAGARA COUNTY SHERIFF'S OFFICE
COMMITTEE APPROVAL SCAAP GRANT**

WHEREAS, under the State Criminal Alien Assistance Program (SCAAP), the Office of Justice Programs (OJP) of the US Department of Justice (DOJ) makes payments to eligible states and local governments that incur certain types of costs due to incarceration of undocumented criminal aliens during a particular 12 month reporting period, and

WHEREAS, FY2022 SCAAP applications are now being accepted for the period July 1, 2020 through June 30, 2021, and

WHEREAS, the Niagara County Sheriff's Office has received funding from SCAAP since the year 2000 to offset the cost of correction officer salaries, now, therefore, be it

RESOLVED, that the Niagara County Sheriff's Office be authorized to participate in the FY2020 SCAAP Program.

COMMUNITY SAFETY & SECURITY
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/18/22 **RESOLUTION #:** CSS-014-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CSS - 1/10/22</u> <u>AD - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**NIAGARA COUNTY PUBLIC DEFENDER'S OFFICE
ACCEPT OFFICE OF INDIGENT LEGAL SERVICES (OILS)
DISTRIBUTION #12 (C120029) GRANT**

WHEREAS, the Niagara County Public Defender's Office has received an award from the New York State Office of Indigent Legal Services (OILS) in the amount of \$329,289 for the period of January 1, 2022, through December 31, 2024, and

WHEREAS, these funds are to be used to improve the quality of legally mandated representation in Niagara County, and

WHEREAS, the Public Defender's Office will use these funds for continued funding of a Court Assistant position in the Public Defender's Office; this grant will also help fund books and subscriptions, expert services, and transcripts for both the Public Defender's Office and the Conflict Office, funds will also be used for Maintenance in Lieu of Rent (MILOR) for the Conflict Office, and

WHEREAS, funding from the New York State Office of Indigent Legal Services for the above items is necessary so that the Niagara County Public Defender's Office can continue providing quality services pursuant to Article 18-B of the County Law, now, therefore, be it

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

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

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/18/22 **RESOLUTION #:** CSS-015-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CSS - 1/10/22</u> <u>AD - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**REGIONAL AGREEMENT BETWEEN NIAGARA AND ERIE COUNTY
TO PERFORM AUTOPSY SERVICES**

WHEREAS, Niagara County and Erie County entered into an agreement in 2002 that allows the Erie County Medical Examiner's Office to perform all of Niagara County's autopsies, which agreement has subsequently been renewed, and

WHEREAS, the current agreement has expired December 31, 2021, and

WHEREAS, Erie County has offered us a three-year agreement at \$2,100/full autopsy and \$1,350/external exam, along with other associated fees, said fees increasing by 3.57% for 2023 and 2024, and

WHEREAS, it is beneficial for Niagara County to continue this practice and promote regionalism and shared services between the counties of Niagara and Erie, and

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

RESOLVED, that following the County Attorney's review, the County of Niagara does hereby agree to the terms and conditions in said agreement and authorizes the Chairman of the Legislature to execute the contract with Erie County and the Erie County Medical Examiner's Office.

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/18/22 **RESOLUTION #:** CSS-016-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>CSS - 1/10/22</u> <u>AD - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**WAIVER OF RESIDENCY REQUIREMENT
CONFLICT ATTORNEY**

WHEREAS, the Niagara County Conflicts Office & Assigned Counsel has permission to fill presently two vacant Conflict Attorney positions, these are important positions that are required to provide legal representation of indigent persons entitled to public defense who cannot be represented by the Public Defender's Office due to a conflict of interest, and

WHEREAS, due to recent challenges with recruitment efforts of Niagara County residents that are experienced criminal trial attorneys for these vacant positions of Conflict Attorney, and

WHEREAS, the Conflicts Office & Assigned Counsel has made diligent and sincere efforts to recruit highly qualified candidates for these vacant positions from within Niagara County, including multiple advertisements and postings for an extended period of time, now, therefore, be it

RESOLVED, that a Waiver of Residence from the policy to hire only Niagara County residents be approved to fill these two vacant positions of Conflict Attorney when the most qualified applicant or only qualified candidates resides outside Niagara County.

COMMUNITY SAFETY & SECURITY

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee **DATE:** 01/18/22 **RESOLUTION #:** ED-001-22

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>ED - 1/12/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**APPROVAL OF LOW COST POWER BENEFIT TO
NIAGARA ENVELOPE, INC. UNDER AGREEMENT FOR THE
SALE AND PURCHASE OF NIAGARA PROJECT POWER & ENERGY (ASPNPPE)**

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

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

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

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

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

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

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

WHEREAS, the County of Niagara has previously awarded to Niagara Envelope, Inc. for this same project under resolution ED-004-19, 225 Kw (at 70% load factor), which agreement expired on December 31, 2021 and for which Niagara Envelope, Inc. has met each part of the previous application, including the number of jobs and capital investment, and

WHEREAS, the Empower Niagara Board has reviewed the application of Niagara Envelope, Inc. for the use of low cost power so that it can remain competitive in the global market, which would encompass diversifying its project lines and possibly adding a new flexible packing product line in 2022, adding an additional three to five new full-time jobs, together with the addition of a third shift, which would require four new employees, and

WHEREAS, Niagara Envelope, Inc. has met or exceeded all the criteria qualifying its original project for consideration and the Empower Niagara Board is recommending approval of a three-year extension of the agreement, and

WHEREAS, the demand usage of Niagara Envelope, Inc. has been reduced from 225 kw of low cost power to 195 kw of low cost power, based on the average usage, and

WHEREAS, the approval of Niagara County's extension of low cost power will not only maintain economic development in the Town of Wheatfield and Niagara County; but also assist Niagara Envelope, Inc. to remain competitive in the global printing and manufacturing industry and have a good economic effect on the community in Niagara County, and

WHEREAS, the Empower Niagara board has recommended the extension and decrease of the low cost power allocations of 195kw (at 70% load factor) for a period of three (3) years commencing January 1, 2022, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby approves Niagara Envelope, Inc. agreement extension for three (3) years commencing January 1, 2022 for 195kw (at 70% load factor) low cost power benefits from Niagara County, pursuant to low cost power allocation received through the June 25, 2005 HCRSA and ASPNPPE, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute this Empower User Agreement extension of the agreement for Low Cost Power with Niagara Envelope, Inc.

ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the approval of the Virtual Polymer Compounds, LLC application for 200 kw (at 70% load factor) of low cost power will not only increase economic development in the City of Lockport and Niagara County, but will also assist Virtual Polymer Compounds, LLC to remain competitive in the custom fiberglass manufacturing industry and will also have a good economic effect on the community in Niagara County, and

WHEREAS, the Empower Niagara Board has recommended the approval of the application for low cost power allocation of 200 kw (at 70% load factor) for a period of three (3) years commencing February 1, 2022, now, therefore, be it

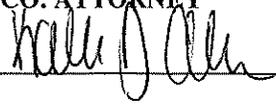
RESOLVED, that the Niagara County Legislature hereby approves the application of Virtual Polymer Compounds, LLC for 200 kw (at 70% load factor) low cost power benefits from Niagara County, pursuant to low cost power allocation received through the June 25, 2005 HCRSA and ASPNPPE, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute this Empower User Agreement for Low Cost Power with Virtual Polymer Compounds, LLC.

ECONOMIC DEVELOPMENT COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 01/18/22 **RESOLUTION #:** IF-001-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>IF - 1/10/22</u> <u>AD - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**ASBESTOS ABATEMENT AND FLOOR PREPARATION-
COURT HOUSE AND CIVIC BUILDING
CHANGE ORDER NO. 7**

WHEREAS, by Resolution No. IF-090-18, dated June 19, 2018, the Legislature awarded the contract for the Asbestos Abatement and Floor Preparation-Court House and Civic Building Project to Metro Environmental, 2939 Lockport Road, Niagara Falls, NY 14305, for a contract amount of \$184,000, and

WHEREAS, Resolution No. IF-152-18, dated December 4, 2018, authorized Change Order No. 1 to increase the contract in the amount of \$9,336 for abatement of additional pipe joint elbow mudded fittings, for a revised contract amount of \$193,3336, and

WHEREAS, Resolution No. IF-067-19, dated May 21, 2019, authorized the extension of the contract completion date to December 31, 2019, at no additional cost to the County, and

WHEREAS, Resolution No. IF-028-20, dated February 18, 2020, authorized Change Order No. 3 to increase the contract in the amount of \$2,300 to allow for an additional notification fee required by the New York State Department of Labor due to project extension beyond one (1) year from commencement of the project, for a revised contract amount of \$195,636, and to extend the contract completion date to February 18, 2021, and

WHEREAS, Resolution No. IF-043-20, dated March 10, 2020, authorized Change Order No. 4, to allow for additional abatement of floor tiles and mastic and drilling for MEP work, in the amount of \$17,477.14, for a revised contract amount \$213,113.14, and

WHEREAS, Resolution No. IF-023-21, dated March 23, 2021, authorized Change Order No. 5 to increase the contract in the amount of \$2,300 to allow for an additional notification fee required by the New York State Department of Labor due to a project extension beyond one (1) year from commencement of the project, for a revised contract amount \$215,413.14, and

WHEREAS, Resolution No. IF-115-21, dated December 14, 2021, authorized Change Order No. 6 to increase the contract in the amount of \$13,211.11 for select demolition of non-structural partition walls and acoustic tile and grid ceilings in the third floor offices where flooring abatement work is to occur for a revised contract amount of \$228,624.25, and

WHEREAS, it is necessary to increase the contract in the amount of \$5,937.31 for removal of flooring materials additional third floor offices adjacent to the current flooring abatement work is to occur for a revised contract amount of \$234,561.56, 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. 7 to increase the contract by \$5,937.31 for the Asbestos Abatement and Floor Preparation-Court House and Civic Building Project, for a revised contract amount of \$234,561.56 to Metro Environmental, 2939 Lockport Road, Niagara Falls, NY 14305, be approved, and be it further

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

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 01/18/22 **RESOLUTION #:** IF-002-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>IF - 1/10/22</u> <u>AD - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**BEAR RIDGE ROAD CULVERT REHABILITATION PROJECT
CHANGE ORDER NO. 3 - FINAL**

WHEREAS, by Resolution No. IF-053-21, dated May 11, 2021, the Legislature awarded the contract for the Bear Ridge Road Culvert Rehabilitation Project to Concrete Applied Technologies Corp., (CATCO), 1266 Townline Road, Alden, NY 14004, for a contract amount of \$227,749, and

WHEREAS, Resolution No. IF-096-21, dated September 21, 2021, authorized Change Order No. 1 to the contract to extend the contract completion date to October 1, 2021, at no additional cost to the County, and

WHEREAS, Resolution No. IF-117-21, dated December 14, 2021, authorized Change Order No. 2 to increase the contract in the amount of \$40,000 to install additional concrete and guide rail, for a revised contract amount of \$267,749, and

WHEREAS, it is necessary to reduce the contract in the amount of \$3,161.25 for final quantities adjustments, for a revised contract amount of \$264,587.75, 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. 3-Final to decrease the contract by \$3,161.25 for the Bear Ridge Road Culvert Rehabilitation Project, for a revised contract amount of \$264,587.75, to Concrete Applied Technologies Corp., (CATCO), 1266 Townline Road, Alden, NY 14004, be approved, and be it further

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

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee and Administration Committee DATE: 01/18/22 RESOLUTION #: IF-003-22

APPROVED BY CO. ATTORNEY [Signature] REVIEWED BY CO. MANAGER COMMITTEE ACTION IF - 1/10/22 AD - 1/10/22 LEGISLATIVE ACTION Approved: Ayes Abs. Noes Rejected: Ayes Abs. Noes Referred:

CULVERT REHABILITATION-PRECISION TRENCHLESS LLC CHANGE ORDER NO. 2 - FINAL

WHEREAS, by Resolution No. IF-075-21, dated June 15, 2021, the Legislature awarded the contract for the Rehabilitation of Six Cross Culverts Project to Precision Trenchless LLC, 1710 Erie Blvd., Schenectady, NY 12308, for a contract amount of \$212,650, and

WHEREAS, Resolution No. IF-092-21, dated August 3, 2021, authorized Change Order No. 1 to increase the contract in the amount of \$2,700 for OCP insurance that is required for the project, for a revised contract amount of \$215,350, and

WHEREAS, it is necessary to reduce the contract in the amount of \$38,716.45 for final quantities adjustments, for a revised contract amount of \$176,633.55, 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-Final to decrease the contract by \$38,716.45 for the Rehabilitation of Six Cross Culverts Project, for a revised contract amount of \$176,633.55, to Precision Trenchless LLC, 1710 Erie Blvd., Schenectady, NY 12308, be approved, and be it further

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

INFRASTRUCTURE & FACILITIES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee DATE: 01/18/22 RESOLUTION #: IF-004-22
and Administration Committee

APPROVED BY CO. ATTORNEY [Signature] REVIEWED BY CO. MANAGER COMMITTEE ACTION IF - 1/10/22 AD - 1/10/22 LEGISLATIVE ACTION Approved: Ayes Abs. Noes Rejected: Ayes Abs. Noes Referred:

SUNSET DRIVE ROAD AND DRAINAGE IMPROVEMENTS CHANGE ORDER NO. 2 - FINAL

WHEREAS, by Resolution No. IF-038-21, dated April 20, 2021, the Legislature awarded the contract for the Sunset Drive Road and Drainage Improvements Project to Union Concrete & Construction, P.O. Box 410, West Seneca, NY 14224, for a contract amount of \$1,460,346.50, and

WHEREAS, Resolution No. IF-079-21, dated June 15, 2021, authorized Change Order No. 1 to increase the contract in the amount of \$100,000 for parking lot restoration at the Niagara County Public Safety Training Facility, for a revised contract amount of \$1,560,346.50, and

WHEREAS, it is necessary to reduce the contract in the amount of \$465,725.10 for final quantities adjustments, for a revised contract amount of \$1,094,621.40, 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-Final to decrease the contract by \$465,725.10 for the Sunset Drive Road and Drainage Improvements Project, for a revised contract amount of \$1,094,621.40, to Union Concrete & Construction, P.O. Box 410, West Seneca, NY 14224, be approved, and be it further

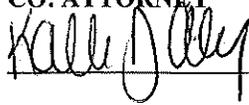
RESOLVED, that, following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the required documents.

INFRASTRUCTURE & FACILITIES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee DATE: 01/18/22 RESOLUTION #: IF-005-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION IF - 1/10/22 AD - 1/10/22	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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BEAR RIDGE ROAD RESURFACING
CAMBELL BLVD. TO WEST CANAL ROAD
CHANGE ORDER NO. 1 - FINAL

WHEREAS, by Resolution No. IF-073-21, dated June 15, 2021, the Legislature awarded the contract for the Bear Ridge Road Resurfacing Project to Amherst Paving, Inc., 330 Meyer Road, Amherst, NY 14226, for a contract amount of \$906,683.96, and

WHEREAS, it is necessary to decrease the contract in the amount of \$269,626.15 due to final quantities adjustments, for a revised contract amount of \$637,057.81, 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-Final to decrease the contract by \$269,626.15 for the Bear Ridge Road Resurfacing Project, for a revised contract amount of \$637,057.81, to Amherst Paving, Inc., 330 Meyer Road, Amherst, NY 14226, be approved, and be it further

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

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee DATE: 01/18/22 RESOLUTION #: IF-006-22
and Administration Committee

APPROVED BY CO. ATTORNEY [Signature] REVIEWED BY CO. MANAGER COMMITTEE ACTION IF - 1/10/22 AD - 1/10/22 LEGISLATIVE ACTION Approved: Ayes Abs. Noes Rejected: Ayes Abs. Noes Referred:

CARMEN ROAD BRIDGE OVER JOHNSON CREEK CONSULTANT AMENDMENT NO. 1

WHEREAS, Resolution No. IF-106-20, dated September 15, 2020, authorized the contract for consultant services for the Carmen Road Bridge over Johnson Creek Project to CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, for a fee not to exceed \$242,000, and

WHEREAS, it is necessary to amend the contract for construction administration and construction inspection services in the amount of \$199,000, for a revised contract amount of \$441,000, and

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

RESOLVED, that Amendment No. 1 to increase the contract by \$199,000 for the Carmen Road Bridge over Johnson Creek Project, for a revised contract amount of \$441,000 to CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, be approved, and be it further

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

INFRASTRUCTURE & FACILITIES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 01/18/22 **RESOLUTION #:** IF-007-22

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>IF - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**RENEW THE SHARED SERVICES AGREEMENT FOR
STORMWATER MANAGEMENT COORDINATOR**

WHEREAS, the Department of Public Works desires to continue the shared services agreement with the City of Tonawanda to assist the County with the compliance of Phase II Stormwater Regulations, and

WHEREAS, continuation of the shared services agreement with the City of Tonawanda would be beneficial to both municipalities, and

WHEREAS, funds are available in account D.15.5140.000 74650.08, Consultant Services, 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

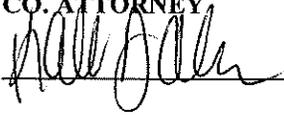
RESOLVED, that the shared services agreement for the implementation of the Phase II Stormwater Regulations be renewed with the City of Tonawanda, 200 Niagara Street, Tonawanda, NY 14150, for a contract amount not to exceed \$47,100 for the period March 1, 2022 through February 28, 2023, and be it further

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

INFRASTRUCTURE & FACILITIES
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 01/18/22 **RESOLUTION #:** IF-008-22
and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	<u>IF - 1/10/22</u>	Approved: Ayes _____ Abs. _____ Noes _____
	_____	<u>AD - 1/10/22</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**AKRON ROAD PAVEMENT REHABILITATION DYSINGER ROAD TO
 LOCKPORT CITY LINE FEDERAL AID LOCAL PROJECT AGREEMENT
 SUPPLEMENTAL AGREEMENT NO. 2**

WHEREAS, the Akron Road Pavement Rehabilitation (from Dysinger Road to the Lockport City Line) Project, Town of Lockport, Niagara County, 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 Engineering (Design I-VI) and Construction/Construction Inspection 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 attached agreement:

DECREASE ANTICIPATED REVENUE:

H701.15.5112.000 43501.00	Consol Hwy Aid Revenue	\$205,600
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INCREASE ANTICIPATED REVENUE:

H701.15.5112.000 43591.00	State Aid Cap Const Hwy Rev	\$228,000
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INCREASE ANTICIPATED APPROPRIATIONS:

H701.15.5112.000 72600.01	Infrastructure Roads	\$ 22,400
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RESOLVED, that the sum of \$1,780,000 is hereby appropriated in account H701.15.5112.000 72600.01 and made available to cover the cost of participation in the above phases of the project, 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 Construction/Construction Inspection 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 Chairman 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.

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 01/18/22 **RESOLUTION #:** IF-009-22
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER _____	COMMITTEE ACTION <u>IF - 1/10/22</u> <u>AD - 1/10/22</u> _____	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**CARMEN ROAD BRIDGE OVER JOHNSON CREEK BRIDGE REPLACEMENT
SUPPLEMENTAL AGREEMENT NO. 1**

WHEREAS, the Carmen Road Bridge over Johnson Creek Bridge Replacement Project, town of Hartland, Niagara County, BIN 3328940 (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 Engineering (Phases I-VI) and Construction/ Construction Inspection 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/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:

H621.15.5197.000 44597.01	Federal Aid Cap Const Hwy Rev	\$1,200,000
H621.15.5197.000 43591.00	State Aid Cap Const Hwy Rev	\$ 30,000

INCREASE ANTICIPATED APPROPRIATIONS:

H621.15.5197.000 72600.02	Infrastructure Bridges	\$1,230,000
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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 Engineering and Construction/Inspection 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 Chairman 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.

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 01/18/22 **RESOLUTION #:** IF-010-22

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>IF - 1/10/22</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**DPW – HIGHWAY
EXPENDITURE OF COUNTY ROAD FUND MONIES**

WHEREAS, the Commissioner of Public Works recommends the expenditure of County Road Fund monies for maintenance of roads under Section 129 of the Highway Law, as set forth on the attached form, in the sum of \$8,855,249, and

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

RESOLVED, that the recommendation of the Commissioner of Public Works be approved, and the sum of \$8,855,249 be appropriated from the County Road Fund for maintenance during the year 2022, 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.

INFRASTRUCTURES & FACILITIES
COMMITTEE