

PROCEEDINGS
OF THE
LEGISLATURE

OF THE
COUNTY OF NIAGARA
STATE OF NEW YORK

OFFICIAL RECORD

Lockport, New York
January 2, 2019

The Legislature of the County of Niagara, State of New York, convened in annual session in the Legislature Chambers, Courthouse, Lockport, New York on Wednesday, January 2, 2019 for the purpose of electing officers for the ensuing year.

County Clerk Joseph Jastrzemski, acting as Chairman pro temp, called the Legislature meeting to order at 7:11 p.m. and gave the invocation.

On roll call the following Legislators were present from the several legislative districts:

First	Clyde L. Burmaster
Second	Rebecca J. Wydysh
Third	Mark J. Grozio
Fifth	Jason A. Zona
Sixth	Dennis F. Virtuoso
Seventh	Vacant
Eighth	Richard L. Andres Jr.
Ninth	Randy R. Bradt
Tenth	David E. Godfrey
Eleventh	Anthony J. Nemi
Twelfth	William J. Collins
Thirteenth	Wm. Keith McNall
Fourteenth	John Syracuse
Fifteenth	Michael A. Hill
Absent:	
Fourth	Owen T. Steed

The Chairman pro temp Joseph Jastrzemski asked for nominations for temporary Chairman.
Moved by Syracuse, seconded by Nemi, that Legislator Burmaster be nominated for temporary Chairman.
Moved by Syracuse, seconded by Nemi, that the nominations be closed.
Carried.

Chairman pro temp Jastrzemski declared Legislator Burmaster as the temporary Chairman.

Temporary Chairman Burmaster asked for nominations for permanent Chairman.
Moved by Bradt, seconded by Nemi, that Legislator McNall be nominated for permanent Chairman.

Moved by Bradt, seconded by Nemi, that the nominations be closed.
Carried.

Temporary Chairman Burmaster declared Legislator McNall as the Chairman.

Chairman McNall took a few minutes to say some remarks and thanked his family and fellow Legislators for their vote of confidence in him.

Moved by McNall, seconded by Bradt, to designate Legislator Burmaster to serve as Vice Chairman.

Moved by McNall, seconded by Bradt, that nominations be closed.
Carried.

Chairman McNall designated Legislator Burmaster to serve as Vice-Chairman.

Moved by Andres, seconded by Wydysh, to appoint Mary Jo Tamburlin as the Clerk of the Legislature.

Moved by Andres, seconded by Wydysh, to close nominations.
Carried.

Mary Jo Tamburlin was declared the Clerk of the Legislature.

Legislator Bradt announced that Legislator Bradt would serve as Majority Leader, Legislator Syracuse as First Deputy and Legislator Hill as Second Deputy Majority Leader.

Legislator Zona announced that Legislator Virtuoso would serve as Minority Leader, Legislator Steed as First Deputy and Legislator Grozio as Second Deputy Minority Leader.

Moved by Nemi, seconded by Godfrey, that the Board will meet on the following dates, or at the call of the Clerk of the Legislature.
Carried.

NIAGARA COUNTY LEGISLATURE 2019 MEETING SCHEDULE

7:00 P.M.

January

Wednesday, January 2, 2019 (Organizational Mtg.)
Tuesday, January 15, 2019

February

Tuesday, February 19, 2019

March

Tuesday, March 19, 2019

April

Tuesday, April 9, 2019

May

Tuesday, May 7, 2019
Tuesday, May 21, 2019

June

Tuesday, June 18, 2019

August

Tuesday, August 6, 2019

September

Tuesday, September 17, 2019

October

Tuesday, October 15, 2019

November

Tuesday, November 19, 2019

December

Tuesday, December 3, 2019 (Budget Hearings)
Tuesday, December 10, 2019 (Budget Vote)

Moved by Nemi, seconded by Hill, that Wm. Keith McNall is designated to serve on the Niagara County Jury Board.
Carried.

Moved by Andres, seconded by Collins, to appoint Gary Billingsley as the Attorney for the Aging.
Carried.

Moved by Virtuoso, seconded by Nemi, that the two Niagara County newspapers, namely: the Niagara Gazette, Lockport Union Sun & Journal are designated as the official newspapers.
Carried.

Resolution No. CW-001-19

From: Committee of the Whole

Dated: January 2, 2019

**ABOLISH TWO PART TIME ASSISTANT DISTRICT ATTORNEY POSITIONS/CREATE & FILL
ONE FULL TIME ASSISTANT DISTRICT ATTORNEY POSITION**

WHEREAS, the Niagara County District Attorney's Office currently has two part time Assistant District Attorney positions, budgeted at Attorney III, Step 5, \$43,820 annually, with benefits, and

WHEREAS, one of these positions is vacant due to a recent resignation, and

WHEREAS, the District Attorney has determined that it is in the best interest of the operations of the District Attorney's Office and Niagara County to abolish both part time Assistant District Attorney positions and create one full time Assistant District Attorney position, and

WHEREAS, this change will result in a cost saving to the taxpayers of Niagara County, now, therefore, be it

RESOLVED, that effective January 7, 2019, part time positions #10526 and #10631 be abolished, and be it further

RESOLVED, that effective January 7, 2019, a full time Assistant District Attorney position, Grade ATT III, Step 5, \$87,650 annually, be created and filled, and be it further

RESOLVED, that the following budget modifications be effectuated in the District Attorney's 2019 operating budget:

DECREASE APPROPRIATIONS:

A.02.1165.000.71030.00.10526	PT Positions-Asst. District Attorney	\$43,820
A.02.1165.000.71030.00.10631	PT Positions-Asst. District Attorney	\$42,978

INCREASE APPROPRIATIONS:

A.02.1165.000.71010.00.xxxxx	Positions-Asst. District Attorney	\$86,798
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Moved by Burmaster, seconded by Hill.

Adopted. 12 Ayes, 0 Noes, 1 Absent - Steed.

Resolution No. CW-002-19

From: Committee of the Whole

Dated: January 2, 2019

**CALLING FOR STATE LEGISLATION TO ALLOW NIAGARA COUNTY
TO INCREASE THE BED TAX AND DESIGNATE THE**

**INCREASE FOR THE DISCOVER NIAGARA SHUTTLE OR OTHER TRANSPORTATION
ENTITIES THAT SUPPORT TOURISM WITHIN NIAGARA COUNTY**

WHEREAS, Niagara County believes in Home Rule and should be able to determine the most preferable way to pay for service to promote tourism, and

WHEREAS, Niagara County sees an advantage to an additional 1% increase of the current Bed tax to aid and promote tourism in Niagara County, and

WHEREAS, the County has an opportunity to assist the Niagara Falls National Heritage Area in its operation of the Discover Niagara Shuttle or other entities for transportation or economic development purposes pursuant to New York State Tax Law Article 29 § 1201-d(a) authority to impose tax, and

WHEREAS, the Discover Niagara Shuttle service presently serves the city of Niagara Falls, and along the Niagara River Corridor to the village of Youngstown, and

WHEREAS, Niagara County anticipates several benefits to an additional 1% increase of the current Bed tax, which would include:

1. Promote Tourism by the ease of Transportation to and from all the tourist sites in the city of Niagara Falls, town of Lewiston, Village of Youngstown and in the future the city of Lockport and city of North Tonawanda;
2. Increase Shuttle connections to the city of Lockport and city of North Tonawanda;
3. Relieve congestion of tourism traffic on the roads, parking, and provide a scenic commute throughout the existing Niagara County tourist locations.

and

WHEREAS, there are several attractions in the city of Lockport; the Flight of Five Locks, Lockport Discovery Center, and the Lockport caves; and in North Tonawanda the Carousel Factory Museum, the Canal Fest, thus the shuttle service would promote these attractions, now, therefore, be it

RESOLVED, that the Niagara County Legislature requests the State of New York Legislature to draft companion bills for the purposes of increasing the existing bed tax by 1% designated specifically to the Discover Niagara Shuttle, and be it further

RESOLVED, that the drafting of this legislation on the state level would provide Niagara County the option of passing a Home Rule Message in support of such legislation, and be it further

RESOLVED, that subsequent to the State's adoption, Niagara County would have an opportunity to present a local law which would call for action to allow Niagara County residents , and visitors easy comfortable transportation between Niagara County attractions, and be it further

RESOLVED, that the Niagara County Legislature respectfully requests the New York State Senate and Assembly to submit companion bill that would pave the way for the County's Local Law and Public Hearing and that copies of this resolution be sent immediately to Niagara county's state representatives.

Moved by Zona, seconded by Virtuoso.

Adopted. 12 Ayes, 0 Noes, 1 Absent – Steed

A motion was made by Legislator Bradt, seconded by Legislator Andres that Jesse P. Gooch fill the 7th District vacancy held by former Legislator Kathryn L. Lance.

Carried. 10 Ayes, 3 Noes – Grozio, Virtuoso, Zona, 1 Absent – Steed

Legislator Gooch was sworn in by County Clerk Joseph Jastrzemski and took his seat.

NIAGARA COUNTY 2019 STANDING COMMITTEES

WM. KEITH MCNALL, CHAIRMAN
CLYDE L. BURMASTER, VICE CHAIRMAN
RANDY R. BRADT, MAJORITY LEADER
DENNIS F. VIRTUOSO, MINORITY LEADER

ADMINISTRATION

(County Manager, County Attorney, Management & Budget, Treasurer, Audit, Real Property, Legislature, Printing/Mailing, Human Resources, Civil Service, Risk Management, Board of Elections)

NEMI, COLLINS, BRADT, GODFREY, VIRTUOSO

Co. Attorney - C. Joerg, J. Ottaviano

Secretary- Lisa Serianni, 439-7005

COMMUNITY SERVICES

(Social Services, Employment & Training, Youth Bureau, Office for the Aging, Public Health, Mental Health, NCCC, County Clerk/DMV, Historian, Veterans Services)

WYDYSH, BURMASTER, GOOCH, GODFREY, STEED

Co. Attorney – G. Lisowski

Secretary – Jackie Langdon, 439-7435

COMMUNITY SAFETY & SECURITY

(Sheriff, District Attorney, Public Defender, Probation, Fire Coordinator/Emergency Services, Coroners, Conflicts and Assigned Council)

GODFREY, HILL, NEMI, WYDYSH, ZONA

Co. Attorney – B. Seaman

Secretary – Joan Rocco, 438-3370

ECONOMIC DEVELOPMENT

(Economic Development, Niagara Co. Industrial Development Agency)

ANDRES, COLLINS, BRADT, GOOCH, WYDYSH, ZONA

Co. Attorney – T. Burgasser

Secretary-Cathie Synor, 278-8750

GREENWAY (ad hoc committee-under Economic Development)

ANDRES, BRADT, NEMI, SYRACUSE, STEED

INFRASTRUCTURE & FACILITIES

(Public Works, Parks/Golf Course, Refuse Disposal District, Sewer District, Water District, Weights & Measures, Information Technology, Buildings & Grounds)

SYRACUSE, HILL, BRADT, COLLINS, GROZIO

Co. Attorney – T. Burgasser (Parks/Golf Course), D. Koplas

Secretary- Mary Bergman, 439-7242

REFUSE DISPOSAL DISTRICT (ad hoc committee-under Infrastructure & Facilities)**HILL, WYDYSH, BURMASTER, BRADT, COLLINS, GOOCH, GROZIO, NEMI, SYRACUSE, STEED**

Co. Attorney – G. Lisowski

Moved by Bradt, seconded by Zona, to approve the Standing Committee structure as presented.

Carried.

APPOINTMENTS:

TRAFFIC SAFETY BOARD:

	<u>Appt.</u>	<u>Expires</u>
Cathleen A. Davis, Niagara County Traffic Safety Educator 1711 Quaker Rd. Barker 14094	01/02/19	12/31/21
James Sutor, Chief, Town of Niagara Police Dept. 7105 Lockport Rd., Niagara Falls 14305	01/02/19	12/31/21
Mark Crocker, Supervisor, Town of Lockport 6560 Dysinger Rd., Lockport, NY 14094	01/02/19	12/31/21
John P. Granchelli, Asst. District Attorney Niagara County Courthouse, 175 Hawley St., Lockport NY 14094	01/02/19	12/31/21
John Swick, Chief, Middleport Police Dept., PO Box 186, Middleport 14105	01/02/19	12/31/21
Moved by Syracuse, seconded by Hill.		
Adopted. 14 Ayes, 0 Noes, 1 Absent - Steed.		

Moved by Bradt, seconded by Virtuoso, that the Board adjourn.
Carried.

The Chairman declared the Board adjourned at 7:35 p.m., subject to the call of the Clerk.

1 citizens spoke at this time on the General Welfare of the County.

Mary Jo Tamburlin, Clerk