

A public hearing was held pursuant to IL-127-24, adopted by the Legislature on September 17, 2024, for the purpose of hearing public comments on A Local Law Increasing the Maximum Alternative Veteran's Exemption. Legislator Godfrey opened the hearing at 5:50 p.m. and closed it at approximately 5:53 p.m.

## **OFFICIAL RECORD**

Lockport, New York  
October 15, 2024

The meeting was called to order by Chairman Wydysh at 6:01 p.m.

Clerk Tomasino called the roll. All Legislators were present with the exception of Legislators Bradt and Gooch.

Chairman welcomed all the student interns and had them introduce themselves.

Chairman Wydysh called Legislator Myers to the lectern to read a proclamation declaring the Month of October 2024 as National Breast Cancer Awareness Month in Niagara County.

Chairman Wydysh called North Tonawanda Fire Chief Joseph Sikora to the lectern to on speak on the impact of the County Ambulance Service on North Tonawanda and thanked the County for all their support.

No citizens spoke on the Agenda.

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

### **Resolution No. AD-023-24**

From: Administration Committee.

Dated: October 15, 2024

## **RESOLUTION APPROVING ENGAGEMENT TO REPAY FOR PROFESSIONAL PAYMENT SERVICES TO NIAGARA COUNTY**

WHEREAS, the County of Niagara wishes to enter into an agreement to use REPAY for selected supplier payment services, and

WHEREAS, REPAY provides services designed to streamline payment execution processes. REPAY is a payment outsourcing service that provides electronic payment processing via "virtual card "(credit card), and

WHEREAS, REPAY services are at no cost to the County, but provides to the County a percent rebate for every payment transaction, and

WHEREAS, in accordance with the bidding procedures applicable to bids sought from professional organizations and further based on the current, general and specific payment needs of the County of Niagara, the Department of Audit has recommended acceptance of contract with REPAY , and

WHEREAS, REPAY is experienced in performing payment services though out the United States; their reputation, knowledge, and experience in payment services in numerous counties, schools, municipalities and private businesses are an advantage in the selection of this firm, REPAY was founded on the principle of providing their clients with high quality level of service and personal attention, they are dedicated to the pursuit of imaginative, intelligent and proactive solutions to all of our payment needs, all are positive factors in the Department of Audit's recommendation, and

WHEREAS, under Niagara County's Purchasing Guidelines, the Niagara County Legislature and the requisite committee(s) have the discretion to waive the Requests for Proposal for a professional services contract, and

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

RESOLVED, that the Niagara County Legislature approved the waiver of the Niagara County Purchasing Policy for Professional Services for electronic payment procession; and it is further

RESOLVED, that following the County Attorney's review, the engagement agreement engaging REPAY for selected supplier payment services may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. AD-024-24**

From: Administration Committee.

Dated: October 15, 2024

**RESOLUTION AUTHORIZING AND  
APPROVING A SETTLEMENT AGREEMENT  
TO AN ACTION RELATING TO THE OPIOID CRISIS  
(TARGET CORPORATION)**

WHEREAS, there is a pending matter in which Suffolk County, Nassau County and the State of New York have engaged in extensive negotiations for a settlement agreement ("the Agreement") with Target Corporation and its subsidiaries regarding the companies' manufacturing and distribution of opioids; and

WHEREAS, the proposed Agreement is a New York only settlement, with a share of monies being allocated among governmental subdivisions, and

WHEREAS, political subdivisions in the State, including Niagara County will now have an opportunity to become a party to the Target Corporation settlement, and

WHEREAS, the settle the claims is a full resolution of governmental claims filed in the state, which will ensure maximum recovery to all; with some of the settlement proceeds must be used in a restricted manner on "Approved Uses" only, and

WHEREAS, it is in the best interest of the County of Niagara to resolve this matter with respect to the Distributors without further litigation and execute the Target Corporation Master Settlement Agreement and Settling Subdivision Participation Release Form to participate and receive a share of the Agreement, now, therefore, be it

RESOLVED, that the execution and delivery on behalf of and in the name of the County of Niagara by the Chairman of the Niagara County Legislature, Rebecca J. Wydysh, or her designee, of the proposed Master Settlement Agreement is hereby authorized, and the Chairman of the Niagara County Legislature, Rebecca J. Wydysh, or her designee, is hereby authorized, subject to the approval of the Niagara County Attorney, Claude A. Joerg, and directed to execute the proposed Master Settlement Agreement in a form substantially similar thereto and execute such other documents as may be necessary and appropriate to effectuate the settlement with the Distributors; and be it further

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. AD-025-24**

From: Administration Committee.

Dated: October 15, 2024

**RESOLUTION AUTHORIZING AND  
APPROVING A SETTLEMENT AGREEMENT  
TO AN ACTION RELATING TO THE OPIOID CRISIS  
(HENRY SCHEIN, INC. AND HENRY SCHEIN MEDICAL SYSTEMS, INC.)**

WHEREAS, there is a pending matter in which Suffolk County, Nassau County and the State of New York have engaged in extensive negotiations for a settlement agreement (“the Agreement”) with Target Corporation and its subsidiaries regarding the companies’ manufacturing and distribution of opioids; and

WHEREAS, the proposed Settlement Agreement is a New York only settlement, with a share of monies being allocated among governmental subdivisions, and

WHEREAS, political subdivisions in the State, including Niagara County will now have an opportunity to become a party to the Henry Schein, Inc. and Henry Schein Medical Systems, Inc. settlement, and

WHEREAS, the settle the claims is a full resolution of governmental claims filed in the state, which will ensure maximum recovery to all; with some of the settlement proceeds must be used in a restricted manner on “Approved Uses” only, and

WHEREAS, it is in the best interest of the County of Niagara to resolve this matter with respect to the Distributors without further litigation and execute the Henry Schein, Inc. and Henry Schein Medical Systems, Inc., Settlement Agreement and Settling Subdivision Participation Release Form to participate and receive a share of the Agreement, now, therefore, be it

RESOLVED, that the execution and delivery on behalf of and in the name of the County of Niagara by the Chairman of the Niagara County Legislature, Rebecca J. Wydysh, or her designee, of the proposed Settlement Agreement is hereby authorized, and the Chairman of the Niagara County Legislature, Rebecca J. Wydysh, or her designee, is hereby authorized, subject to the approval of the Niagara County Attorney, Claude A. Joerg, and directed to execute the proposed Settlement Agreement in a form substantially similar thereto and execute such other documents as may be necessary and appropriate to effectuate the settlement with the Distributors; and be it further

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CS-053-24**

From: Community Services and Administration Committees.

Dated: October 15, 2024

**BUDGET MODIFICATION  
CHILD CARE AND DEVELOPMENT BLOCK GRANT**

WHEREAS, State Welfare reform legislation established the Child Care and Development Block Grant. the CCDBG combines federal, state and local funds to provide reimbursement for child care services, also referred to as day care or day care services, and

WHEREAS, in order to combat the current child care crisis throughout New York State, the NYS Office of Children and Family Services has made significant statutory and regulatory changes, and program expansions, and

WHEREAS, the SFY 2024 budget reappropriated funding to supplement existing federal, state, and local funding to support the Child Care Assistance Program, now, therefore, be it

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

**INCREASE REVENUE:**

A.22.6055.000 44689.00	Other Social Services Day Care Revenue	\$ 2,193,129
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**INCREASE APPROPRIATION:**

A.22.6055.000 74500.01	Contractual Exp – Contractual	\$ 2,193,129
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Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CS-054-24**

From: Community Services and Administration Committees.

Dated: October 15, 2024

**BUDGET MODIFICATION-CREATE AND FILL PER DIEM PUBLIC HEALTH ENGINEER  
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, Engineers are required to approve sewer, septic, water, subdivision construction, and

WHEREAS, the Environmental Division of the Department of Health has had two of our three Professional Engineer's retire with the third to retire in a few months, and

WHEREAS, there are no available applicants, and

WHEREAS, support is needed for engineering projects as they arise along with the search for an engineering firm, and

WHEREAS, funds are available from our vacant Supervising Public Health Engineer position, now, therefore, be it

RESOLVED, that one Per Diem Public Health Engineer, \$55 per hour without benefits, be created and filled effective October 20, 2024, and be it further

RESOLVED, the following budget modification be made:

**DECREASE APPROPRIATIONS:**

A.20.4090.000 71010.00	Position #13906	\$10,000
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**INCREASE APPROPRIATIONS:**

A.20.4090.000 71030.00	Part Time	\$ 9,077
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A.20.4090.000 78200.00	FICA	\$ 694
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A.20.4090.000 78300.00	Worker's Comp	\$ 229
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Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CS-055-24**

From: Community Services and Administration Committees.

Dated: October 15, 2024

**RESOLUTION FOR FUNDING OF THE BUILDOUT OF THE RELOCATION OF PUBLIC HEALTH CLINIC AND OFFICES - DEPARTMENT OF HEALTH**

WHEREAS, Resolution No. IF-035-24 dated February 20, 2024 awarded a lease agreement to BMBM Properties, LLC for office space at 55 Stevens Street, Lockport, New York to meet the needs of the Department of Public Health Clinic and offices, and

WHEREAS, BMBM Properties, LLC has agreed to a buildout of the leased space which is necessary to make the space suitable for the offices and clinic, and

WHEREAS, the location for this buildout and lease agreement will be in a central location in the City of Lockport placing the Clinic in a location accessible by public transportation and in close proximity to other needed services, and

WHEREAS, funds are available through the American Rescue Plan Act to cover the cost of the buildout, now, therefore, be it

RESOLVED, that the County of Niagara will utilize funds from the American Rescue Plan Act (ARPA) to fund the lease buildout costs for the Public Health Clinic, and offices, and be it further

RESOLVED, the following budget modification be effectuated:

**INCREASE REVENUE:**

A.20.4189.401 44089.07	ARPA State/Local Rec Fund	\$700,000
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**INCREASE APPROPRIATIONS:**

A.20.4189.401 74200.01	Rents/Leases Rent	\$700,000
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Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CS-056-24**

From: Community Services and Administration Committees.

Dated: October 15, 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, NCDMH has operated the Niagara County Presenting Alternatives to Treatment & Healing (PATH) team since 2019, working with Local Law Enforcement, First Responders, and Probation to connect individuals struggling with opioid use disorders with community-based supports and services, while diverting them from criminal justice involvement, and

WHEREAS, funded through a Department of Justice Grant and Opioid Settlement Funds, the PATH team has provided the County’s Quick Response to Overdose Team (QRT) and community outreach in partnership with local peer organizations, and

WHEREAS, effective November 1<sup>st</sup>, NCDMH will continue to partner with Community Missions, Inc., making additional Restricted Opioid Settlement Funds available, to further the services to facilitate access for participants to recovery supports and treatment services, advocacy, groups, and transportation, to address the need for prevention and outreach related to Opioid Use, Substance Use, and co-occurring Mental Health conditions, now, therefore, be it

RESOLVED, that the Director of Community Services is authorized to engage in the process to carry out the necessary agreements between the County and Community Missions, Inc., 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	\$ 16,652
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INCREASE EXPENSE:

A.21.4310.816.74500.01	Contractual Expenses	\$ 16,652
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Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CS-057-24**

From: Community Services and Administration Committees.

Dated: October 15, 2024

WHEREAS, the New York State Office of Mental Health (OMH) and New York State Office of Addiction Services and Supports (OASAS) has approved additional State Aid COLA for the calendar year of 2024 for various agencies, now, therefore, be it

RESOLVED, that the Director of Community Services is hereby authorized to engage in the process to carry out the necessary agreements between the County and the various sub-contractors as aforesaid, subject to the approval of the County Attorney's Office, and be it further

RESOLVED, that the following budget modifications be effectuated:

**INCREASE REVENUES:**

CM.21.4322.415.43490.01	Mental Health Programs (United Cerebral Palsy-Empower, Community Missions)	\$ 736
CM.21.4322.416.43489.04	Case Management (New Directions)	\$ 831
CM.21.4322.423.43490.14	Supported Housing (Community Missions, DePaul)	\$ 36,288

**INCREASE APPROPRIATIONS:**

CM.21.4322.415.74500.01	Community Support/MH Services Programs (United Cerebral Palsy-Empower, Community Missions)	\$ 736
CM.21.4322.416.74500.01	Case Management (New Directions)	\$ 831
CM.21.4322.423.74500.01	Supported Housing (Community Missions, DePaul)	\$ 36,288

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CS-058-24**

From: Community Services and Administration Committees.

Dated: October 15, 2024

**BUDGET TRANSFER - A4310  
COURT ORDERED COUNTY MANDATED COSTS**

WHEREAS, the County is required by Criminal Procedure Law Articles 730.20 and 730.50, and Family Court Act Article 120, to pay for Court ordered hospital in-patient stays and mental health examinations, and

WHEREAS, as a result of the bills generated by the length of hospital stay imposed by Court Orders for year 2024, outstanding expenses currently exist, and

WHEREAS, based on these current Court Orders the expenses to the end of the year will exceed budget, and

WHEREAS, during the State 2021 budget process, in Spring 2020, the State determined that 100% of the costs would be the responsibility of the counties, negating the longstanding practice of the state paying 50% of the mandated costs, and

WHEREAS, this decision was effective April 1, 2020, and

WHEREAS, the Niagara County Department of Mental Health administers payment of these bills on behalf of the County, now, therefore, be it

RESOLVED, should there be additional Court Ordered expenses before end of the year, another request will be necessary, and be it further

RESOLVED, the following budget transfer be effectuated:

INCREASE APPROPRIATED FUND BALANCE:

A.40599.00	Appropriated Fund Balance	\$ 667,925
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INCREASE APPROPRIATIONS:

A.21.4310.000 74550.17	Department of Mental Hygiene	\$ 667,925
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Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CS-059-24**

From: Community Services and Administration Committees.

Dated: October 15, 2024

**RESOLUTION FOR FUNDING OF THE BUILDOUT OF THE RELOCATION  
OF MENTAL HEALTH CLINIC AND OFFICES**

WHEREAS, Resolution No. CS-017-24 dated February 20, 2024 awarded a lease agreement to Benderson Development for office space at 475 South Transit Road, Lockport, New York to meet the needs of the Mental Health Clinic and offices, and

WHEREAS, Benderson Development has agreed to a buildout of the leased space which is necessary to make the space suitable for the offices and clinic, and

WHEREAS, the location for this buildout and lease agreement will be in a central location in the City of Lockport placing the Clinic in a location accessible by public transportation and in close proximity to other needed services, and

WHEREAS, funds are available through the American Rescue Plan Act to cover the cost of the buildout, now, therefore, be it

RESOLVED, that the County of Niagara will utilize funds from the American Rescue Plan Act (ARPA) to fund the lease buildout costs for the Mental Health Clinic and offices, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE

A.21.4310.000 44089.07	ARPA State/Local Rec Fund	\$858,245.07
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INCREASE APPROPRIATION

A.21.4310.000 74200.01	Rents/Leases Rent	\$858,245.07
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Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CS-060-24**

From: Community Services and Administration Committees.

Dated: October 15, 2024

**2025 CONTRACTS - MENTAL HEALTH DEPARTMENT**

WHEREAS, funds are available in the Year 2025 Tentative Budget under the various line items of the Mental Health Department, and



WHEREAS, the Mental Health Department upon the advice of the Niagara County Community Services Board, recommends that contracts between the Mental Health Department and the following agencies be approved for 2024, now, therefore, be it

RESOLVED, contingent upon approval of the Year 2025 Tentative Budget, the Director of Community Services be and is hereby, authorized to engage in the process to carry out the necessary agreements between the County and the various sub-contractors as aforesaid, subject to the approval of the County Attorney's Office.

CM.21.4322.415.74500.01	CSS Programs	
.74500.01	Community Missions	\$ 826,067
.74500.01	New Directions (Wyndham Lawn)	\$ 88,392
.74500.01	Mental Health Association	\$ 182,422
.74500.01	Dale Association	\$ 98,960
.74500.01	Spectrum Human Services	\$ 153,662
.74500.01	United Cerebral Palsy	<u>\$ 44,088</u>
		\$1,393,591
CM.21.4322.415.74550.06	Reinvestment Programming	
.74550.06	Community Missions	\$ 222,266
.74550.06	Mental Health Association	\$ 209,682
.74550.06	New Directions (Wyndham Lawn)	\$ 115,244
.74550.06	Niagara Falls Memorial Medical Center	\$ 284,789
.74550.06	Dale Association	<u>\$ 62,632</u>
		\$ 894,613
CM.21.4322.416.74500.01	Case Management Programs	
.74500.01	Pinnacle (formerly Family & Children's)	\$ 747,533
.74500.01	New Directions (Wyndham Lawn)	\$ 175,936
.74500.01	Community Missions	\$ 163,133
.74500.01	Niagara Falls Memorial Medical Center	<u>\$ 29,295</u>
		\$1,115,897
CM.21.4322.423.74500.01	Supported Housing	
.74500.01	Community Missions	\$ 431,680
.74500.01	Living Opportunities of DePaul	<u>\$ 282,821</u>
		\$ 714,501
A.21.4322.425.74500.01	Best Self	
.74500.01	Contractual	\$ 258,006
A.21.4322.412.74500.01	Mental Health Association	
.74500.01	Contractual	\$ 124,684
A.21.4322.413.74500.01	NYS OASAS Peer Engagement Services	
.74500.01	Western New York Independent Living	\$ 168,825
A.21.4322.424	Cazenovia Recovery	
.74550.08	Alcoholism	\$ 1,730,366
A.21.4322.414	Northpointe Council	
.74550.08	Alcoholism	\$ 2,527,813

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-096-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION – ACCEPT DCJS 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 a grant under the New York State FY2021 Edward Byrne Memorial Justice Assistance Grant in the amount of \$84,800, and

WHEREAS, this grant will allow the Sheriff's Office to purchase needed law enforcement equipment including but not limited to vest plates with carriers, Corrections Emergency Response Team Equipment, Patrol Vehicle storage units, Patrol Bikes, Radar Units and Ballistic Shields, 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 FY2021 Edward Byrne Memorial Justice Assistance 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	\$84,800
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**INCREASE APPROPRIATIONS:**

A.17.3645.000 72100.21	Law Enforcement Equipment	\$ 77,300
A.17.3645.000 74750.05	Law Enforcement Supplies	\$ 7,500

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-097-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION – ACCEPT FY24 COPS  
TECHNOLOGY AND EQUIPMENT GRANT TOWER**

WHEREAS, the Niagara County Sheriff's Office has been notified by the US Department of Justice that it is the recipient of a grant under the 2024 FY24 COPS Technology and Equipment Program Grant in the amount of \$1,000,000, and

WHEREAS, this grant will allow the Sheriff's Office to construct an additional Emergency Communications Tower to further improve the quality of emergency communications throughout Niagara County, 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 2024 FY 24 COPS Technology and Equipment Program Grant for the Niagara County Sheriff's Office Emergency Communications Tower Project 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	\$1,000,000
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**INCREASE APPROPRIATIONS:**

A.17.3645.000 72100.15	Communication Equipment	\$967,500
A.17.3645.000 74500.01	Contractual Expenses	\$ 32,500

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-098-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
ACCEPT BUDGET MODIFICATION OF FY20 OPERATION STONEGARDEN GRANT**

WHEREAS, the Niagara County Legislature passed Resolution # CSS-006-21 on 01/19/2021 to accept \$275,400 under the FY20 Operation Stonegarden Grant from the New York State Division of Homeland Security and Emergency Services (DHSES) for the performance period September 1, 2020 through August 31, 2023, and

WEHREAS, the Niagara County Legislature passed Resolution # CSS-085-23 on 09/19/2023 to accept extension of this grant until August 31, 2024, and

WHEREAS, this grant allows for expenses to assist the County in conduction border centric, intelligence driven operation with the goal of reduction or elimination of threat, risk, and vulnerability along our Nation's borders, and

WHEREAS, DHSES has approved a Budget Modification to this grant to allow for Helicopter Maintenance in addition to Helicopter Fuel, and License Plate Reader Subscriptions services instead of equipment, now, therefore, be it

RESOLVED, that following the County Attorney's review, the FY20 Operation Stonegarden Grant Budget Modification may be executed pursuant to the Niagara County Contract Policy

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-099-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
SOLE SOURCE STANDARDIZATION OF PROMEGA CORPORATION FOR DNA ANALYSIS KITS  
FOR NIAGARA COUNTY SHERIFF'S OFFICE FORENSIC LABORATORY**

WHEREAS, the Niagara County Sheriff's Office Forensic Laboratory conducts DNA Analysis at the Erie County Crime Lab, and

WHEREAS, the Niagara County Sheriff's Office Forensic Laboratory provides their supplies to conduct DNA analysis using the Erie County Crime Lab DNA Analysis Equipment which includes a Promega Instrument, and

WHEREAS, the NCSO Forensic Laboratory needs to purchase PowerQuant System Kits to use for DNA Analysis on the Promega Instrument, and

WHEREAS, the Promega Instrument can only use Promega kits for DNA Analysis and Promega Corporation is the sole manufacturer and distributor of the kits, 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 DNA Analysis kits for the Erie County Crime Lab Promega DNA Analysis Instrument, and be it further

RESOLVED, that it is hereby determined that Promega Corporation is the sole manufacturer and distributor of the Promega DNA Analysis kits and that the Sheriff's Office is hereby authorized to purchase the PowerQuant® System kits from Promega 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 Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-100-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
SOLE SOURCE STANDARDIZATION OF ANNUAL SYSTEM MAINTENANCE  
AND HOSTING OF WORKFORCE MANAGEMENT SOFTWARE SYSTEM  
TO VISUAL COMPUTER SOLUTIONS, INC.**

WHEREAS, the Niagara County Sheriff's Office has utilized a very customized Workforce Management Software system from Visual Computer Solutions, Inc. (POSS and COSS) since 2011, and

WHEREAS, Visual Computer Solutions is changing its model to hosting the software rather than it being hosted on clients' servers, which increases the ease with which they can provide upgrades and support, and

WHEREAS, there is a \$4000 change to the annual maintenance for the hosting solution and the annual maintenance for 2024 is approximately \$11,500, and

WHEREAS, Visual Computer Solutions Inc is the sole source for hosting and annual maintenance of its own software system, 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 and hosting for the Visual Computer Solutions Inc POSS and COSS Workforce Management Software system, and be it further

RESOLVED, that it is hereby determined that Visual Computer Solutions Inc., is the sole source vendor for the annual service maintenance and hosting for the POSS and COSS Workforce Management Software system, and

that the Sheriff's Office is hereby authorized to purchase the annual service maintenance and hosting for the POSS and COSS Workforce Management Software system directly from Visual Computer Solutions Inc., 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 Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-101-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
ACCEPT EXTENSION OF FY21 STATEWIDE  
INTEROPERABLE COMMUNICATIONS FORMULA GRANT**

WHEREAS, the Niagara County Legislature passed Resolution # CSS-067-22 on 9/13/22 to accept \$1,541,147 under the FY21 Statewide Interoperable Communications Formula Grant from the New York State Division of Homeland Security and Emergency Services (DHSES) for the performance period January 1, 2022 through December 31, 2024, and

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

WHEREAS, DHSES has approved an extension of the performance period of this grant until December 31, 2025, to fully utilize the funds, and

WHEREAS, the remaining funds for the grant will be added to the 2025 Budget by resolution in January but the grant needs to be accepted, now, therefore, be it

RESOLVED, that following the County Attorney's review, the FY21 Statewide Interoperable Communications Formula Grant Extension may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-102-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION – ACCEPT RED TEAM EXERCISE GRANT**

WHEREAS, the Niagara County Sheriff's Office has been notified by the New York State Homeland Security and Emergency Services Counter Terrorism Office that it would like the Niagara County Sheriff's Office to participate in their Red Team Exercise, and

WHEREAS, the Red Team Exercise is designed to test the effectiveness of Operation Safeguard; Safeguard New York is an outreach initiative designed to educate individuals, community groups and other public and private sector organizations on how to recognize and report suspicious activity, Safeguard New York promotes the "See Something, Say Something" campaign and the State's Terrorism Tip Line, and

WHEREAS, the New York State Homeland Security and Emergency Services will reimburse the Sheriff's Office for the costs incurred with this exercise, now, therefore, be it

RESOLVED, that the County enter into a Letter of Agreement with the New York State Homeland Security and Emergency Services Office which following the County Attorney's review 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	\$ 5,824
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**INCREASE APPROPRIATIONS:**

A.17.3645.000 71050.00	Overtime Expense	\$ 4,303
A.17.3645.000 78100.00	Retirement Expense	\$ 1,100
A.17.3645.000 78200.00	FICA Expense	\$ 329
A.17.3645.000 78300.00	Worker's Compensation Expense	\$ 92

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-103-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION - ACCEPT CHILD PASSENGER SAFETY GRANT**

WHEREAS, the Niagara County Sheriff's Office Traffic Safety Division has been awarded a grant from the New York State Governor's Traffic Safety Committee in the amount of \$34,000 for the performance period October 1, 2024 through September 30, 2025, and

WHEREAS, this grant is a continuation of an existing program and is fully funded by the New York State Governor's Traffic Safety Committee, and

WHEREAS, the goal of the grant is to increase the proper use and installation of child safety seats in New York State, and

WHEREAS, the 2024 budget needs to be amended to make part of the grant funds available in the current year, now, therefore, be it

RESOLVED, that following the County Attorney's review, the Child Passenger Safety 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:**

CM.17.3989.303 44389.09	Other Public Safety Traffic	\$3,000
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**INCREASE APPROPRIATIONS:**

CM.17.3989.303 74800.16	Supplies/Service Maintenance	\$3,000
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Moved by Hill, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-104-24**

From: Community Safety & Security and Administration Committees.  
Dated: October 15, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
ACCEPT EXTENSION OF DOMESTIC TERRORISM PREVENTION GRANT**

WHEREAS, the Niagara County Legislature passed Resolution #CSS-089-22 on 10/18/22 to accept \$172,413 in funds for the performance period September 1, 2022 through August 31, 2024 under the FY2022 DHSES Domestic Terrorism Prevention Grant Program from the New York State Division of Homeland Security and Emergency Services (DHSES), and

WHEREAS, the purpose of the grant is to prevent targeted violence and domestic terrorism through the utilization of Threat Assessment and Management (TAM) teams and the development of comprehensive Domestic Terrorism Plans, and

WHEREAS, DHSES has approved an extension of the performance period of this grant until August 31, 2025 so that the funds may be fully utilized, now, therefore, be it

RESOLVED, that following the County Attorney's review, the FY2022 DHSES Domestic Terrorism Prevention Grant extension may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-105-24**

From: Community Safety & Security and Administration Committees.  
Dated: October 15, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
LABELLA CONSULTANT CONTRACT BUILDING ONE REMODEL CHANGE ORDER NO. 1**

WHEREAS, the Niagara County Legislature passed Resolution #CSS-120-23 on 11/14/2023 to award LaBella Associates, P.C. the contract for design services for the Niagara County Sheriff's Office Building One Remodel in the amount of \$92,840, and

WHEREAS, the Niagara County Sheriff's Office would like to add to the scope of this contract to bring the proposal from design services to bid preparation and construction administration for the Forensic Lab Addition and Renovations portion of the initial Building One Remodel, and

WHEREAS, LaBella Associates, P.C. has provided a proposal for the requested services in the Forensic Lab Addition and Renovations Project in the amount of \$896,250, and

WHEREAS, the proposal has been reviewed by the Niagara County Engineering Department and will be funded through the existing Capital Project H788 Building #1 Remodel, 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 LaBella Associates P.C. Consultant Contract for the Building No. 1 Remodel Change Order No. 1 for an amount not to exceed \$896,250 may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-106-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**DISTRICT ATTORNEY ILLEGAL FENTANYL PROSECUTION GRANT ACCEPTANCE**

WHEREAS, The New York State Division of Criminal Justice Service has recognized the financial burden to local Prosecuting Offices created by the increased distribution, sale and use of illegal fentanyl throughout the State, and

WHEREAS, the Niagara County District Attorney's Office was notified effective August 26, 2024 that the County Department has been awarded \$200,000.00 to offset the cost of personnel and equipment necessary to prosecute fentanyl related crimes, especially in those cases with an associated overdose, and

WHEREAS, The NYDCJS has opted to issue an automatic disbursement to the County in lieu of a DCJS contracted grant. basic revenue figures for said program were calculated and are contained within the A.02.1165.0000 43389.30 "Other Public Safety Fentanyl Prosecution Grant" for the 2025 budget year, and

WHEREAS, this program will offset the cost of existing Attorney Staff, now, therefore, be it

RESOLVED, that the County of Niagara does hereby accept this grant award, and be it further

RESOLVED, that following the County Attorney's review, any and all required documents necessary for this award may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-107-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**NIAGARA COUNTY PUBLIC DEFENDER'S OFFICE  
ACCEPT SECOND STATEWIDE EXPANSION  
OF HURRELL-HARRING (CSTWIDE230) 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 \$12,842,333.97 for the period of April 1, 2024, through March 31, 2027, and

WHEREAS, the County of Niagara desires to receive the above financial assistance for the above, and

WHEREAS, the revenue and equal expense are in the 2025 budget, now, therefore, be it

RESOLVED, that the Chairman of the Legislature directs the County Manager to review and execute the specific terms and conditions of the Second Statewide Expansion of Hurrell-Harring contract, and be it further



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.

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-108-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**PROBATION - ACCEPT 2025 EMPLOYMENT FOCUSED SERVICES PROGRAM GRANT**

WHEREAS, the Niagara County Probation Department has been notified by the New York State Division of Criminal Justice Services that the Niagara County Probation Employment Focused Services (EFS) Program grant, has been renewed for the period of January 1, 2025 through December 31, 2025, and

WHEREAS, this grant supports the EFS program, a partnership between the Niagara County Probation Department and Niagara County Employment and Training, and

WHEREAS, the Grant is being renewed in the amount of \$366,489, to provide support in the form of salary, benefits, and training for a probation officer (coterminous with the grant) and two (2) employment and training counselors (coterminous with the grant), as well as for other costs associated with program operations, and

WHEREAS, the grant revenue and associated expense is included in the 2025 requested budget, and

WHEREAS, prior to the execution of the grant 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 Chairman of the Legislature be, and hereby is, authorized to execute said agreement.

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-109-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**PROBATION - ACCEPT 2025 ALTERNATIVES TO JAIL DETENTION GRANT**

WHEREAS, the Niagara County Probation Department has been notified by the New York State Division of Criminal Justice Services that the Niagara County Alternatives to Jail Detention (AJD) grant has been renewed for the period January 1, 2025 to December 31, 2025, and

WHEREAS, the Grant is being renewed in the amount of \$363,299, to provide support in the form of salary, benefits, and training for three TASC case managers and a Clerical II position, all coterminous with the grant, as well as other costs associated with program operations, and

WHEREAS, the grant award and related expenses are included in the 2025 requested budget, and

WHEREAS, prior to the execution of the grant 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 Chairman of the Legislature be and hereby is authorized to execute said agreement.

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-110-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 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 \$250.00 for June through August 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	\$ 250.00
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**INCREASE APPROPRIATION:**

A.19.3410.000 74550.32	Programs Special Task Force	\$ 250.00
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Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-111-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**2024 BUDGET MODIFICATION - FIRE COORDINATOR'S OFFICE  
ACCEPT PAYMENT FOR A HAZ-MAT INCIDENT**

WHEREAS, the County Haz-Mat team responded an incident which resulted in depleted supplies that cannot be reused, and

WHEREAS, under New York State's Navigation and Environmental Conservation Laws, the responsible party is liable for all costs associated with containment, cleanup and removal of spilled and contaminated materials, and

WHEREAS, the Fire Coordinator's Office invoiced and received payment in July 2024 for the Tractor Fire involving a diesel fuel spill (May 2024) in the amount of 781.18, and

WHEREAS, the Fire Coordinator's Office will replenish the supplies used by the Haz-Mat, 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 42690.04	Other Compensation for Loss Reimbursements	\$ 781.18
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**INCREASE APPROPRIATION:**

A.19.3410.000 74750.10	Supplies, Gen Hazmat Inventory	\$ 781.18
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Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-112-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**ACCEPTANCE OF SHSP 2024 HOMELAND SECURITY GRANT**

WHEREAS, the County of Niagara is required to certify its acceptance of the SHSP 2024 grant through the Department of Homeland Security for the period of 9/1/24 to 8/31/27, at no cost to the County, and

WHEREAS, the grant for SHSP 2024 is in the amount of \$418,135 and the funds will be used for consultants to provide Citizens Preparedness Initiatives, deployable shelter to be used during a CBRNE incident, OpOT for counter terrorism patrol during elections, sustainment of LPR annual maintenance, sustainment of EOC supplies, travel costs (National Homeland Security Conference), PPE, USB air cards, alerting and notification system maintenance, satellite communications maintenance, CAD maintenance, credentialing system maintenance, and EOC communication board maintenance, now, therefore, be it

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

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. CSS-113-24**

From: Community Safety & Security and Administration Committees.

Dated: October 15, 2024

**ACCEPTANCE AND BUDGET MODIFICATION - EMPG FY2024 HOMELAND SECURITY GRANT**

WHEREAS, the County of Niagara is required to certify its acceptance of the EMPG 2024 grant through the Department of Homeland Security for the period of October 1, 2023 through September 30, 2026, at some cost to the County, and

WHEREAS, the Office of Emergency Services is in need of a budget modification to complete necessary purchases prior to 2024 budget year ending. Some of the ordering for projects to be completed by yearend are EOC upgrades to existing technical equipment and replacement of old CBRNE response vehicle, now, therefore, be it

RESOLVED, that the following 2024 budget modification be effectuated effective immediately:

**INCREASE APPROPRIATION FUND BALANCE - ASSIGNED:**

A.40599.00	Appropriated Fund Balance	\$ 79,865.00
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**INCREASE REVENUE:**

A.19.3645.000 44305.02	Civil Defense Homeland Security	\$ 79,865.00
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**INCREASE APPROPRIATIONS:**

A.19.3645.000 72100.12	M&E Other Vehicles	\$ 90,000.00
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A.19.3645.000 72100.14	M&E Miscellaneous Equipment	\$ 66,730.00
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A.19.3645.000 74300.01	Travel, Conference	\$ 3,000.00
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Moved by Hill, seconded by McKimmie, to implement the portion of Rule 15 that pertains to voting on a resolution as opposed to referring it to committee.

Carried.

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. ED-018-24**

From: Economic Development and Administration Committees.

Dated: October 15, 2024

**NIAGARA COUNTY COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY  
REPORT UPDATE ASSISTANCE**

WHEREAS, the Comprehensive Economic Development Strategy (CEDS) contributes to effective economic development in Niagara County's cities, towns and villages, through a locally based, regionally driven economic development planning process, and

WHEREAS, regions must prepare a new CEDS at least every five years for communities and organizations within the area to qualify for certain U.S. Economic Development Administration (EDA) funding, and

WHEREAS, Niagara County's last update of the CEDS was in 2020, which necessitates a new update to be completed and submitted by June 30, 2025, and

WHEREAS, the 2025 update of the CEDS is of additional importance as Niagara County is currently applying to the EDA for funding to assist with infrastructure upgrades at the new business park on Lockport-Junction Road, and

WHEREAS, a Request for Proposal (RFP) for professional services to assist with the 2025 CEDS update was issued and publicly opened by the Purchasing Division on September 26, 2024, with six (6) firms responding, and

WHEREAS, a committee was designated to evaluate proposals and select the firm best qualified to effectively and efficiently accomplish the work outlined in the Request for Proposal, and

WHEREAS, after review, it was determined by the committee that Harrison Studio would be the best match for Niagara County to perform the duties required to update the Niagara County CEDS, based on the knowledge, experience and cost appropriate to the job, now, therefore, be it

RESOLVED, that Niagara County enter into an agreement with Harrison Studios for an amount not to exceed \$28,000 for the professional services related to the update of the Niagara County Comprehensive Economic Development Strategy, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.28.8020.811 40599.01	Appropriated Fund Balance Committed Funds	\$28,000
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INCREASE APPROPRIATION:

A.28.8020.811 74500.01	Contractual	\$28,000
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and be it further

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

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. ED-019-24**

From: Economic Development Committee.

Dated: October 15, 2024

**RESOLUTION TO SET A HEARING TO CONSIDER INCLUSION OF VIABLE AGRICULTURAL LAND INTO NIAGARA COUNTY'S AGRICULTURAL DISTRICT**

WHEREAS, New York State Agriculture and Markets Law 25AA, Section 303-b requires a public hearing upon termination of the annual thirty (30) day period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within a certified agricultural district prior to the county established 8-year review period, and

WHEREAS, a notice of the public hearing shall contain a statement that one or more requests for inclusion of predominantly viable agricultural land within a certified agricultural district have been filed with the county legislative body and shall identify the land proposed to be included, now, therefore, be it

RESOLVED, that the Niagara County Legislature shall conduct a public hearing on the 12<sup>th</sup> day of November, at 5:50 p.m. for public and municipal input upon termination of the annual thirty (30) day period within which a land owner may submit a request for inclusion, and be it further,

RESOLVED, that the Clerk of the Legislature shall publish the following notice in the Lockport Union Sun and Journal, and the Niagara Gazette, as well as, post such notice on the home page of the County's website, and such notice shall give in writing directly to those municipalities whose territory encompasses the lands which are proposed to be included in an agricultural district.

**PLEASE TAKE NOTICE that the Niagara County Legislature will conduct a public hearing on the 12th day of November at 5:50 p.m. in the Legislative Chambers, Courthouse, Lockport, New York, for the purpose of hearing public comments on the inclusion of predominantly viable agricultural land within agricultural district #7. One (1) parcel has been proposed for inclusion. The Niagara County Agricultural and Farmland Protection Board recommends the inclusion of the following parcel of predominantly viable agricultural land into the Agricultural District: Parcel 94.02-1-50, consisting of 4.83 acres, located on Stone Road in the Town of Lockport. Questions about Agricultural District inclusion may be directed to Amanda Henning, Cornell Cooperative Extension at 716-433-8839 x231.**

Moved by Hill, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-159-24**

From: Infrastructure & Facilities and Administration Committees.  
Dated: October 15, 2024

**AWARD ENVIRONMENTAL MONITORING FOR NIAGARA COUNTY REFUSE DISPOSAL  
DISTRICT (NCRDD) LOCKPORT SITE (RFP 2024-40)**

WHEREAS, the Refuse Disposal District Construction and Demolition Debris Landfill Operational Permit requires the facility be monitored and maintained in accordance with 6 NYCRR Part 360-7.6 and approved Post-Closure Monitoring and Maintenance Plan, and

WHEREAS, the County issued a Request for Proposals due on September 5, 2024 for Environmental Monitoring to identify and select the most qualified firm to conduct quarterly Environmental Monitoring, monthly Landfill Gas Monitoring, required quarterly reporting for the landfill, well maintenance activities, non-routine maintenance activities and additional analytical sampling at the Lockport site of the Refuse Disposal District, and

WHEREAS, four (4) proposals were publicly opened and read by our Purchasing Department on September 5, 2024 and were independently evaluated, and

WHEREAS, Liro Engineers, Inc. was ranked number one (1) with the highest score from these independent evaluations, and

WHEREAS, Liro Engineers, Inc. obtained a number one (1) ranking because Liro Engineers, Inc. proposal met all requirements for responsiveness, performance and cost of service, 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 Environmental Monitoring for Niagara County Refuse Disposal District (RFP 2021-22) be awarded to Liro Engineers, Inc. 690 Delaware Ave, Buffalo, New York 14209, and be it further

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

Moved by Hill, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.  
Moved by Hill, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-160-24**

From: Infrastructure & Facilities and Administration Committees.  
Dated: October 15, 2024

**NIAGARA COUNTY REFUSE DISPOSAL DISTRICT  
SOLE SOURCE CONTRACT WITH SIEWERT/CUMMINS-WAGNER TO TROUBLESHOOT AND  
REPAIR SOFTWARE AND MECHANICAL COMPONENTS TO ENSURE OPERATIONS ARE  
CONSISTENT WITH COMPLIANCE REQUIREMENTS**

WHEREAS, the Niagara County Refuse and Disposal District (hereinafter "NCRDD") must comply with the Post Closure Operations, Maintenance and Monitoring Plan (PCOMM) for Landfill No.1, Landfill No. 2 and Landfill No.3/C&D submitted and approved by NYSDEC in accordance with 6 NYCRR part 360-7-6, which requires leachate and surface water management, and

WHEREAS, final closure activities at Landfill No. 3/C&D in 2017 include automation of the primary and secondary leachate collection system, and upgrades to surface water monitoring, and

WHEREAS, improvements and upgrades were made in 2017 to the leachate collection system at Landfill 2, and in 2019 infrastructure was constructed for leachate collection at Landfill 1 per NCRDD File No. 01-13 Order on Consent Item No. 3, and

WHEREAS, the improvements and upgrades included the installation of telemetry using cellular technology to remotely manage, monitor and analyze data from each pump station and NCRDD has ten (10) pump stations operating on the GuardDog software platform using OmniSite components, and

WHEREAS, troubleshooting, failure and repair must be completed by a certified representative of Omni and the only New York certified Omni representative is Siewert/Cummins-Wagner in Rochester NY, and

WHEREAS, NCRDD has utilized Siewert/Cummins-Wagner for warranty related work for the Omni equipment prior to the expiration of the warranty, and, further, Siewert/Cummins-Wagner is familiar with the NCRDD Lockport site and protocols, now, therefore, be it

RESOLVED, that for the foregoing reasons NCRDD is hereby authorized to enter into a sole source OM&M contract with Siewert/Cummins-Wagner to expeditiously troubleshoot and repair software and mechanical components to ensure operations are consistent with compliance requirements 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 Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

#### **Resolution No. IF-161-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

### **CHA CONSULTING, INC. FOR THE NIAGARA COUNTY REFUSE DISPOSAL DISTRICT AMENDMENT NO. 1**

WHEREAS, the Niagara County Refuse Disposal District and CHA Consulting, Inc. entered into a contract whereby CHA Consulting, Inc. agreed to provide certain specified services for Niagara County Refuse Disposal District in regards to C&D Landfill. Landfill #1 and Landfill #2, and

WHEREAS, said contract was fully executed by the Niagara County Refuse Disposal District and CHA Consulting, Inc. on June 26, 2014, and

WHEREAS, Resolution No. IF-094-21, dated September 21, 2021, awarded a contract for additional services to be performed by CHA Consulting, Inc. for the Niagara County Refuse Disposal District in regards to the Monitored Natural Attenuation Evaluation at Landfill No. 1 and Landfill No. 2, and

WHEREAS, it is necessary to extend the contract completion date to December 31, 2026, 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 between the Niagara County Refuse Disposal District and CHA Consulting, Inc., be extended to December 31, 2026, 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 Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-162-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

**HOUSEHOLD HAZARDOUS WASTE EVENTS CONTRACT AWARD**

WHEREAS, the Department of Public Works evaluated proposals from bidders for the 2025-2027 Household Hazardous Waste Events, Voucher Program and Paint Only Collection Events, and

WHEREAS, only one (1) vendor submitted a proposal for the complete scope of services to conduct Household Hazardous Waste Collection Events and the Voucher Program, and

WHEREAS, the vendors proposal was reviewed, 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 Household Hazardous Waste Event contract for the period of January 1, 2025 through December 31, 2027, be awarded to Environmental Services Group, 177 Wales Avenue, Tonawanda, NY 14150, for an annual contract amount not to exceed \$100,000, and be it further

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

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-163-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

**WASTE PAINT COLLECTION EVENTS CONTRACT AWARD**

WHEREAS, the Department of Public Works evaluated proposals from bidders for the 2025 -2027 Household Hazardous Waste Events, Voucher Program and Paint Only Collection Events, and

WHEREAS, two (2) vendors submitted a proposal to conduct "paint only" collection events, and

WHEREAS, the vendors proposal was reviewed, 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 "Paint Only" events contract for the period of January 1, 2025 through December 31, 2027, be awarded to GreenSheen Paint & Design, Inc., at 1470 Rotterdam Industrial Park, BLDG 14, Bay 7, Schenectady New York, for an annual contract amount not to exceed \$2,000, and be it further

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

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-164-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

**ELECTRIC VEHICLE SUPPLY EQUIPMENT LEVEL 2 CHARGING STATIONS  
FOR NIAGARA COUNTY - CHANGE ORDER NO. 1**

WHEREAS, Resolution No. CW-091-24, dated May 14, 2024, awarded the contract for the Electric Vehicle Supply Equipment Level 2 Charging Stations, to INF Associates, LLC, 747 Third Avenue, New York, NY 10017, for a contract amount not to exceed \$85,000, and

WHEREAS, it is necessary to increase the contract in the amount of \$10,441 to allow for additional make ready costs for incoming power to allow for the proper installation of the Level 2 Charging units at various locations, for a revised contract amount of \$95,441, 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 \$10,441.00 for the installation of Level 2 charges at the Royalton Ravine Park, Krull Park and the Clyde L. Burmaster Park, for a revised contract amount of \$95,441, 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 Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-165-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

**BUDGET MODIFICATION FOR COURT RENOVATIONS AT THE ANGELO DELSIGNORE  
CIVIC BUILDING AND THE NIAGARA COUNTY COURTHOUSE**

WHEREAS, the Niagara County Public Works Department is responsible for the maintenance and operation budgets for both of these locations, and

WHEREAS, the Unified Court System has asked for renovations at both locations for an approximate cost of \$600,000, which is 100% reimbursable 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 the following budget modification be approved:

INCREASE ANTICIPATED REVENUE:

H8xx.15.1620.000 43021.00	State Aid Court Facilities	\$600,000.00
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INCREASE ANTICIPATED EXPENSES:

H8xx.15.1620.000 72200.01	Building Improvements	\$600,000.00
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and be it further,

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

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-166-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

**NIAGARA COUNTY DEPARTMENT OF PUBLIC WORKS  
CLOSE CAPITAL ACCOUNTS AND BUDGET MODIFICATIONS**

WHEREAS, Niagara County Public Works has been provided funds to perform various Capital Improvement Projects, and

WHEREAS, most of the projects have been completed and the remaining funds need to be moved to another project, and

WHEREAS, some of these funds received are through the American Rescue Plan Act Funds to address negative economic impacts caused by the COVID-19 public health emergency, and

WHEREAS, funds were allocated to the Public Safety Building Roof and Roof Top Unit replacement project and the HVAC Improvements, based upon estimates received, and

WHEREAS, the bids received were below the engineer estimates, which is allowing for funds to be moved to other projects, and

WHEREAS, it is necessary to move these funds to other projects to allow other projects proceed to the next phase, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

DECREASE ESTIMATED REVENUE:

H497.15.7110.000 42650.00	Sale of Scrap and Excess Materials	\$ 1.00
H497.15.7110.000 45710.06	Serial Bonds 2006	\$ 13,886.51
H747.15.7110.000 44089.07	Federal Aid,Other ARPA State/Local Fiscal Recovery	\$ 29,000.00
H772.15.7110.000 44089.07	Federal Aid,Other ARPA State/Local Fiscal Recovery	\$ 51,969.99
H782.15.1620.000 44089.07	Federal Aid,Other ARPA State/Local Fiscal Recovery	\$400,000.00
H795.15.1620.000 44089.07	Federal Aid,Other ARPA State/Local Fiscal Recovery	\$189,368.00

DECREASE APPROPRIATIONS:

H497.15.7110.000 72400.00	Land Improvement Expense	\$ 1,781.31
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H747.15.7110.000	72400.00	Land Improvement Expense	\$ 29,000.00
H772.15.7110.000	72100.10	Heavy Equipment	\$ 12,719.99
H772.15.7110.000	72100.25	Golf Course Equipment	\$ 39,250.00
H782.15.1620.000	72200.01	Building Improvements	\$400,000.00
H783.15.7110.000	72200.01	Building Improvements	\$415,000.00
H795.15.1620.000	72200.01	Building Improvements	\$189,368.00

INCREASE ESTIMATED REVENUE:

H497.15.7110.000	44789.01	Other Economic Asst & Support Flood Relief	\$ 12,106.20
H523.15.1620.000	44089.07	Federal Aid,Other ARPA State/Local Fiscal Recovery	\$150,337.99
H763.15.1620.000	43021.00	State Aid Court Facilities Revenue	\$ 121.66
H770.15.7110.000	44089.07	Federal Aid,Other ARPA State/Local Fiscal Recovery	\$520,000.00

INCREASE APPROPRIATIONS:

H523.15.1620.000	72200.00	Buildings	\$150,337.99
H763.15.1620.000	72200.01	Building Improvements	\$ 121.66
H770.15.7110.000	72200.01	Building Improvements	\$520,000.00
H783.15.7110.000	72400.00	Land Improvements	\$415,000.00

and be it further

RESOLVED, that \$13,886.51 be returned to Debt Reserve, and be it further

RESOLVED, Project H497 and H747 be closed.

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-167-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

**HARTLAND ROAD OVER GOLDEN HILL CREEK, TOWN OF SOMERSET  
FEDERAL AID LOCAL PROJECT AGREEMENT**

WHEREAS, the Hartland Road Bridge over Golden Hill Creek Project, Town of Somerset, Niagara County, (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 100% federal funds and 0% non-federal funds, 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 shares of the cost of the Preliminary Engineering Design Phases I-VI and Construction/Construction Inspection phases of the Project or portions thereof, and be it further

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

INCREASE ANTICIPATED REVENUE:

H740.15.5197.000	44597.01	Federal Aid Capital Const Hwy	\$1,199,631
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INCREASE ANTICIPATED APPROPRIATIONS:

H740.15.5197.000 72600.02                      Infrastructure-Bridges                      \$1,199,631

and be it further

RESOLVED, that the sum of \$1,199,631 is hereby appropriated in account H740.15.5197.000 72600.02 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 design 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 Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-168-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

**AWARD OF CONTRACT – CLYDE BURMASTER PARK NATURAL PLAYGROUND  
PHASE I**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Clyde Burmaster Park Natural Playground – Phase I Project, and

WHEREAS, funds are available in account number H783.15.7110.000 72400.00, Land Improvements, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on September 12, 2024 as tabulated below:

- |   |           |
|---|-----------|
| 1. Scott Lawn Yard, Inc.<br>3305 Haseley Drive<br>Niagara Falls, NY 14304 | \$649,693 |
| 2. Empire Marine Corp.<br>101 Ketchum Road<br>Hilton, NY 14468            | \$653,000 |

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 Clyde Burmaster Park Natural Playground – Phase I Project, be awarded to the lowest responsible bidder, Scott Lawn Yard Inc., 3305 Haseley Drive, Niagara Falls, NY 14304, in the amount of \$649,693, and be it further

RESOLVED, that, following the County Attorney’s review, the Agreement for the Clyde Burmaster Park Natural Playground – Phase I Project, may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-169-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

**AWARD OF CONTRACT – PORTER CENTER ROAD REHABILITATION  
GEOTECHNICAL WORK**

WHEREAS, the Department of Public Works has prepared specifications for geotechnical work needed to be done at the Porter Center Road Rehabilitation Project, and

WHEREAS, the Infrastructure & Facilities Committee has examined the three (3) quotes received for the work, and

WHEREAS, all work has been completed in account H641, Diesel Fuel Island and H766 Culvert Rehabilitation 2023, 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:

**DECREASE ANTICIPATED REVENUE:**

H766.15.5197.000 43501.00	Consolidated Highway Aid Revenue	\$43,772.86
H641.25.1620.000 45031.00	Transfers from Operating	\$20,708.65

**INCREASE ANTICIPATED REVENUE:**

H809.15.5112.000 45031.00	Transfers from Operating	\$20,708.65
H809.15.5112.000 43501.00	Consolidated Highway Aid Revenue	\$43,772.86

**DECREASE APPROPRIATIONS:**

H641.25.1620.000 72400.00	Land Improvements	\$20,708.65
H766.15.5197.000 72600.02	Infrastructure Bridges	\$43,772.86

**INCREASE APPROPRIATIONS:**

H809.15.5112.000 72600.01	Infrastructure Roads	\$64,481.51
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and be it further

RESOLVED, that the contract for the geotechnical work needed at the Porter Center Road Rehabilitation Project be awarded to the lowest responsible bidder, CME Associates, Inc., 6035 Corporate Drive, East Syracuse, NY 13057, in the amount of \$43,732.50, and be it further

RESOLVED, that account H766 and H641 be closed, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement with CME Associates, Inc., 6035 Corporate Drive, East Syracuse, NY 13057, may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-170-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

**GOLF COURSE LOCKER AND RESTROOM ALTERATIONS  
CONSULTANT AMENDMENT NO. 1**

WHEREAS, Resolution No. IF-150-23, dated October 17, 2023, authorized the contract for consultant services for the Golf Course Locker and Restroom Alterations Project to Nussbaumer & Clarke, 80 Main Street, Unit A, Lockport, NY 14094, for a contract amount not to exceed \$55,400, and

WHEREAS, it is necessary to increase the contract in the amount of \$7,050 for additional design services to bid the foundation and slab of the Link Structure separate from the Locker Room Design, for a revised contract amount of \$62,450, 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 in the amount of \$7,050 for the Golf Course Locker and Restroom Alterations Project, for the revised contract amount of \$62,450, be approved, 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 Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-171-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

**HUNT STREET BRIDGE OVER BERGHOLZ CREEK  
CONSULTANT AMENDMENT NO. 3**

WHEREAS, Resolution No. IF-119-21, dated December 14, 2021, authorized the contract for consultant services for the Hunt Street Bridge over Bergholz Creek Project to Watts Engineering and Architecture, 95 Perry Street, Suite 300, Buffalo, NY 14203, for a fee not to exceed \$199,963, and

WHEREAS, Resolution No. IF-018-24, dated January 23, 2024, increased the contract in the amount of \$5,900 to perform an assessment for salamander mussels in the creek, for a revised contract amount of \$205,863, and

WHEREAS, Resolution No. IF-100-24, dated May 14, 2024, extended the contract completion date to December 31, 2026, at no additional cost to the County, and

WHEREAS, it is necessary to amend the contract to add construction administration and construction inspection services in the amount of \$154,200, for a revised contract amount of \$360,063, 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. 3 to increase the contract by \$154,200 for the Hunt Street Bridge over Bergholz Creek Project, for a revised contract amount of \$360,063, to Watts Engineering and Architecture, 95 Perry Street, Suite 300, Buffalo, NY 14203, be approved, 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 Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

#### **Resolution No. IF-172-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

### **BURMASTER PARK NATURAL PLAYGROUND CONSULTANT AMENDMENT NO. 3**

WHEREAS, Resolution No. IF-151-23, dated October 17, 2023, authorized the contract for conceptual plan consultant services for the Burmaster Park Natural Playground Project to Fisher Associates, 325 Delaware Avenue, Suite 200, Buffalo, NY 14202, for a contract amount not to exceed \$26,000, and

WHEREAS, Resolution No. IF-072-24, dated March 19, 2024, increased the contract in an amount not to exceed \$55,000 for design services, for a revised contract amount of \$81,000, and

WHEREAS, Resolution No. IF-103-24, dated May 14, 2024, extended the contract completion date to December 31, 2026, at no additional cost to the County, and

WHEREAS, it is necessary to increase the contract in the amount of \$20,000 for additional design and inspection services, for a revised contract amount of \$101,000, 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. 3 to increase the contract in the amount of \$20,000 for the Burmaster Park Natural Playground Project, for the revised contract amount of \$101,000, be approved, 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 Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-173-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

**HARTLAND ROAD BRIDGE OVER GOLDEN HILL CREEK  
CONSULTANT AMENDMENT NO. 2**

WHEREAS, Resolution No. IF-073-22, dated May 3, 2022, authorized the contract for consultant services for the Hartland Road Bridge over Golden Hill Creek Project to Greenman-Pedersen Inc., 4950 Genesee Street, Suite 100, Buffalo, NY 14225, for a fee not to exceed \$95,888, and

WHEREAS, Resolution No. IF-069-24, dated March 19, 2024, amended the contract for final design services in the amount of \$90,230, for a revised contract amount of \$186,118, and

WHEREAS, it is necessary to amend the contract to add construction administration and construction inspection services in the amount of \$134,098, for a revised contract amount of \$320,216, 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. 2 to increase the contract by \$134,098 for the Hartland Road Bridge over Golden Hill Creek Project, for a revised contract amount of \$320,216, to Greenman-Pedersen Inc., 4950 Genesee Street, Suite 100, Buffalo, NY 14225, be approved, 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 Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-174-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

**LOCKPORT ROAD BRIDGE OVER CSX RAILROAD AND  
FISK ROAD BRIDGE OVER THE ERIE CANAL  
AMENDMENT NO. 1 - CORRECTION**

WHEREAS, Resolution No. IF-109-24, dated May 14, 2024, authorized the contract for consultant services for the Lockport Road Bridge over CSX Railroad Project to Popli Architecture & Engineering, 555 Penbrooke Drive, Penfield, NY 14526, for a fee not to exceed \$177,000, and

WHEREAS, it is necessary to combine this consultant contract with the Fisk Road Bridge over the Erie Canal project, so as to expedite the repair of the bridge deck on Fisk Road and ensure the safety of the traveling public, and

WHEREAS, all work associated with project H774, Culvert Replacements 2023, has been completed and funds are available to assist with the repairs of Fisk Road Bridge over the Erie Canal, 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 consultant services for the Lockport Road Bridge over CSX Railroad Project to Popli Architecture & Engineering, 555 Penbrooke Drive, Penfield, NY 14526, be amended to include the Design and Bid Support for the repair of the Fisk Road Bridge over the Erie Canal, in an amount not to exceed \$48,000 for preliminary engineering only, for a contract amount not to exceed \$225,000, and be it further

RESOLVED, that the following budget modification be effectuated to allow the combined consultant contract to proceed:

INCREASE REVENUE:

H774.15.5197.000 43501.00	Consolidated Highway Aid Revenue	\$299,284.27
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INCREASE APPROPRIATIONS:

H774.15.5197.000 72600.02	Infrastructure Bridges	\$299,284.27
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DECREASE REVENUE:

H774.15.5197.000 45031.10	Transfers from Capital Reserve	\$300,000.00
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DECREASE APPROPRIATIONS:

H774.15.5197.000 72600.02	Infrastructure-Bridges	\$300,000.00
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INCREASE ANTICIPATED REVENUE:

H800.15.5197.000 45031.10	Transfers from Capital Reserve	\$300,000.00
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INCREASE APPROPRIATIONS:

H800.15.5197.000 72600.02	Infrastructure-Bridges	\$300,000.00
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and be it further

RESOLVED, that Project H774, Culvert Replacements for 2023, be closed, 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 Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-175-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

**OPPENHEIM PARK PAVING AND DRAINAGE  
CHANGE ORDER NO. 3 – FINAL - CORRECTED**

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, for a revised contract amount of \$1,504,993.50, and

WHEREAS, Resolution No. IF-123-24, dated June 18, 2024, extended the contract completion date to July 31, 2024, at no additional cost to the County, and

WHEREAS, it is necessary to reduce the contract in the amount of \$189,554.29, as the project is now complete, for a revised contract amount of \$1,315,439.21, 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 \$189,554.29 for the Oppenheim Park Paving and Drainage Project for a revised contract amount of \$1,315,439.21, to CATCO, 1266 Townline Road, Alden, NY 14004, be approved, and be it further

RESOLVED, that final payment be made to CATCO as soon as practicable, and be it further

RESOLVED, that, following the County Attorney’s review, Change Order No. 3-Final may be executed pursuant to the Niagara County Contract Policy.  
Moved by Hill, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-176-24**  
From: Infrastructure & Facilities and Administration Committees.  
Dated: October 15, 2024

**DEPARTMENT OF PUBLIC WORKS – HIGHWAY MAINTENANCE BUDGET MODIFICATION**

WHEREAS, the Highway Maintenance Division is responsible for the maintenance and repair for the 283 road miles of County highways, and

WHEREAS, additional funds are required to cover the costs of chip sealing and paving of various County roadways for the remainder of the 2024 construction season, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

INCREASE ANTICIPATED REVENUE:		
D.15.5110.000 42401.01	Interest and Earnings	\$ 83,346
DECREASE ESTIMATED APPROPRIATION:		
D.15.5010.000 72100.01	Furniture & Fixtures	\$ 12,000
D.15.5110.000 71011.00	Seasonal Help Expense	\$ 16,120
D.15.5110.000 71030.00	Part Time Expense	\$ 54,964
D.15.5110.000 71010.00	Positions Expense	\$216,395
D.15.5110.000 78200.00	FICA	\$ 21,992
D.15.5110.000 78400.01	Active Hospital/Medical	\$ 80,000
D.15.5142.000 74750.14	Chloride Abrasives	\$100,000

INCREASE ESTIMATED APPROPRIATION:		
D.15.5110.000.72600.01	Infrastructure Roads	\$584,817
Moved by Hill, seconded by Robins.		
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.		

**Resolution No. IF-177-24**  
From: Infrastructure & Facilities and Administration Committees.  
Dated: October 15, 2024

**DEPARTMENT OF PUBLIC WORKS – HIGHWAY HEAVY EQUIPMENT BUDGET  
MODIFICATION**

WHEREAS, the Highway Maintenance Division is responsible for snow and ice control efforts along with the maintenance and repair for the 283 road miles of County highways, and

WHEREAS, the capital budget appropriations have been providing funds for Tandem Snow Plows, but due to supply and demand issues, it has been difficult to secure a build slot for a new truck, and

WHEREAS, funds are remaining in several capital accounts, for these vehicles, but the latest 2025 quote for one of these vehicles, is for more than what remains in any one account, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

**DECREASE ANTICIPATED REVENUE:**

H732.15.5112.000 43501.00	Consolidated Highway Aid Revenue	\$282,518.82
H753.15.5112.000 43501.00	Consolidated Highway Aid Revenue	\$255,199.63
H753.15.5112.000 45031.10	Transfers from Capital Reserve	\$ 938.76
H784.15.5112.000 43501.00	Consolidated Highway Aid Revenue	\$263,860.32

**DECREASE ESTIMATED APPROPRIATION:**

H732.15.5112.000 72100.10	Heavy Equipment	\$282,518.82
H753.15.5112.000 72100.10	Heavy Equipment	\$256,138.39
H784.15.5112.000 72100.10	Heavy Equipment	\$263,860.32

**INCREASE ANTICIPATED REVENUE:**

H806.15.5112.000 43501.00	Consolidated Highway Aid Revenue	\$801,578.77
H806.15.5112.000 45031.10	Transfers from Capital Reserve	\$ 938.76

**INCREASE ESTIMATED APPROPRIATION:**

H806.15.5112.000 72100.10	Heavy Equipment	\$802,517.53
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and be it further

RESOLVED, that the following projects be closed: H732

H753

H784

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-178-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: October 15, 2024

**EXTENSION OF SNOW AND ICE AGREEMENT FOR COUNTY ROADWAYS  
CONTRACT EXTENSION 2024-2025**

WHEREAS, the County of Niagara, pursuant of Section 12 of the Highway Law, relating to the control of snow and ice on County highways in Towns and incorporated Villages, has renegotiated an agreement with the Towns for such purposes, and

WHEREAS, Section 9 of the said agreement provides for an annual update of the estimated expenditure to be determined by the Commissioner of Public Works, subject to the provisions of Section 10 at the time for the extension of the agreement, and

WHEREAS, it would be in the best interest of Niagara County to extend the current contracts for the period of October 1, 2024 through September 30, 2025, 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 following the County Attorney's review, the required documents may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IF-179-24**

From: Infrastructure & Facilities Committee.

Dated: October 15, 2024

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND LOCKPORT MAIN ST. INC.**

WHEREAS, Lockport Main St. Inc., has requested that the County of Niagara grant them use of the parking lot attached to the Niagara County Ross Building, 20 East Avenue, Lockport, NY 14094, for the Lockport Community Farmers Market, and

WHEREAS, the Farmers Market will be held on the following dates: November 2, 2024, November 16, 2024, November 23, 2024, December 7, 2024, December 21, 2024, February 1, 2025, February 15, 2024, March 1, 2025, March 15, 2025, April 5, 2025, April 19, 2025, May 3, 2025 and May 10, 2025, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Lockport Main St. Inc. for the use of the parking facilities at the Ross Building, 20 East Avenue, Lockport, NY 14094, 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 agreement with Lockport Main St. Inc., may be executed pursuant to the Niagara County Contract Policy.

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

Carried.

Moved by Abbott, seconded by Nemi.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IL-128-24**

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

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF SISTER HELEN'S FOOD PANTRY  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Sister Helen's Food Pantry is located at 160 Chestnut St. in Lockport, NY in the County of Niagara, and

WHEREAS, Sister Helen's Food Pantry was established in 2001 to dispense and provide food for people in the greater City of Lockport area, and

WHEREAS, the food pantry's sole source of food items and funding is through donations from concerned residents and members of St. Johns Church, and

WHEREAS, Sister Helen's Food Pantry is in need of funds for the holiday season, 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 Sister Helen's Food Pantry by appropriating monies from said Community Partnership as follows:

Sister Helen's Food Pantry	\$1,250.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-129-24**

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

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF THE LOCKPORT PUBLIC ARTS COUNCIL, INC.  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Lockport Public Arts Council is a 501(c) (3) and their mission is to support numerous projects in the City of Lockport, and

WHEREAS, one of the projects is the "The Secret Weapons of War II", an exhibit to celebrate the 80<sup>th</sup> anniversary of the end of World War II, and

WHEREAS, this three-month exhibit will be displayed at the Kenan Center and Lockport Public Library, and

WHEREAS, the exhibit will concentrate on the little-known role of women, books and music during World War II, and

WHEREAS, it will display authentic memorabilia highlighting Woman of Resistance, American Red Cross Club mobile girls, Armed Services books, and rare recordings, and

WHEREAS, this project will concentrate on bringing veterans and their families as well as local schools to this display, 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 Public Arts Council by appropriating monies from said Community Partnership as follows:

Lockport Public Arts Council, Inc.	\$2,000.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-130-24**

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

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF THE VILLAGE OF WILSON HARBOR PARK SECURITY UPGRADES THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Village of Wilson had recent vandalism to the Harbor Park area, and

WHEREAS, the Village of Wilson is seeking assistance to upgrade their current security system, 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 Village of Wilson by appropriating monies from said Community Partnership Program Fund as follows:

Village of Wilson

\$700.00

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IL-131-24**

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

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF THE TOWN OF CAMBRIA MEMORIAL TREE GROVE THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Town of Cambria operates the Cambria Town Park Memorial Tree Grove in an effort to create a memorial tribute to honor past residents of the Town of Cambria, and

WHEREAS, the Town of Cambria is seeking assistance to purchase additional trees for the program, 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

\$500.00

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IL-132-24**

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

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF NIAGARA FALLS FIREFIGHTERS CHRISTMAS TOY FUND THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Falls Firefighters Toy Fund is a 90 year old 501(c)(3) organization, which buys new Christmas Toys and winter clothes for impoverished children in the Niagara Falls area, and WHEREAS, and Niagara Falls Firefighters Toy Fund organization also hosts a festive holiday luncheon each year for the Niagara Falls area nursing homes, and

WHEREAS, these events brighten the holidays for over one thousand Niagara County residents, 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 Niagara Falls Firefighters Toy Fund by appropriating monies from said Community Partnership Fund as follows:

Niagara Falls Firefighters Toy Fund	\$4,000.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-133-24**

From: Legislators Christopher J. McKimmie, Christopher A. Robins and Economic Development Committee.  
Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF THE TOWN OF NIAGARA ACTIVE HOSE FIRE COMPANY  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Town of Niagara Active Hose Company provides fire suppression, emergency medical services, and rescue services to the residents and visitors of the Town of Niagara, and

WHEREAS, after the COVID-19 pandemic many fire halls have been extremely stressed, and

WHEREAS, Niagara Active Hose Fire Company would like to purchase some much needed equipment, 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 Niagara Active Hose Fire Company by appropriating monies from said Community Partnership Fund as follows:

Town of Niagara Active Hose Fire Company	\$2000.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-134-24**

From: Legislator Christopher A. Robins and Economic Development Committee.  
Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF THE NIAGARA ARTS & CULTURAL CENTER  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Arts & Cultural Center (NACC) is home to more than 75 artists and arts groups, over 60 artist studios, 3 public galleries, and multiple private galleries, three theaters, a radio station, a certified sound stage / movie production facility, the Niagara Falls High School Alumni Center, and the NACC Artisan Café & Gift Shop, and

WHEREAS, and the NACC continues to grow as an education center offering year-round adult and children classes to the public, along with summer programs for kids in the areas of art, music, dance, and technology classes, and

WHEREAS, the NACC is an important landmark in the City of Niagara Falls, 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 NACC by appropriating monies from said Community Partnership Fund as follows:

Niagara Arts & Cultural Center	\$2000.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-135-24**

From: Legislators Rebecca J. Wydysh, Irene M. Myers and Economic Development Committee.

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF THE JUBILEE TEA  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Friends of the Youngstown Library, in commemoration of their 75<sup>th</sup> anniversary, will host a Jubilee Tea fundraiser on October 5, 2024, in partnership with the Lewiston Service Guild, and

WHEREAS, the fundraiser will support library collections and yearly scholarships for high school seniors at Lewiston Porter High School, and

WHEREAS, both of these non-profit agencies are run by dedicated volunteers that seek to better the communities of Lewiston and Youngstown, and

WHEREAS, the Niagara County Legislature wishes to support the continuation of programs and projects that enhance the quality of life for our residents, 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 Jubilee Tea Fundraiser by appropriating monies from said Community Partnership Fund as follows:

Friends of the Youngstown Library	\$1,000.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-136-24**

From: Legislator Shawn A. Foti and Economic Development Committee.

Dated: October 15, 2024



**RESOLUTION IN SUPPORT OF BARKER FIRE DEPARTMENT  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Barker Fire Department (BFD) was founded in 1917 and has provided fire and EMS services ever since inception, and

WHEREAS, BFD members work tirelessly to protect our community and be public servants to our residents during all times of need, and

WHEREAS, rising costs, the COVID-19 pandemic, work and family responsibilities, and increasing regulations from NYS have made it more costly and time consuming to be a volunteer, and

WHEREAS, additional funds are necessary to offset these rising costs and help support our Niagara County volunteer fire departments, 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 volunteer firefighters at Barker Fire Dept by appropriating monies from said Community Partnership Fund as follows:

Barker Fire Department	\$1,500.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-137-24**

From: Legislator Shawn A. Foti and Economic Development Committee.

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF MILLER HOSE FIRE CO.  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Miller Hose Fire Co. (MHC) was founded in 1911 and has provided fire and EMS services ever since inception, and

WHEREAS, MHC members work tirelessly to protect our community and be public servants to our residents during all times of need, and

WHEREAS, rising costs, the COVID-19 pandemic, work and family responsibilities, and increasing regulations from NYS have made it more costly and time consuming to be a volunteer, and

WHEREAS, additional funds are necessary to offset these rising costs and help support our Niagara County volunteer fire departments, 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 volunteer firefighters at Miller Hose Fire Co. by appropriating monies from said Community Partnership Fund as follows:

Miller Hose Fire Co.	\$1,500.00
Moved by Hill, seconded by Robins.	

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IL-138-24**

From: Legislator Shawn A. Foti and Economic Development Committee.

Dated: October 15, 2024

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

WHEREAS, the Olcott Fire Company (OFC) was founded in 1928 and has provided fire and EMS services ever since inception, and

WHEREAS, OFC members work tirelessly to protect our community and be public servants to our residents during all times of need, and

WHEREAS, rising costs, the COVID-19 pandemic, work and family responsibilities, and increasing regulations from NYS have made it more costly and time consuming to be a volunteer, and

WHEREAS, additional funds are necessary to offset these rising costs and help support our Niagara County volunteer fire departments, 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 volunteer firefighters at Olcott Fire Company by appropriating monies from said Community Partnership Fund as follows:

Olcott Fire Company

\$1,500.00

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IL-139-24**

From: Legislator Shawn A. Foti and Economic Development Committee.

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF WRIGHTS CORNERS FIRE COMPANY  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Wrights Corners Fire Company (WCFC) was founded in 1939 and has provided fire and EMS services ever since inception, and

WHEREAS, WCFC members work tirelessly to protect our community and be public servants to our residents during all times of need, and

WHEREAS, rising costs, the COVID-19 pandemic, work and family responsibilities, and increasing regulations from NYS have made it more costly and time consuming to be a volunteer, and

WHEREAS, additional funds are necessary to offset these rising costs and help support our Niagara County volunteer fire departments, 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 volunteer firefighters at Wrights Corners Fire Company by appropriating monies from said Community Partnership Fund as follows:

Wrights Corners Fire Company	\$1,500.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-140-24**

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

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF LIGHT UP LOCKPORT  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Historic Palace Theatre provides a variety of family-friendly events for residents and visitors in the City of Lockport, and

WHEREAS, the Historic Palace Theatre will once again be participating in Lockport's annual Light Up Lockport celebration on November 30, 2024, and

WHEREAS, the Light Up Lockport event draws hundreds of families to downtown Lockport to celebrate the start of the holiday season, and

WHEREAS, this year's event will feature crafts, food, shopping, Christmas movies, games, ice skating, and a lighted Christmas parade, 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 Light Up Lockport by appropriating monies from said Community Partnership Fund as follows:

Historic Palace Theatre	\$3,000.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-141-24**

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

Dated: October 15, 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, Inc. is undertaking two projects to enhance highly visible areas of the city, and

WHEREAS, the first project includes the cleaning of stones at Mt. Calvary Cemetery, and adding a small stone driveway, and

WHEREAS, the second project will include a new chain link style rope which will be installed around the Canal Boat display on the Tri-way Bridge, a key entrance point into the City of Lockport, and

WHEREAS, support for these projects will assist with the ongoing beautification efforts of Lockport Main Street, Inc., 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.	\$2,000.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-142-24**

From: Legislator Shawn A. Foti and Economic Development Committee.

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF THE NEWFANE PUBLIC LIBRARY  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Newfane Public Library was founded in 1911 and uses innovative programming and services to promote lifelong learning and personal growth, and

WHEREAS, the Library hosts many community learning events which are fun and engaging for all ages, and

WHEREAS, new leadership at the Library has brought new programming and new ideas which are beneficial to the community, and

WHEREAS, funds will be put toward offsetting costs for these informational and education events and to promote more events in the 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 the Newfane Public Library by appropriating monies from said Community Partnership Program Fund as follows:

Newfane Business Association	\$1,000.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-143-24**

From: Legislator Carla L. Speranza and Economic Development Committee.

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF WHISPERING RIVER ANIMAL RESCUE INC.  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Whispering River Animal Rescue Inc., a 501(c)(3), has farmland located in Gasport at the eastern end of Niagara County, and an all-volunteer staff that provides sanctuary to animals, often relocated from inhumane conditions, and

WHEREAS, Whispering River Rescue is not only a rescue, but also an educational center for families all across Western New York, and

WHEREAS, the on-going maintenance of the farm facility and care of feeding of the animals rely solely on donations from the community and the Niagara County Legislature wishes to support this now, therefore, be it

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

RESOLVED, that Niagara County supports the efforts of Whispering River Animal Rescue Inc by appropriating monies from said Community Partnership Fund as follows:

Whispering River Animal Rescue Inc.	\$2,000.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-144-24**

From: Legislator Carla L. Speranza and Economic Development Committee.

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF THE DALE ASSOCIATION  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Dale Association is a 501 (c) (3) charitable organization and as a human services agency is dedicated to enriching the lives of individuals and providing supportive programs and services to the community, and

WHEREAS, the Dale Association was founded in 1951 as a senior citizens club in response to older people living alone and in need of social and recreational opportunities, and

WHEREAS, the Dale Association faces significant cuts in funding, and

WHEREAS, adult residents in the town and city of Lockport may receive services for themselves or as caregivers to those in need through the Dale Association, and the Niagara County Legislature wishes to support this, now, therefore, be it

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

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

The Dale Association	\$7,500.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-145-24**

From: Legislator Carla L. Speranza and Economic Development Committee.

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF THE KENAN CENTER ARTS, EDUCATION & RECREATION  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Kenan Center Inc. provides arts, culture, recreation, education & sports (ACRES) programming to the Lockport community as well as several surrounding communities, and

WHEREAS, the 2024 Fall ACRES program is open for registration and to assist in reducing costs for participants, and

WHEREAS, the Kenan ACRES program is designed to bring Arts, Culture, Recreation, Education, and Sports to everyone on the expansive 25-acre community campus, and

WHEREAS, Lockport's last reported population is 20,602 people in 2022, and

WHEREAS, the Kenan Center expect people wishing to participate in the various programs, but unable to afford the full costs, would benefit from reduced registration fees, and the Niagara County Legislature wishes to support this now, therefore, be it

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

RESOLVED, that Niagara County supports the efforts of Kenan Center Inc. by appropriating monies from said Community Partnership Fund as follows:

Kenan Center Inc.

\$3,000.00

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IL-146-24**

From: Legislator Carla L. Speranza and Economic Development Committee.

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF A HAND UP INC.  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, A Hand Up Inc, a 501(c)(3), has provides aid for persons in Niagara, Orleans and Erie Counties who are in need of assistance with food, and

WHEREAS, the Peanut Butter and Jelly (Lockport HQ) is the main collection and distribution food pantry for A Hand Up Inc., located at 71 Van Buren Street in the City of Lockport, and

WHEREAS, the Peanut Butter and Jelly (Lockport HQ) is open 24/7 for the public to access to make and receive donations of peanut butter and jelly as food staples, and

WHEREAS, we believe that the Peanut Butter and Jelly foods collected and distributed to various food pantries benefits not only persons in Lockport, but also in neighboring communities, and the Niagara County Legislature wishes to support this now, therefore, be it

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

RESOLVED, that Niagara County supports the efforts of A Hand Up Inc. for the benefit of the Peanut Butter and Jelly (Lockport HQ) by appropriating monies from said Community Partnership Fund as follows:

A Hand Up Inc.

\$1,000.00

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IL-147-24**

From: Legislator Jeffrey Elder and Economic Development Committee.

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF LASALLE-GRIFFON VETERANS FOR FOREIGN WARS  
POST 917 THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the VFW Foundation is a 501 (c) (3) and is the official charity of the VFW, the oldest and largest organization of combat veterans in the United States, and

WHEREAS, the LaSalle-Griffon Veterans of Foreign Wars (VFW) Post 917 mission is to foster camaraderie among United States veterans of overseas conflicts, to serve our veterans, the military and our communities, and to advocate on behalf of all veterans, and

WHEREAS, the LaSalle-Griffon VFW Post 917 ensures that veterans are respected for their service, always receive their earned entitlements, and are recognized for the sacrifices they and their loved ones have made on behalf of this great country, and

WHEREAS, the LaSalle-Griffon VFW Post 917 is a strong organization working to ensure that Veterans of Foreign Wars have a place to call their own in Niagara Falls, now, therefore, be it

RESOLVED, that 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 LaSalle-Griffon Veterans of Foreign Wars (VFW) Post 917 by appropriating monies from said Community Partnership Fund as follows:

LaSalle-Griffon Veterans of Foreign Wars (VFW) Post 917

\$1,000.00

Moved by Hill, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IL-148-24**

From: Legislator Carla L. Speranza and Economic Development Committee.

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF NIAGARA ORGANIZING ALLIANCE FOR HOPE  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, The Niagara Organizing Alliance for Hope (NOAH), is a 501 (c) (3) non-profit Social Justice and Advocacy organization in Niagara Falls, and

WHEREAS, NOAH's initiative for creating a positive social change for Youth, Woman, and Men through civic engagement, empowerment through career advancement workshops, Youth Internship and higher education preparation workshops, and

WHEREAS, NOAH represents a non-partisan, inter-faith network of religious communities, community organizations, and businesses across Niagara County, and

WHEREAS, NOAH is a strong and diverse organization working to ensure a more equitable & just society for all, now, therefore, be it

RESOLVED, that 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 Niagara Organizing Alliance for Hope by appropriating monies from said Community Partnership Fund as follows:

Niagara Organizing Alliance for Hope	\$2,000.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-149-24**

From: Legislator Jeffrey Elder and Economic Development Committee.

Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF THE HEART LOVE & SOUL SISTER BETH BROSMER CENTER  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Heart, Love & Soul is a non-profit hunger-relief and social care agency in Niagara Falls dedicated to serving those in need – body, mind & soul, and

WHEREAS, Heart Love & Soul has provided the community with wide-reaching food and hospitality services and social care services for all those in Niagara Falls to utilize at no cost, and

WHEREAS, their newest addition, the Daybreak Program, brings together over 30 community organizations under one roof, allowing guests to easily access the social care services they need in a central location, and

WHEREAS, since the program's inception, they have had thousands guest interactions, and the Niagara County Legislature wishes to support this program, now, therefore, be it

RESOLVED, that 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 Heart Love & Soul by appropriating monies from said Community Partnership Fund as follows:

Heart Love & Soul	\$2,000.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-150-24**

From: Legislators Christopher J. McKimmie, Christopher Voccio and Economic Development Committee.

Dated: October 15, 2024



**RESOLUTION IN SUPPORT OF THE FRIENDS OF THE NIAGARA FALLS PUBLIC LIBRARY  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara County Legislature recognizes the importance of providing educational and recreational opportunities for the youth in our community, and

WHEREAS, the Friends of the Niagara Falls Public Library is a volunteer organization that supports library programs, materials, and services through fundraising and advocacy, and

WHEREAS, the Friends of the Library have identified a need for additional funding to enhance and expand youth programming at the LaSalle Branch of the Niagara Falls Public Library, and

WHEREAS, these programs serve to inspire and engage local youth, promoting literacy, creativity, and lifelong learning, now, therefore, be it

RESOLVED, that 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 Friends of the Niagara Falls Public Library by appropriating monies from said Community Partnership Fund as follows:

Friends of the Niagara Falls Public Library	\$1,700.00
Moved by Hill, seconded by Robins.	
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.	

**Resolution No. IL-151-24**

From: Legislators Christopher J. McKimmie, Anthony J. Nemi, Richard E. Abbott and Economic Development Committee.

Dated: October 15, 2024

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

WHEREAS, the Niagara County Legislature recognizes the importance of supporting community organizations that contribute to the cultural, economic, and social vitality of our cities, towns, and county, and

WHEREAS, Lockport Main Street, Inc. is a 501(c)(3) nonprofit organization dedicated to enhancing the beauty, history, and economic vitality of the historic downtown area in the City of Lockport, serving as a resource for promoting local businesses and encouraging tourism and community engagement, and

WHEREAS, Lockport Main Street, Inc. hosts community events such as the Lockport Community Farmers Market, LKPT Food Fest, and Locktoberfest, which attract visitors from all over Niagara County, promote local businesses, and contribute to the economic development of downtown Lockport, and

WHEREAS, Lockport Main Street, Inc. seeks additional funding to expand its programming and further support local economic growth, now, therefore, be it

RESOLVED, that 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 Fund as follows:

Lockport Main Street, Inc.  
Moved by Hill, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

\$1,000.00

**Resolution No. IL-152-24**

From: Legislators Richard L. Andres, Randy R. Bradt and Economic Development Committee.  
Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF ACTIVE HOSE FIRE COMPANY NO. 2  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Active Hose Fire Company No. 2 has been serving the citizens of North Tonawanda since 1886, and

WHEREAS, Active Hose Fire Company No. 2 is in the process of converting its main hall into a community events center to provide a meeting place for various organizations, and to serve as an emergency shelter in times of need, and

WHEREAS, Active Hose Fire Company No. 2 recently installed two ADA compliant entrances to its main hall, making it much more accessible to the public, 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 Active Hose Fire Company No. 2 by appropriating monies from said Community Partnership Fund as follows:

Active Hose Fire Company No. 2  
Moved by Hill, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

\$4,000.00

**Resolution No. IL-153-24**

From: Legislators Randy R. Bradt, Richard L. Andres and Economic Development Committee.  
Dated: October 15, 2024

**RESOLUTION IN SUPPORT OF NEIGHBORHOPE COLLECTIVE  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Neighborhope Collective is a 501(c)(3) organization in the City of North Tonawanda dedicated to serving the community, and

WHEREAS, Neighborhope Collective's mission is to equip and connect neighbors in the City of North Tonawanda, and

WHEREAS, Neighborhope Collective provides food, clothing, transportation and housing assistance to those in need, and

WHEREAS, the Niagara County Legislature wishes to support Neighborhope Collective in its efforts to assist those less fortunate in the community, now, therefore, be it

RESOLVED, that 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 Neighborhope Collective by appropriating monies from said Community Partnership Fund as follows:

Neighborhope Collective \$1,500.00  
Moved by Hill, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IL-154-24**

From: Legislators Irene M. Myers, Rebecca J. Wydysh, Randy R. Bradt, David E. Godfrey, Richard L. Andres, Jesse P. Gooch, Anthony J. Nemi, Richard E. Abbott, Michael A. Hill, Shawn A. Foti, Christopher Voccio, Christopher J. McKimmie, Christopher A. Robins, Jeffery Elder, Carla Speranza.  
Dated: October 15, 2024

**ADOPTION OF A LOCAL LAW INCREASING THE MAXIMUM  
ALTERNATIVE VETERAN'S EXEMPTION**

WHEREAS, Legislators Irene Myers, Rebecca Wydysh, Randy Bradt, Anthony Nemi, Christopher Voccio, Jesse Gooch, Richard Andres, David Godfrey, Richard Abbott, Shawn Foti, Michael Hill, Christopher McKimmie, Carla L. Speranza, Christopher Voccio and Christopher Robins present in writing the following proposed Local Law:

A Local Law of the County of Niagara, New York, for the year 2024, in relation to the Alternative Veteran's Exemption from Real Property Taxation under Section 458-a of the Real Property Tax Law (RPTL) of the State of New York, and

WHEREAS, a public hearing was held on the 15<sup>th</sup> day of October, 2024 at 5:50 p.m. in the Legislative Chambers, Courthouse, Lockport, New York, on said Local Law, and

WHEREAS, no one appeared to speak on said Local Law, and

WHEREAS, no amendment(s) was (were) made to said Local Law, now, therefore, be it

RESOLVED, that a Local Law of the County of Niagara, New York, for the year 2024, in relation to the Alternative Veteran's Exemption from Real Property Taxation under Section 458-a of the Real Property Tax Law (RPTL) of the State of New York, Be it enacted by the Legislature of the County of Niagara, New York, as follows:

Section 1. The purpose of this law is to increase the maximum exemption allowable in Real Property Tax Law, Section 458-a(2) a, b, and c to \$30,000, \$20,000 and \$100,000 respectively.

Section 2. This local law shall take effect immediately upon its filing with the Secretary of State.  
Moved by Godfrey, seconded by Speranza, to implement the portion of Rule 15 that pertains to voting on a resolution as opposed to referring it to committee.  
Carried.  
Moved by Godfrey, seconded by McKimmie.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Bradt, Gooch.

**Resolution No. IL-155-24**

From: Legislator Shawn A. Foti  
Dated: October 15, 2024

## **RESOLUTION CONCERNING THE IMPACTS OF EFFORTS TO ELECTRIFY HIGHWAY DEPARTMENT VEHICLES BY ADOPTION OF THE ADVANCED CLEAN TRUCK RULE**

WHEREAS, in 2019, the Climate Leadership and Community Protection Act (CLCPA) was signed into law to require New York to reduce economy-wide greenhouse gas emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels, and

WHEREAS, the CLCPA directs the development of performance-based standards for sources of greenhouse gas (GHG) emissions including for the transportation sector by reducing GHG emissions from motor vehicles, and

WHEREAS, New York State adopted California's Advanced Clean Trucks (ACT) Rule in December 2021 that requires applicable medium and heavy-duty (M/HD) vehicle manufacturers to sell a percentage of their total sales in New York as zero-emission vehicles (ZEVs) starting in model year 2025 with increasing ZEV sales through model year 2035, and

WHEREAS, the cost of transitioning the state and local highway departments' utility and construction vehicles, snowplows and equipment to run on battery power as mandated by ACT and other state strategies is at this juncture incalculable, but expected to exceed the ability to be financed without substantial sources of new revenues directed strictly for the retrofit or procurement of such ZEVs and equipment, and

WHEREAS, as commercial production of M/HD large-scale, electric construction vehicles is today a nascent industry, the ability of local highway departments to plan for this transition, with its concomitant mandates that fuel and electricity charging sources be carbon-free, is of tremendous concern considering that the transportation system at all levels of New York government is significantly underfunded, and

WHEREAS, while ACT regulations do not require M/HD fleets, owners, operators, or dealerships to purchase ZEVs, the sales mandates on vehicle manufacturers are expected to lead to shortages in supply of not only complying electric vehicles but of traditional gasoline and diesel vehicles as well, and

WHEREAS, alarmingly, some M/HD vehicle dealerships have notified highway departments that, due to manufacturers' need to plan for the sales mandates adopted by New York and some other states, many orders for trucks are being delayed or canceled, and

WHEREAS, notably, Maine, North Carolina and Connecticut among other states recently stepped back from adopting ACT regulations citing concerns over the availability of heavy-duty vehicle charging stations and the high cost of zero-emission trucks, and

WHEREAS, in July 2024, the New York State Comptroller released an audit on the State's progress in meeting Climate Act goals and noted several deficiencies including the need to increase communication with stakeholders and provide more accurate cost estimates. The audit goes on to add that the lack of cost estimates jeopardizes the chances of success in meeting climate goals. The comptroller urges the state to clarify for key stakeholders, especially energy ratepayers, the extent to which ratepayers will be responsible for Climate Act implementation costs, and

WHEREAS, New York's climate goals must be implemented in a way that is affordable while assuring adequate supplies of these specialized vehicles and functional highway construction equipment that meet state specifications, estimated to increase the cost of a new truck by about one-third, and

WHEREAS, the rush to introduce electric vehicles in New York can be counterproductive to the environment as the bulk of the power generation used to charge new vehicle batteries is produced by fossil fuels, and is a reason to move more slowly to sync with the pace of the transition to a zero-emission electric grid by 2040, and

WHEREAS, recognizing these potential impacts on the ability of local governments to continue to deliver necessary transportation services and facilities to the traveling public it is vital that state elected representatives and agencies assist county highway departments in developing strategies, funding sources and realistic timelines for achieving these aggressive GHG emissions reduction goals in the face of market and fiscal barriers to the transition, and

WHEREAS, all levels of government need to work together throughout the regulatory process to assure strategies and mandates put in place to meet the CLCPA goals for the transportation sector are realistic and achievable and will benefit the environment, now, therefore, be it

RESOLVED, that Niagara County of New York State calls on the Governor, the NYS Department of Transportation (NYSDOT) and NYS Department of Environmental Conservation (NYSDEC), NYSERDA, PSC, Commissioners and legislative leaders to commit to providing support for addressing these concerns in the regulatory and implementation process and to dedicate the funding necessary to fully cover the counties' costs of complying with the state mandates under the CLCPA, and be it further

RESOLVED, that the Governor consider a pause or suspension of the implementation of ACT until there is strong evidence that the state has in place the necessary direct financial assistance and incentives and charging infrastructure necessary, and can definitively determine that vehicle manufacturers are prepared to effectively supply the New York market without disruption to the critical work needed to maintain the state's vast and aging infrastructure, and be it further

RESOLVED, that the state recognize that highway construction, maintenance vehicles, and equipment are critical to governments' mission to maintain a safe and functional transportation system by designating these municipally owned vehicle and equipment as a category among "transit buses, motor coaches, and emergency vehicles," and thus exempt from ACT regulation, and be it further

RESOLVED, that Niagara County shall forward copies of this resolution to Governor Kathy Hochul, Niagara County representatives to the New York State Legislature and all others deemed necessary and proper.

Moved by Foti, 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 Foti, seconded by Myers.

Adopted. 12 Ayes, 2 Noes – Elder, Robins, 2 Absent – Bradt, Gooch.

#### **APPOINTMENTS:**

##### **TRAFFIC SAFETY BOARD:**

	<u>Appt.</u>	<u>Expires</u>
Roland Johnson, Chief, Middleport Police Dept. (replaces John Swick) PO Box 186, Middleport 14105	10/15/24	12/31/24
Daniel Zimmerman, Capt., Stop DWI Coordinator (replaces Thomas Huff) 5526 Niagara St. Ext., Lockport 14094	10/15/24	12/31/26

Moved by McKimmie, second by Elder .

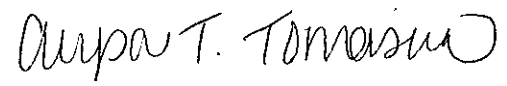
Approved.

Chairman Wydysh called Legislator Speranza to the lectern to address the upcoming election.

Motion by Andres, second by Voccio to adjourn the board.

The Chairman declared the Board adjourned at 6:29 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. The first name "Alysa" is written with a large, looped 'A'. The middle initial "T." is written in a smaller, more compact script. The last name "Tomasino" is written with a large, looped 'T' and a trailing flourish that extends to the right.

Alysa T. Tomasino, Clerk