

OFFICIAL RECORD

Lockport, New York
December 10, 2019

The meeting was called to order by Vice Chairman Wydysh at 7:05 p.m.

Clerk Tamburlin called the roll. All Legislators were present, with the exception of Legislator McNall.

CORRESPONDENCE / RECOGNITION:

Vice Chairman Wydysh recognized Sheriff James on his 26 years of service with the Sheriff's Department, Legislator Jason A. Zona on his 8 years as a Legislator and Chairman Wm. Keith McNall 13 years as Legislator and 4 as Chairman.

Vice Chairman Wydysh displayed a picture the Legislature received from the Lewiston VFW Downriver Post 7487 Lewiston on the Circle of Honor Veterans Memorial.

Legislators Gooch and Steed called the Director of Health Daniel Stapleton to the lectern to read a Proclamation and to recognize the Department of Health along with his staff, the Sheriff's Department, the I.T. department, Public Works, Emergency Management, the Doris W. Jones Family Resource center, the Niagara Falls Police Department, Medical Reserve Corps volunteers and surrounding Counties for their quick response on the Emergency Hepitis A Clinics in Niagara Falls.

County Attorney Claude Jorge announced the upcoming pending litigation on Thursday December 12th at 9:30am to be heard in front of Supreme Court Justice, Honorable Judge Caruso on the Green Light Law and 2:00pm litigation in regards to the Niagara County Conservative Party to stop fusion voting and Minor Parties having the right to be on the ballot will be heard by Supreme Court Justice, Honorable Judge Ralph A. Boniello III.

Legislator Steed asked Clerk of the Legislature, Mary Jo Tamburlin to give a description on the duties handled in her office.

0 Citizens spoke

Recess

Moved by Hill, second by Andres to Rescind IL-031-19
Carried.

Resolution No. IF-138-19

From: Infrastructure & Facilities and Administration Committees.

Dated: December 10, 2019

**REPLACEMENT OF CARMEN ROAD BRIDGE OVER
GOLDEN HILL CREEK-NORTH
CHANGE ORDER NO. 1 - FINAL**

WHEREAS, by Resolution No. IF-015-19, dated February 19, 2019, the Legislature awarded the contract for the Replacement of Carmen Road Bridge over Golden Hill Creek-North project to 4th Generation Construction, 5650 Simmons Avenue, Niagara Falls, NY 14304, for a contract amount of \$793,891, and

WHEREAS, it is necessary to decrease the contract in the amount of \$56,713.15 in order to release contract funds within items with surplus quantities in order to pay for overruns of existing contract item quantities, for a revised contract amount of \$737,177.85, and

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

RESOLVED, that Change Order No. 1-Final to decrease the contract by \$56,713.15 for the Replacement of Carmen Road Bridge over Golden Hill Creek-North project, for a revised contract amount of \$737,177.85, to 4th Generation Construction, 5650 Simmons Avenue, Niagara Falls, NY 14304, be approved, and be it further

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

Moved by Syracuse; seconded by Nemi to amend resolution.

Amendment:

Second WHEREAS should read, "WHEREAS, it is necessary to decrease the contract in the amount of \$40,840.15 in order to release contract funds within items with surplus quantities in order to pay for overruns of existing contract item quantities, for a revised contract amount of \$753,050.85, and

First RESOLVED should read, RESOLVED, that Change Order No. 1-Final to decrease the contract by \$40,840.15 for the Replacement of Carmen Road Bridge over Golden Hill Creek-North project, for a revised contract amount of \$753,050.85, to 4th Generation Construction, 5650 Simmons Avenue, Niagara Falls, NY 14304, be approved, and be it further

Moved by Syracuse; seconded by Nemi on resolution as amended.

Adopted. 13 Ayes, 0 Noes, 1 Absent – McNall

Resolution No. AD-030-19

From: Administration Committee.

Dated: December 10, 2019

RESOLUTION SETTING SALARY OF NIAGARA COUNTY CLERK

WHEREAS, the State of New York requires that the salary of the County Clerk shall be set for the period of the term (four years) prior to the start of that term, and

WHEREAS, the roles of the County Clerk in Niagara County cover a broad and diverse area of management including Clerk of Supreme and County Court, agent for the Commissioner of New York State Motor Vehicles, Records Management Officer, and administrative manager overseeing the operations of the Land Recording Office, Veterans Service Agency, Office of Historian, Pistol Permit and Passport Acceptance Agency, and

WHEREAS, the County Clerk has developed and implemented outreach programs partnering with public and private entities to the benefit of the public, and

WHEREAS, the County Clerk has strongly advocated for Niagara County taxpayers through opposition to "Green Light Law" legislation, and

WHEREAS, the County Clerk fought to reverse the NYS Department of Motor Vehicle plan to charge a \$25.00 mandatory fee to replace a license plate, and

WHEREAS, the County Clerk has held numerous "Town Hall" meetings to provide pistol permit holders with pertinent 2nd Amendment Rights and the changes that may take place, and

WHEREAS, the County Clerk has been instrumental in enhancing the office Electronic Document Management System to include preservation of important and historical maps, now, therefore, be it

RESOLVED, the salary of the County Clerk be set as follows, \$100,498.00 per year commencing January 1, 2020; \$102,508.00 per year commencing January 1, 2021; \$104,558.00 per year commencing January 1, 2022; \$106,649.00 per year commencing January 1, 2023.

Moved by Nemi, seconded by Bradt.

Adopted. 13 Ayes, 0 Noes, 1 Absent – McNall.

Resolution No. AD-031-19

From: Administration Committee.

Dated: December 10, 2019

**RESOLUTION BY THE COUNTY LEGISLATURE RE-APPOINTING
RICHARD E. UPDEGROVE, NIAGARA COUNTY MANAGER**

WHEREAS, the Niagara County Legislature has established the position of County Manager pursuant to Local Law No. 5 for the year 2002, establishing the Office of County Manager, adopted by Resolution No. IL-061-02 on August 6, 2002, and

WHEREAS, Richard Updegrove has performed the requisite duties of County Manager from April 1, 2016 to the present, pursuant to the Niagara County Administrative Code and pursuant to the terms of an Employment Agreement for County Manager, and

WHEREAS, said contract expires on April 1, 2020, and

WHEREAS, County Manager Updegrove has committed to serve a subsequent 4 year term, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby accepts and approves the recommendation of the Administration Committee of the County Legislature by appointing Richard E. Updegrove of Lockport, NY as County Manager for a four year term commencing on April 4, 2020, at a salary of \$126,183.00, contingent upon review and approval by the County Attorney's Office of an Employment Agreement between Mr. Updegrove and the County of Niagara.

Moved by Nemi, seconded by Syracuse.

Adopted. 13 Ayes, 0 Noes, 1 Absent – McNall.

Resolution No. AD-032-19

From: Administration Committee.

Dated: December 10, 2019

**STANDARD WORK DAY AND REPORTING RESOLUTION
FOR ELECTED AND APPOINTED OFFICIALS
(NEW TIME REPORTINGS)**

RESOLVED, that the County of Niagara, hereby establishes the following as standard work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Elected Officials

Title	Standard Work Day	Name	Social Security Number	Registration Number	Tier 1	Current Term Begin & End Dates	Participates in Employer's Time System	Record Activities Results	Not Submitted
Coroner		Laura Sweney-Goodlander	xxxx	62212543		01/01/18-12/31/21	No	20.2	
Legislator		Jesse P. Gooch	xxxx	62744727		01/02/19-12/31/19	No	23.5	
Treasurer		Kyle R. Andrews	xxx	40292112		01/01/19-12/31/22	No	30.7	

Appointed Officials

Title	Standard Work Day	Name	Social Security Number	Registration Number	Tier 1	Current Term Begin & End Dates	Participates in Employer's Time System	Record Activities Results	Not Submitted
Asst. Conflict Attorney	6	Rodney A. Giove	xxxx	42348334		01/01/18-12/31/19	No	22.06	
Asst. Conflict Attorney	6	Mario J. Gregori, Jr.	xxxx	62312384		03/11/18-12/31/19	No	23.10	
1 st Asst. County Attorney	6	John J. Ottaviano	xxxx	36131837		05/02/17-12/31/19	No	21.97	
Asst. County Attorney	6	David W. Koplas	xxxx	43589647		07/02/18-12/31/19	No	22.00	
Asst. County Attorney	6	John J. Sansone	xxxx	38661013		01/01/18-12/31/19	No	21.66	
Asst. District Attorney	6	Mary Jean Bowman	xxxx	4169154-4		01/01/17-12/31/20	No	25.55	
Asst. District Attorney	6	Sean S. Carberry	xxxx	62353024		04/23/18-12/31/20	No	25.30	
Asst. District Attorney	6	David J. Dechellis	xxxx	62411277		06/11/18-12/31/20	No	29.30	
Asst. District Attorney	6	Christine Savoia	xxxx	60115409		01/01/17-12/31/20	No	26.44	
Asst. District Attorney	6	Maria Stoelting	xxxx	4233818-6		01/01/19-12/31/20	No	24.20	
						01/01/17-12/31/18		12.72	
Asst. Public Defender	6	David E. Blackley	xxxx	3826164-0		01/01/18-12/31/19	No	23.83	
Asst. Public Defender	6	Joseph G. Frazier	xxxx	3805549-7		01/01/18-12/31/19	No	21.70	
Asst. Public Defender	6	Nicholas Robinson	xxxx	61803128		01/01/18-12/31/19	No	22.10	
Asst. Public Defender	6	Michael H. White, Jr.	xxxx	50043975		01/01/18-12/31/19	No	19.05	

Moved by Bradt, seconded by Nemi.

Adopted. 13 Ayes, 0 Noes, 1 Absent – McNall.

Resolution No. AD-033-19

From: Administration Committee.

Dated: December 10, 2019

DESIGNATION OF DEPOSITORY AND DEPOSIT AMOUNT

WHEREAS, pursuant to Section 212 of the County Law and Section 10 of the General Municipal Law, the Niagara County Legislature shall designate the depositories within the State of New York and the maximum which may be kept on deposit at any time in each depository, and

WHEREAS, the last designation by the County Legislature occurred on May 16, 2017, and

WHEREAS, since the last designation by the County Legislature, banks have changed due to mergers and acquisitions or expansion into the county marketplace, and

WHEREAS, it is beneficial to have numerous regional banks involved in the bidding process for investments and borrowings, now, therefore, be it

RESOLVED, that the maximum amounts to be deposited in the following bank depositories are as follows:

JP Morgan Chase Bank	\$90,000,000
Bank of America	\$90,000,000
Key Bank	\$90,000,000
M&T Bank	\$90,000,000
Evans Bank	\$90,000,000
Bank of Akron	\$90,000,000

Moved by Nemi, seconded by Gooch.

Adopted. 13 Ayes, 0 Noes, 1 Absent – McNall.

Resolution No. CW-024-19

From: Committee of the Whole.

Dated: December 10, 2019

**POSITION APPOINTMENT
PUBLIC INFORMATION OFFICER**

WHEREAS, a Search Committee was formed to conduct interviews to determine who best meets the qualifications for the position of Niagara County Public Information Officer for Niagara County and it is anticipated that the Search Committee will have completed its interviews and be able to make its recommendation at the December 10, 2019 meeting of the Niagara County Legislature, and

WHEREAS, that the Search Committee will makes its recommendation and name the candidate it deems most qualified by the Search Committee to fulfill the position of Niagara County Public Information Officer for the consideration, appointment and confirmation by the Niagara County Legislature, and

WHEREAS, the position of Niagara County Public Information Officer is fully funded for FY2020 in the Niagara County Legislature Office's budget, now, therefore, be it

RESOLVED, that the Niagara County Legislature has considered the recommendation of the Search Committee and hereby appoints the most qualified candidate for the position of Niagara County Public Information Office, at FLSA Exempt, Flat Salary Grade 12, Step 5, at an annualized salary of \$79,003.00, effective January 1, 2020 with future step increases in accordance with the policy for flat salaried, non-union employees, and be it further

RESOLVED, that this Public Information appointment is based on the candidate deemed most qualified by the Search Committee following the consideration by the Niagara County Legislature and shall be subject to a fifty-two (52) week probationary period and that continued employment shall be contingent upon satisfactory work performance in meeting established standards.

Moved by Bradt, seconded by Hill.

Adopted. 9 Ayes, 5 Noes – Collins, Grozio, Steed, Virtuoso, Zona, 1 Absent – McNall.

Resolution No. CSS-097-19

From: Community Safety & Security.

Dated: December 10, 2019

**AUTHORIZING THE NIAGARA COUNTY LEGISLATURE TO ACCEPT UP TO FOUR LAPTOPS
ON BEHALF OF NIAGARA COUNTY CORONERS OFFICE TO AID IN THE BATTLE
AGAINST THE OPIOID EPIDEMIC**

WHEREAS, the Niagara County will continue to vigilantly fight the opioid epidemic to protect our resident's health and wellbeing, and

WHEREAS, one key in this fight is our County Coroner's ability to identify and track opioid related and other violent deaths, and

WHEREAS, providing our County Coroners with tools such as laptop computers they can take in the field will assist our county in the opioid fight as this will help County Coroners collect more accurate data, and

WHEREAS, Niagara County has been awarded up to four laptops equipped with software through a New York State Department of Health lead program in conjunction with the Centers for Disease Control and Prevention (CDC) at no cost to our county, and

WHEREAS, the software include in the computers will ease the burden of required Coroner reports for programs such as the NYS Department of Motor Vehicles Fatal Accident Reporting System (FARS), the NYSDOH National Violent Death Reporting System along with assisting in easily creating counts of specific types of deaths when requested, now, therefore, be it

RESOLVED, that the Legislature is hereby authorized to accept these tablets/laptops for Niagara County and provide them to the County Coroners in order to assist their vital work.

Moved by Godfrey, seconded by Hill.

Adopted. 13 Ayes, 0 Noes, 1 Absent – McNall.

Resolution No. IL-075-19

From: Legislators Randy R. Bradt, David E. Godfrey, et al.

Dated: December 10, 2019

**RESOLUTION ASKING FOR NEW YORK STATE TO REPEAL OR DELAY THE
IMPLEMENTATION OF CHANGES TO THE AMENDMENTS TO THE PROVISION OF
DISCOVERY MATERIAL TO CRIMINAL DEFENDANTS**

WHEREAS, the recently passed amendments to New York State law will, commencing January 1st, 2020, make significant changes to criminal procedure in the area discovery reform, and

WHEREAS, with discovery reform, prosecutors will be required to disclose evidence to the defense within 15 days of arraignment for an indictment or criminal charge or issuance of an appearance ticket, and

WHEREAS, the Niagara County District Attorney has previously implemented local policies and practices to work within an open file system, encourage speedy trial and provide criminal justice protections for defendants, and

WHEREAS, Niagara County has hired, and is attempting to hire, additional positions in the District Attorney's office and Sheriff's Office to handle the predicted increase in workload caused by said discovery reform, and

WHEREAS, Niagara County has implemented the use of some electronic systems to allow the collection, receipt, scanning, review, delivery, storage, and retrieval of evidence, but has not completed the analysis of internal process to determine where further efficiency improvements can be made, the review of available electronic systems, funding determinations, installation, training, that is all necessary to manage discovery materials in an improved manner, and

WHEREAS, the hiring and full training of new personnel, and the further transition of the District Attorney's Office and local police agencies to new coordinated electronic systems will not be accomplished by January 1, 2020, and

WHEREAS, the amendments to the discovery rules includes application to all vehicle and traffic infractions, in addition to violation, misdemeanor and felony level Vehicle and Traffic Law charges, and

WHEREAS, under common practice, in the local courts, a prosecutor does not see the paperwork on a vehicle and traffic infraction until the time of the court appearance. The application of the mandate to Vehicle and Traffic Law infractions drastically enlarges the scope of material that a prosecutor must review and deliver within fifteen days, and will change the established procedure for review prior to an initial court date, such that management of these cases will overwhelm the ability of the present staffs to prosecute those cases while managing their misdemeanor and felony caseloads, and will make it impossible to prosecute such vehicle and traffic infractions in compliance with the new discovery provisions, and

WHEREAS, the office of New York State's chief law enforcement officer, Attorney General Letitia James, testified at a state legislative hearing on October 28, 2019, that there will be implementation difficulties because prosecutors across the state lack the resources required to fully comply with discovery mandates, and

WHEREAS, the Attorney General's office further testified that their own office, which carries a limited criminal caseload, lacks resources required to fully comply with discovery mandates and consequently needs an additional \$10 million in state funding, and

WHEREAS, the short time period between passage of the amendments to CPL Section 245, and implementation of the Law, seven months, has led to not just the New York State Attorney General, but almost every prosecutor's office in the State attempting to hire attorneys, paralegals, investigators, and administrative staff, that have criminal law expertise, all at the same time and from a limited pool of qualified applicants, and

WHEREAS, even if District Attorneys have been able to get approval of the large budget increases that the new staffing requires, and can identify and hire suitable attorneys, paralegals, investigators, and administrative staff before the January 1, 2020 commencement date, these new employees need to undergo training within their new offices as well as with the new bail and discovery requirements, and

WHEREAS, complying with the new discovery mandates requires a careful review and amendment of the existing evidence handling procedures within each prosecutor's office to identify gaps where evidence is not being received and efficiently processed, and to determine where technology can be employed to facilitate compliance, with particular issues for counties that have not yet adopted electronic systems for scanning, managing, reviewing, delivering and storing, evidence, and

WHEREAS, the guidance and training provided by New York State to date has been inadequate to effectively provide training on discovery reform, and

WHEREAS, in making such a significant change to the management and delivery of discovery materials, speed of implementation should be balanced with appropriate budgetary concerns and an overall goal of sharing best practices among District Attorneys' Offices, with New York State taking the lead in identifying those best practice technologies and providing the technical assistance to install and operate them on a local level, and also providing training to local judges on the new management practices related to these discovery mandates, and

WHEREAS, if successful discovery reform is a New York State legislative goal, then the New York State Legislature should fully fund the cost of the required changes to internal procedures within District Attorney's

Offices and police agencies necessary for the faster processing and management of evidence in criminal cases, and

WHEREAS, fifteen days is not practicable for the exchange of "automatic discovery" required by the new law, nor does it enhance fairness in the Criminal Justice System. A more realistic time frame could be agreed upon that would promote an efficient and thorough discovery process without the undue burden on prosecutor and law enforcement offices across the state, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby request that the New York State Legislature repeal the above referenced amendments to the Criminal Procedure Law, and be it further

RESOLVED, that in the event the New York state Legislature does not repeal the aforementioned amendments to the Criminal Procedure Law, the following improvements to these amendments be implemented as soon as possible:

1. Fund all costs associated with compliance with said amendments, including but not limited to all new positions, training of new personnel, technology upgrades and maintenance and any investment in criminal laboratory equipment and/or increased criminal laboratory fees required to meet the amended standards,
2. Provide judges with additional comprehensive guidance necessary for implementation of the new rules on the release of discovery materials to defendants as enumerated in this resolution;
3. Repeal the provision that makes the new discovery mandates applicable to Vehicle and Traffic Law infractions (excluding violations of Vehicle and Traffic Law Section 1192 and other Vehicle and Traffic Law misdemeanors);

RESOLVED, further, that copies of this resolution be provided to Attorney General Letitia James, Lieutenant Governor Kathy Hochul, Governor Andrew Cuomo, the New York State Sheriffs' Association, the New York State Association of Chiefs of Police, the District Attorneys Association of New York, the New York State Defenders Association, the New York State Probation Officers Association, the New York State Council of Probation Administrators, the Association of Justices of the Supreme Court of the State of New York, the New York State Association of City Court Judges, the County Judges Association of the State of New York, and County Attorneys' Association of the State of New York.

Moved by Godfrey, seconded by Hill.

Adopted. 13 Ayes, 0 Noes, 1 Absent – McNall.

Resolution No. IL-076-19

From: Legislators Randy R. Bradt, David E. Godfrey, et al.

Dated: December 10, 2019

IMPLOING THE STATE OF NEW YORK TO IMMEDIATELY REPEAL OR DELAY IMPLEMENTATION OF BAIL AND DISCOVERY REFORM LAWS THAT WILL ENDANGER THE PEOPLE OF NEW YORK AND REVERSE DECADES OF BIPARTISAN PROGRESS IN REDUCING CRIME

WHEREAS, the Niagara County Legislature recognizes the need for statewide bail reform, and

WHEREAS, protecting the people from harm by enforcing the rule of law is the foundational role of government, and

WHEREAS, County governments are vested by the State of New York with the responsibility to protect the most vulnerable among us, including the socioeconomically disadvantaged, the disabled, the elderly, and children, and

WHEREAS, no group is more vulnerable than the victims of crime, and a just society demands that crime victims should be recognized as key participants within the criminal justice system and be treated with dignity, fairness, and respect, and,

WHEREAS, for the past twenty-five years the State of New York has committed itself to reducing crime, and has succeeded as evidenced by official U.S. Department of Justice Uniform Crime Reporting Statistics showing that New York transformed from the second most dangerous state in America in the early 1990s to the safest large state in America by the early 2000s, and

WHEREAS, in the final stages of adopting its FY 2020 budget, the State of New York enacted sweeping criminal justice reforms including the elimination of cash bail for many specific enumerated crimes, and

WHEREAS, under bail reform, beginning January 1, 2020, judges will be stripped of their discretion to set bail for many specific enumerated crimes, which means those suspected of committing these crimes can no longer be held in jail after their arrest, regardless of the strength of the case against these defendants, or the length of the potential sentence faced by these defendants, or the extent of the harm allegedly caused by these defendants, and instead these defendants will be released back into the general public, and

WHEREAS, these crimes include those that result in the deaths of innocent people, including several subcategories of homicide and manslaughter, resulting in those responsible for these deaths being released back into the community of grieving families, and

WHEREAS, these crimes include Making a Terroristic Threat and Money Laundering in Support of Terrorism in the Third and Fourth degree, resulting in those alleged to have supported terrorism in this manner, or who have threatened to commit acts of terrorism, being released immediately from police custody, and

WHEREAS, these crimes include Promoting an Obscene Sexual Performance by a Child; Possessing an Obscene Sexual Performance by a Child; Failure to Register as a Sex Offender; and Patronizing a Person for Prostitution in a School Zone, resulting in suspected child predators being released and returning into our community, and

WHEREAS, these crimes include Aggravated Assault Upon a Person Less than Eleven Years Old; Reckless Assault of a Child by a Daycare Provider; Criminal Sale of a Controlled Substance to a Child; Abandonment of a Child; and Criminal Possession of a Weapon on School Grounds, resulting in those suspected to have physically harmed or endangered children in this manner being free from custody, and

WHEREAS, these crimes include Female Genital Mutilation; Stalking in the Second Degree; and Aggravated Harassment, resulting in those suspected of violating victims in this manner being returned to the community of those victims, and

WHEREAS, these crimes include Endangering the Welfare of a Vulnerable Elderly Person or an Incompetent or Physically Disabled Person, resulting in the potential for further endangerment of seniors and these defenseless individuals, and

WHEREAS, these crimes include Aggravated Cruelty to Animals; Torturing Animals and Injuring Animals, resulting in the immediate release of those suspected of deliberately injuring, torturing and killing animals, and

WHEREAS, these crimes include Assault in the Third Degree, Aggravated Vehicular Assault, and other crimes of physical violence against people, and

WHEREAS, these crimes include Burglary of a Residence, resulting in the immediate release of these individuals back into the neighborhoods they are suspected of targeting, and

WHEREAS, these crimes include Bail Jumping and Unlawfully Fleeing a Police Officer in a Motor Vehicle, resulting in release on recognizance of the very individuals who have demonstrated a propensity to evade the law, and

WHEREAS, all of the offenders mentioned heretofore are at risk of not showing up for court, thereby placing a burden on public employees who, under this law, are required to send multiple court appearance reminders to these offenders, as well as police officers and District Attorneys who must commit resources to tracking and pursuing those who evade prosecution, and

WHEREAS, all offenders who are currently being held in custody for non-qualifying crimes including those mentioned heretofore will be eligible for release from custody on January 1, 2020, and

WHEREAS, the State Commission of Corrections has NOT revised the minimum staffing requirement for each local correctional facility upon implementation of this legislation to adjust for expected reductions in local jail census, and

WHEREAS, these bail laws, in their current form, represent a clear and present danger to society, will tilt the scales of justice in favor of suspected criminals and away from innocent crime victims, and risk reversing decades of bipartisan progress made by the State of New York in reducing crime, and

WHEREAS, the fundamental responsibility of governments to protect the vulnerable in society demands that the shortcomings of these laws be remedied prior to their effective date of January 1, 2020, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby implores the State of New York to immediately repeal or otherwise delay implementation of these laws by convening an emergency session of the State Legislature, or by emergency executive authority, or by any other means deemed possible by the State, and to do so before December 31, 2019, and be it further

RESOLVED, that copies of this resolution be provided to Attorney General Letitia James, Lieutenant Governor Kathy Hochul, Governor Andrew Cuomo, the New York State Sheriffs' Association, the New York State Association of Chiefs of Police, the District Attorneys Association of New York, the New York State Defenders Association, the New York State Probation Officers Association, the New York State Council of Probation Administrators, the Association of Justices of the Supreme Court of the State of New York, the New York State Association of City Court Judges, the County Judges Association of the State of New York, and County Attorneys' Association of the State of New York.

Moved by Godfrey, seconded by Hill.

Adopted. 13 Ayes, 0 Noes, 1 Absent – McNall.

Moved by Steed, seconded by Andres that the Board adjourn.

The Chairman declared the Board adjourned at 8:54 p.m., subject to the call of the Clerk.

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

BUDGET RESOLUTIONS:

The meeting was called to order by Vice Chairman Wydysh at 9:03 p.m.

Clerk Tamburlin called the roll. All Legislators were present, with the exception of Legislators McNall and Zona.

Resolution No. B-01-19

From: Legislator Wm. Keith McNall

Dated: December 10, 2019

BUDGET MODIFICATION PARTNER/OUTSIDE AGENCY FUNDING

WHEREAS, Cornell Cooperative Extension of Niagara County launched the region's first ever Beginning Farmer Training Program as the result of the dire need for skilled agricultural workforce development training for the next generation of agri-business leaders in our region, and

WHEREAS, New York State lost over 2,100 farms between 2012 and 2017, at a rate twice the national average. With nearly two-thirds of farms currently being managed by someone over 55 years old, there will be an unprecedented turnover of farmland within the next two decades. The need for an agricultural workforce development training program was substantiated in the recently adopted Niagara County Agricultural and Farmland Protection Plan. Additionally, an aging workforce was cited as a threat to Economic Development in the County's 2015 Comprehensive Economic Development Strategy (CEDS) leading to the suggestion to, "Promote Niagara County as a great place to farm to attract new and beginner farmers" as a way to expand the agricultural sector of Niagara County's economy, and

WHEREAS, through farm tours, required field work, and over 50 hours of classroom learning taught by industry experts, the students gain the knowledge of how to launch an agricultural business and take a product from seed to sale. This program not only provides training in crop production, but also a deeper understanding of small-scale farm management and the entrepreneurial skills to start a farm business or find employment at local farms. Guest speakers from the USDA, Freed Maxick CPA, the Small Business Development Center, Cornell Cooperative Extension and other local farms round out the program and provide a network of talented people to provide support and guidance, and

WHEREAS, for over 100 years, Cornell Cooperative Extension of Niagara County has brought local experience and research-based solutions together, helping Niagara County families and communities thrive in our rapidly changing world. Since its inception CCE has provided a wide array of quality education programming and services to residents of Niagara County and the WNY area in five key mission areas: Agriculture and Food Systems; Environment and Natural Resources, Sustainable Energy and Climate Change; 4-H Youth Development/Children, Youth and Families; Nutrition, Food Safety and Obesity Prevention; and, Community and Economic Development. The vast array of programming that CCE accomplishes each year requires a vehicle to transport staff, volunteers, youth, as well as program supplies. The current van that CCE is using is a 2005 model, and

WHEREAS, at this time CCE is requesting \$20,000.00 to support a portion of CCE staff salaries in order to continue the successful Beginning Farmer workforce development program into 2020. Additionally, \$15,000.00 is requested to support a vehicle, including maintenance and/or repairs, essential to CCE program implementation, and

WHEREAS, the YWCA is the only comprehensive confidential domestic violence services provider in Eastern Niagara County and the North Tonawanda Community, services including individual counseling, group counseling, case management, safety planning and assistance with orders of protection, court accompaniment, crisis housing , supportive transitional housing and children's counseling, and

WHEREAS, at this time the YWCA of the Niagara Frontier is requesting \$35,000 to ensure their ability to provide life saving services such as a consistent 24-7 staffing at the emergency domestic violence shelter, hotline and rape crisis advocacy, and

WHEREAS, the NIOGA Library System, a partner agency, has requested an increase in funding to purchase library materials to meet the increasing information, education, employment and recreation needs of the residents of the County. Items purchased with County funds are shared among all of the eleven (11) public libraries, now, therefore, be it

RESOLVED, that Partner/Outside Agency funding be increased in the 2020 Budget, and be if further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$75,282
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INCREASE EXPENSE:

A.10.1989.116 74525.02	NIOGA Library System	\$ 5,282
A.10.1989.116 74525.03	Cornell Cooperative Ext	35,000
A.11.7989.705 74525.08	YWCA	35,000

Moved by Syracuse, seconded by Andres.

Approved: 12 Ayes, 0 Noes, 2 Absent – McNall, Zona

Resolution No. B-02-19

From: Legislators Randy R. Bradt, et al.

Dated: December 10, 2019

**BUDGET MODIFICATION
SALES TAX**

RESOLVED, that sales tax revenue be increased in the 2020 Budget, and be if further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.07.1325.000 41110.01	Sales & Use Tax-General	\$160,000
A.07.1325.000 41110.02	Sales & Use Tax-Medicaid	\$140,000

DECREASE REVENUE:

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

Approved: 12 Ayes, 0 Noes, 2 Absent – McNall, Zona

Resolution No. B-03-19

From: Legislators Dennis F. Virtuoso, Jason A. Zona, Owen T. Steed and Mark J. Grozio.
Dated: December 10, 2019

**BUDGET MODIFICATION
COUNTY MANAGER BUDGET**

RESOLVED, that the Contract Administrator position be eliminated in the 2020 County Budget as follows:

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$93,207
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DECREASE APPROPRIATIONS:

A.05.1230.000.71010.00.13328	Contract Administrator	\$63,863
A.05.1230.000.78100.00	Retirement	6,131
A.05.1230.000.78200.00	FICA	4,886
A.05.1230.000.78300.00	Workers' Comp	1,839
A.05.1230.000 78400.01	Health Insurance	15,259
A.05.1230.000 78400.05	HRA	850
A.05.1230.000 78800.00	Flex 125	<u>379</u>
Total:		\$93,207

Moved by Virtuoso, seconded by Steed.

Rejected: 3 Ayes – Grozio, Steed, Virtuoso, 9 Noes, 2 Absent – McNall, Zona

Resolution No. B-04-19

From: Legislators Dennis F. Virtuoso, Jason A. Zona, Owen T. Steed and Mark J. Grozio.
Dated: December 10, 2019

**BUDGET MODIFICATION
PUBLIC INFORMATION OFFICER BUDGET**

RESOLVED, that the Public Information Officer position and budget be eliminated in the 2020 County Budget as follows:

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$122,171
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DECREASE APPROPRIATIONS:

A.01.1480.000.71010.00.10611	Public Information Officer	\$79,003
A.01.1480.000 74250.01	Office Expense	500
A.01.1480.000 74300.01	Travel, Conference	900
A.01.1480.000 74300.03	Travel, Mileage	1,000
A.01.1480.000 74375.02	Telephone Usage	20
A.01.1480.000 74375.03	Telephone System	300
A.01.1480.000 74375.05	Cellular Phone	900
A.01.1480.000 74675.01	Central Postage	50
A.01.1480.000 74675.02	Central Printing	100
A.01.1480.000 74675.03	Print Shop Supplies	200
A.01.1480.000 74675.06	MILOR	5,542
A.01.1480.000 74750.12	Computer Supplies	300
A.01.1480.000 74800.01	Communication Supplies	720
A.01.1480.000 74800.06	Repairs and Maintenance	300

A.01.1480.000 78100.00	Retirement	7,529
A.01.1480.000.78200.00	FICA	6,044
A.01.1480.000.78300.00	Workers' Comp	2,275
A.01.1480.000 78400.01	Health Insurance	15,259
A.01.1480.000 78400.05	HRA	50
A.01.1480.000 78800.00	Flex 125	<u>379</u>
Total:		\$122,171

Moved by Virtuoso, seconded by Grozio.

Rejected: 3 Ayes – Grozio, Steed, Virtuoso, 9 Noes, 2 Absent – McNall, Zona

Resolution No. B-04-19

From: Legislators Dennis F. Virtuoso, Jason A. Zona, Owen T. Steed and Mark J. Grozio.

Dated: December 10, 2019

**BUDGET MODIFICATION
COUNTY AUDITOR**

RESOLVED, that the County Auditor position be eliminated in the 2020 County Budget as follows:

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$105,575
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DECREASE APPROPRIATIONS:

A.06.1320.000.71010.00.00078	County Auditor	\$77,214
A.06.1320.000 71012.00	Longevity	447
A.06.1320.000.78100.00	Retirement	12,450
A.06.1320.000.78200.00	FICA	5,941
A.06.1320.000.78300.00	Workers' Comp	2,237
A.06.1320.000 78400.01	Health Insurance	6,482
A.06.1320.000 78400.05	HRA	425
A.06.1320.000 78800.00	Flex 125	<u>379</u>
Total:		\$105,575

Moved by Virtuoso, seconded by Steed.

Rejected: 3 Ayes – Grozio, Steed, Virtuoso, 9 Noes, 2 Absent – McNall, Zona

Resolution No. B-06-19

From: Legislators Dennis F. Virtuoso, Jason A. Zona, Owen T. Steed and Mark J. Grozio.

Dated: December 10, 2019

**BUDGET MODIFICATION
GENERAL INSURANCE FUND**

WHEREAS, the General Insurance budget includes an appropriation for \$950,000, now, therefore, be it

RESOLVED, that the 2020 County Budget be decreased by \$50,000 as follows:

DECREASE REVENUE:

A.07.1325.000.41001.00	Real Property Tax	\$50,000
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DECREASE APPROPRIATIONS:

A.13.1910.000.74100.01 General Insurance \$50,000

Moved by Virtuoso, seconded by Steed.

Rejected: 3 Ayes – Grozio, Steed, Virtuoso, 9 Noes, 2 Absent – McNall, Zona

Resolution No. B-07-19

From: Legislators Dennis F. Virtuoso, Jason A. Zona, Owen T. Steed and Mark J. Grozio.

Dated: December 10, 2019

**BUDGET MODIFICATION
CLERK OF THE LEGISLATURE**

RESOLVED, that the Clerk of the Legislature position be eliminated in the 2020 County Budget as follows:

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$127,227
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DECREASE APPROPRIATIONS:

A.01.1040.000 71010.00.20	Clerk of the Legislature	\$86,106
A.01.1040.000 71012.00	Longevity	225
A.01.1040.000 78100.00	Retirement	13,840
A.01.1040.000 78200.00	FICA	6,605
A.01.1040.000 78300.00	Workers' Comp	2,486
A.01.1040.000 78400.01	Health Insurance	17,146
A.01.1040.000 78400.05	HRA	440
A.01.1040.000 78800.00	Flex 125	<u>379</u>
Total:		\$127,227

Moved by Virtuoso, seconded by Grozio.

Rejected: 2 Ayes – Grozio, Virtuoso, 10 Noes, 2 Absent – McNall, Zona

Resolution No. B-08-19

From: Legislators Dennis F. Virtuoso, Jason A. Zona, Owen T. Steed and Mark J. Grozio.

Dated: December 10, 2019

**BUDGET MODIFICATION
SALES TAX**

RESOLVED, that sales tax revenue be increased in the 2020 Budget by \$150,000, and be if further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.07.1325.000 41110.01	Sales & Use Tax-General	100,000
A.07.1325.000 41110.02	Sales & Use Tax-Medicaid	<u>50,000</u>
		\$150,000

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$150,000
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Moved by Virtuoso, seconded by Grozio.

Rejected: 2 Ayes – Grozio, Virtuoso, 10 Noes, 2 Absent – McNall, Zona

Resolution No. B-09-19

From: Legislators Dennis F. Virtuoso, Jason A. Zona, Owen T. Steed and Mark J. Grozio.

Dated: December 10, 2019

**BUDGET MODIFICATION
DEBT RESERVE**

WHEREAS, the Debt Reserve amount appropriated in the 2020 budget is 1,350,000, now, therefore, be it

RESOLVED, that the debt reserve amount be increased in the 2020 budget by \$25,000, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.07.9901.000 45031.20	Debt Reserve	\$25,000
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DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$25,000
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Moved by Virtuoso, seconded by Grozio.

Rejected: 3 Ayes – Grozio, Steed, Virtuoso, 9 Noes, 2 Absent – McNall, Zona

Resolution No. B-09-19

From: Administration Committee.

Dated: December 10, 2019

PUBLIC HEALTH DEPARTMENT NURSES' UPGRADES

WHEREAS, the Public Health Department employs New York State licensed and specially trained Public Health Nurses to perform various public health nursing responsibilities as required to ensure Niagara County Public Health goals and initiatives are achieved and maintained, and

WHEREAS, due to a multitude of factors such as low unemployment rates, hyper competitive wage rates offered by hospitals and institutions for New York State licensed nurses, the Public Health Department has been experiencing and continues to experience difficulty in the retaining and the recruitment of qualified Public Health Department Nurses, and

WHEREAS, the Public Health Department has worked with the Human Resources Department and the County Manager to review the nursing wage rates for Public Health Nurses, and

WHEREAS, the County of Niagara and the CSEA Union have entered into to a Memorandum of Agreement to allow for the wage level upgrades of all Public Health Department Nurses positions by two grades, now, therefore, be it

RESOLVED, that the Health Department Nurses wage levels be upgraded accordingly by two grades, and be it further

RESOLVED, that effective January 1, 2020 the Licensed Practical Nurse title shall be upgraded from a Group 6 to a Group 8 hourly rate level, and be it further

RESOLVED, that effective January 1, 2020 the Public Health Nurse title shall be upgraded from a Group 11 to a Group 13 hourly rate level, and be it further

RESOLVED, that effective January 1, 2020 the Registered Professional Nurse Public Health title shall be upgraded from a Group 10 to a Group 12 hourly rate level, and be it further

RESOLVED, that effective January 1, 2020 the Supervising Public Health Nurse title shall be upgraded from a Group 13 to a Group 15 hourly rate level, and be it further

RESOLVED that the Niagara County Legislature authorize the above mentioned to be effectuated in the 2020 Budget:

INCREASE REVENUE:

A.20.4189.401 43401.00	State Aid	\$42,327
A.07.1325.000 41001.00	Real Property Tax	78,677
CM.20.4189.403 41001.00	Real Property Tax	9,655
CM.20.4189.404 41001.00	Real Property Tax	<u>16,081</u>
Total		\$146,740

INCREASE APPROPRIATIONS:

A.20.4189.401.71010.00	Positions	\$97,017
A.20.4189.401 71050.00	Overtime	647
A.20.4189.401 78100.00	Retirement	13,056
A.20.4189.401 78200.00	FICA	7,471
A.20.4189.401 78300.00	Workers' Comp	2,813
CM.20.4189.403 71010.00	Positions	7,629
CM.20.4189.403 78100.00	Retirement	1,223
CM.20.4189.403 78200.00	FICA	584
CM.20.4189.403 78300.00	Workers' Comp	219
CM.20.4189.404 71010.00	Positions	12,929
CM.20.4189.404 78100.00	Retirement	1,791
CM.20.4189.404 78200.00	FICA	988
CM.20.4189.404 78300.00	Workers' Comp	<u>373</u>
Total		\$146,740

Moved by Syracuse, seconded by Hill.

Approved: 12 Ayes, 0 Noes, 2 Absent – McNall, Zona

Resolution No. B-11-19

From: Administration Committee.

Dated: December 10, 2019

**ABOLISH COURIER-MAIL CLERK FULL TIME AND CREATE AND FILL
COURIER-MAIL CLERK PART TIME**

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

WHEREAS, the County Clerk manages the operations of all Niagara County DMV offices, the Office of Niagara County Historian, the Pistol Permit Office and the Veterans Service Agency, along with the Niagara County Inactive Records Management Program, and

WHEREAS, upon evaluation of these functions and their relationship with one another, it has been determined that the implementation of technology and the work flow options and efficiencies thereby created through the use of technologies has provided opportunities for savings in numerous areas, and

WHEREAS, after a comprehensive review of positions and operations, it has been further determined that the position of Courier-Mail Clerk (Full Time), is no longer necessary due to the aforementioned efficiencies that have been created, and

WHEREAS, the current duties and day to day processes performed in this position are more in keeping with that of a Courier-Mail Clerk (Part Time) position, now, therefore, be it

RESOLVED, that the County Clerk's office be authorized to abolish one (1) Full Time Courier-Mail Clerk position #113719 effective January 1, 2020, and be it further

RESOLVED, that the County Clerk's office be authorized to create and fill one (1) Part Time 17 hour per week Courier-Mail Clerk position, Grade 3, effective January 1, 2020, and be it further

RESOLVED, that the Niagara County Legislature authorize the above mentioned to be effectuated in the 2020 budget.

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$28,750
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INCREASE APPROPRIATION:

A.10.1410.000 71030.00	Part Time	\$ 8,440
A.10.1410.000 78100.00	Retirement	1,127
A.10.1410.000 78200.00	FICA	684
A.10.1410.000 78300.00	Worker's Comp	243
A.10.1410.103 71030.00	Part Time	8,440
A.10.1410.103 78100.00	Retirement	1,127
A.10.1410.103 78200.00	FICA	684
A.10.1410.103 78300.00	Worker's Comp	<u>243</u>
Total		20,988

DECREASE APPROPRIATION:

A.10.1410.000 71010.00	Positions	\$19,860
A.10.1410.000 78100.00	Retirement	2,652
A.10.1410.000 78200.00	FICA	1,557
A.10.1410.000 78300.00	Worker's Comp	572
A.10.1410.000 78700.00	Disability	38
A.10.1410.000 78800.00	Flex 125	190
A.10.1410.103 71010.00	Positions	19,860
A.10.1410.103 78100.00	Retirement	2,652
A.10.1410.103 78200.00	FICA	1,557
A.10.1410.103 78300.00	Worker's Comp	572
A.10.1410.103 78700.00	Disability	38
A.10.1410.103 78800.00	Flex 125	<u>190</u>
Total		49,738

Moved by Syracuse, seconded by Gooch.

Approved: 12 Ayes, 0 Noes, 2 Absent – McNall, Zona

Resolution No. B-12-19

From: Legislators Dennis F. Virtuoso, Jason A. Zona, Owen T. Steed and Mark J. Grozio

Dated: December 10, 2019

**BUDGET MODIFICATION
PUBLIC INFORMATION OFFICER**

RESOLVED, that the salary of the Public Information Officer be reduced by \$20,000 in the 2020 County Budget as follows:

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$23,980
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DECREASE APPROPRIATIONS:

A.01.1480.000.71010.00.10611	Public Information Officer	\$20,000
A.01.1480.000 78100.00	Retirement	1,920
A.01.1480.000.78200.00	FICA	1,530
A.01.1480.000.78300.00	Workers' Comp	<u>530</u>
Total:		\$23,980

Moved by Virtuoso, seconded by Grozio.

Rejected: 3 Ayes – Grozio, Steed, Virtuoso, 9 Noes, 2 Absent – McNall, Zona

Recess.

Resolution No. B-13-19

From: Administration Committee.

Dated: December 10, 2019

ADOPTION FOR 2020 ASSESSMENT ROLL & BUDGET - WATER DISTRICT

WHEREAS, a public hearing was held on December 3, 2019, at 6:20 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2020 assessment roll and budget for the Niagara County Water District, and

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

RESOLVED, that the Niagara County Legislature hereby affirms and adopts said 2020 assessment roll and budget for the Niagara County Water District, at \$11,900,307, and directs that the necessary taxes be levied to fund said budget pursuant to the provisions of the County law.

Moved by Nemi, seconded by Andres.

Approved: 12 Ayes, 0 Noes, 2 Absent – McNall, Zona

Resolution No. B-14-19

From: Administration Committee.

Dated: December 10, 2019

ADOPTION FOR 2020 ASSESSMENT ROLL & BUDGET - SEWER DISTRICT

WHEREAS, a public hearing was held on December 3, 2019, at 6:30 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2020 assessment roll and budget for the Niagara County Sewer District #1, and

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

RESOLVED, that the Niagara County Legislature hereby affirms and adopts said 2020 assessment roll and budget for the Niagara County Sewer District #1, at \$ 7,004,765, and directs that the necessary taxes be levied to fund said budget pursuant to the provisions of the County law.

Moved by Syracuse, seconded by Godfrey.

Approved: 12 Ayes, 0 Noes, 2 Absent – McNall, Zona

Resolution No. B-15-19

From: Administration Committee.

Dated: December 10, 2019

**ADOPTION FOR 2020 ASSESSMENT ROLL & BUDGET
REFUSE DISPOSAL DISTRICT**

WHEREAS, a public hearing was held on December 3, 2019, at 6:40 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2020 assessment roll and budget for the Niagara County Refuse Disposal District, and

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

RESOLVED, that the Niagara County Legislature hereby affirms and adopts said 2020 assessment roll and budget for the Niagara County Refuse Disposal District, at \$792,663, and directs that the necessary taxes be levied to fund said budget pursuant to the provisions of the County law.

Moved by Syracuse, seconded by Godfrey.

Approved: 12 Ayes, 0 Noes, 2 Absent – McNall, Zona

Resolution No. B-16-19

From: Administration Committee.

Dated: December 10, 2019

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

RESOLVED, that the County Manager and Budget Director be and are hereby authorized, empowered, and directed to make any corrections, modifications, changes, additions and/or correct typographical errors not affecting the substance of the approved budget in order to balance accounts.

This shall include any budget transfer within the same account classification and within the same fund which will maintain the integrity of the budget required for the close of the fiscal year.

Moved by Nemi, seconded by Bradt.

Approved: 12 Ayes, 0 Noes, 2 Absent – McNall, Zona

Resolution No. B-17-19

From: Administration Committee.

Dated: December 10, 2019

ADOPTION OF 2020 BUDGET

WHEREAS, the Office of the County Manager and the Budget Office have submitted a tentative budget for the conduct of the County government of the County of Niagara, New York, the conduct of the Niagara County Water District, the conduct of the Sewer District #1, and the conduct of the Refuse Disposal District for the year 2020, and

WHEREAS, pursuant to Section 359 of the County Law, public hearings were held on December 3, 2019, on the Niagara County Water District's budget at 6:20 p.m., Sewer District #1's budget at 6:30 p.m., Refuse Disposal District at 6:40 p.m., and the County's budget at 6:50 p.m., in the Legislative Chambers, Courthouse, Lockport, New York, and

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

RESOLVED, that the tentative budget for the year 2020, together with certain additions and/or deletions heretofore approved this date by this Legislature, be and the same is hereby approved and adopted, and that the several amounts specified and set forth in said budgets as appropriation and revenues in the column "ADOPTED" be and are hereby appropriated for the objects and purposes specified.

Moved by Nemi, seconded by Bradt.

Approved: 9 Ayes, 3 Noes – Grozio, Steed, Virtuoso, 2 Absent – McNall, Zona

Resolution No. B-18-19

From: Administration Committee.

Dated: December 10, 2019

LEVYING OF TAXES

WHEREAS, the Niagara County Legislature has, by resolution, made amendments to the tentative budget submitted for the year 2020 by the County Manager and the Budget Director, thereby making appropriations for the conduct of the County for calendar year 2020, now, therefore, be it

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

Upon all taxable property in the County, the sum of \$ 83,601,219.

Upon all the taxable property in the area comprising the Sewer District #1,
the sum of \$ 3,304,899.

Upon all the taxable property in the area comprising the County Water District,
the sum of \$ 5,210,453.

Upon all the taxable property in the area comprising the County Refuse Disposal District,
the sum of \$ 705,663.

Moved by Nemi, seconded by Bradt.

Approved: 9 Ayes, 3 Noes – Grozio, Steed, Virtuoso, 2 Absent – McNall, Zona

Resolution No. B-19-19

From: Administration Committee.

Dated: December 10, 2019

APPROVAL OF TAX ROLLS

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

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

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

Moved by Nemi, seconded by Andres.

Approved: 9 Ayes, 3 Noes – Grozio, Steed, Virtuoso, 2 Absent – McNall, Zona

Vice Chairman Wydysh thanked County Manager Richard Updegrove and all the Department Heads for all their hard work throughout the year.

Legislator Syracuse congratulated the County Manager on his re appointment.

Vice Chairman Wydysh announced the next Meeting will be the Organizational Meeting held on January 7, 2020.

Moved by Andres, seconded by Hill, that the Chairman and the Clerk be authorized to approve the minutes of 2019 as printed in the Journal of Proceedings.

Carried.

Moved by Godfrey, seconded by Hill that the Board adjourn.

The Vice Chairman Wydysh declared the Board adjourned at 9:38 p.m., subject to the call of the Clerk.

A handwritten signature in cursive script, reading "Mary Jo Tamburlin".

Mary Jo Tamburlin, Clerk