

A public hearing was held pursuant to AD-032-22, adopted by the Legislature on December 3, 2022, for the purpose of hearing public comments on A Local Law of the County of Niagara, New York Authorizing the Award of Purchase Contracts on the Basis of Best Value Criteria Pursuant to General Municipal and State Finance Law. Legislator Godfrey opened the hearing at 5:50 p.m. and closed it at approximately 5:55 p.m.

OFFICIAL RECORD

Lockport, New York
December 13, 2022

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

Clerk Tomasino called the roll. All Legislators were present.

No citizens spoke on the Agenda

Resolution No. CW-024-22 was read at this time. (Appears in numerical order)

Resolution No. CW-025-22 was read at this time. (Appears in numerical order)

Resolution No. CS-049-22 was read at this time. (Appears in numerical order)

Resolution No. AD-036-22

From: Administration Committee.

Dated: December 13, 2022

ADOPTION OF A LOCAL LAW OF THE COUNTY OF NIAGARA, NEW YORK AUTHORIZING THE AWARD OF PURCHASE CONTRACTS ON THE BASIS OF BEST VALUE CRITERIA PURSUANT TO GENERAL MUNICIPAL AND STATE FINANCE LAW

WHEREAS, the Administration Committee recommends the adoption of the following Local Law:

A Local Law of the County of Niagara, New York, Authorizing the Award of Purchase Contracts on The Basis of Best Value Criteria Pursuant to General Municipal And State Finance Law:

WHEREAS, a public hearing was held on December 13, 2022 at 5:50 p.m. in the Legislative Chambers, Courthouse, Lockport, New York, on said Local Law, and

WHEREAS, no people 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 2022 titled "Niagara County Best Value Contract Award Law" be enacted by the Legislature of the County of Niagara, New York as follows:

Section 1. Purpose

The "best value" standard for selecting goods and services vendors is critical to efforts to use strategic sourcing principles to modernize the supply chain and ensure that taxpayers obtain the highest quality goods and services at the lowest potential cost, while also ensuring fairness to all competitors.

After passage of Section 16 in NYS GML §103 a large number of local municipalities throughout the state have passed Local Laws authorized under said section. With the increased complexity of the goods and services that municipalities must obtain in order to serve taxpayers, it is critical to consider selection and evaluation criteria that measure factors other than cost in the strictest sense.

Taxpayers are not well served in situations where public procurement results in low unit costs at the outset, but ultimately engenders cost escalations due to factors such as inferior quality, poor reliability and difficulty of maintenance. Best value links the procurement process directly to the municipality's performance requirements, incorporating selection factors such as useful lifespan, quality and options and incentives for more timely performance and/or additional services.

Award contracts on the basis of best value standards is further intended to promote competition, foster fairness among vendors and competitors, expedite contract awards, optimize quality control costs and enhance efficiency among responsible bidders. The local law would authorize the Purchasing Agent to award purchase contracts that have been procured pursuant to competitive bidding under General Municipal Law Sec. 103 by either lowest responsible bidder or best value.

Section 2. Definitions

Purchase Contracts. Contracts for goods, commodities and equipment, including technology.

Best Value. The basis for awarding contracts for services to a responsible bidder who optimizes quality, cost and efficiency for the County based upon objective and quantifiable analysis. Goods procured and awarded on the basis of best value are those that are determined will be of the highest quality while being the most cost efficient.

Section 3. Requirements

- A. Whenever any contract is awarded on the basis of best value instead of lowest responsible bidder the basis for determining best value shall be thoroughly and accurately documented.
- B. The determination of quality and cost efficiency shall be based on objectively quantified and clearly described and documented criteria, which may include, but shall not be limited to, any or all of the following: cost of maintenance; proximity to the end user if distance or response time is a significant term; durability; availability of replacement parts or maintenance contractors; longer product life; product performance criteria; and quality of craftsmanship.
- C. General evaluation criteria shall be identified and shall be maintained in the Office of Management and Budget, Division of Purchasing and be made available to the public.
- D. The Director of Budget and Management shall establish specific evaluation criterion that will be relied upon for procuring goods based upon best value, which shall be maintained in the Office of Management and Budget, Division of Purchasing and made available to the public.
- E. Solicitation documents shall state the minimum requirements and specifications that must be met in order for the bidder to be deemed responsible and shall identify the general procedure and manner in which the evaluation and selection shall be conducted.
- F. The Niagara County Manager must approve the use of best value for each purchase contract that wishes to utilize the method.

Section 4. Severability

If any clause, sentence paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or

judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the New York State Secretary of State.
Moved by Godfrey, seconded by Nemi.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CS-049-22

From: Community Servicers and Administration Committees.

Dated: December 13, 2022

MH – 2022 BUDGET MODIFICATION - 2022 CONTRACT AGENCIES COLA/MINIMUM WAGE

WHEREAS, the New York State Office of Mental Health and New York State Office of Alcoholism & Substance Abuse Services has approved State Aid COLA/Minimum Wage for the calendar year of 2022 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 (Community Missions, Dale Association, Spectrum)	\$39,828
CM.21.4322.416.43489.04	Case Management Programs (Community Missions)	\$ 2,951

INCREASE APPROPRIATIONS:

CM.21.4322.415.74500.01	Community Support Services Programs (Community Missions, Dale Association, Spectrum)	\$39,828
CM.21.4322.416.74500.01	Case Management Programs (Community Missions)	\$ 2,951

Approved for submission.

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

Carried.

Moved by Gooch, seconded by Bradt.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CW-024-22

From: Committee of the Whole.

Dated: December 13, 2022

**NIAGARA COUNTY BOARD OF ELECTIONS
CYBERSECURITY RENEWAL AGREEMENT**

WHEREAS, NTS Data Services, LLC provides cybersecurity for election related services for the Niagara County Board of Elections, and

WHEREAS, the current Agreement dated January 1, 2023 for Cybersecurity between the Niagara County Board of Elections and NTS expires December 31, 2023, and

WHEREAS, under the Agreement, NTS provides guidance and assists with New York State Shield Act, Grant Thornton & SBOE Cybersecurity Requirements, Analysis, Recommendations & responses, training, upgrade hardware, software & procedures, Computer recovery Services and other related cybersecurity needs, and

WHEREAS, pursuant to Niagara County's Purchasing Policy, the Legislature has the ability to waive purchasing requirements for any professional services contract such as those unique services performed by NTS Data Services, LLC, and

WHEREAS, in consideration of the mutual covenants and agreements parties shall be authorized to enter into the agreement, thus waiving the guidelines set forth in the Niagara County's Purchasing Policy due to its unique and specialized services, and

WHEREAS, in consideration of the mutual covenants and agreements parties shall enter into an agreement, 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 subject to Niagara County's Contract Policy the Chairman of the Niagara County Legislature and Commissioners of the Niagara County Board of Elections are hereby authorized to execute this agreement on behalf of the County of Niagara, subject to final approval of the County Attorney

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CW-025-22

From: Committee of the Whole.

Dated: December 13, 2022

**NIAGARA COUNTY BOARD OF ELECTIONS
SYSTEMS AND SERVICES
(2023-2027)
RENEWAL AGREEMENT**

WHEREAS, NTS Data Services, LLC provides comprehensive election related services for the Niagara County Board of Elections, and

WHEREAS, the current Renewal Agreement dated November 30, 2017 for Systems and Services between the Niagara County Board of Elections and NTS (hereinafter referred to as the "Current Agreement") expires December 31, 2017, and

WHEREAS, under the Current Agreement, NTS provides comprehensive computer hardware, software, maintenance, consulting, election night and certification support, programming, barcode processing, poll book and mail check production, candidate management, election services including signature digitization, electronic document processing, voting machine asset management, integration with the New York state wide voter registration database (NYSVOTER), file-backup and website related services to the Board, and

WHEREAS, occasionally there are additional special elections the Board is required to conduct such as Federal Court order elections and elections to fill vacancies in the State Senate and Assembly. The Board desires to have a built-in pricing option regarding NTS preparation, support and services for these unscheduled elections to be initiated by the Commissioners as required, and

WHEREAS, the Board desires to enter a new agreement for service over the subsequent five-year term from January 1, 2023 through December 31, 2027, and

WHEREAS, pursuant to Niagara County's Purchasing Policy, the Legislature has the ability to waive purchasing requirements for any professional services contract such as those unique services performed by NTS Data Services, LLC, and

WHEREAS, in consideration of the mutual covenants and agreements parties shall be authorized to enter into the agreement, thus waiving the guidelines set forth in the Niagara County's Purchasing Policy due to its unique and specialized services,

WHEREAS, in consideration of the mutual covenants and agreements parties shall enter into an agreement, 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 subject to Niagara County's Contract Policy the Chairman of the Niagara County Legislature and Commissioners of the Niagara County Board of Elections are hereby authorized to execute this agreement on behalf of the County of Niagara, subject to final approval of the County Attorney

Moved by Andres, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

APPOINTMENTS:

	<u>Appt.</u>	<u>Expires</u>
<u>COOPERATIVE EXTENSION:</u>		
Richard E. Abbott, Niagara County Legislature (Replaces Michael A. Hill)	12/13/22	12/31/23
<u>FIRE ADVISORY BOARD</u>		
Lowell Dickinson, (Fire Chief's Assn) 3810 Lockport-Olcott Rd. Lockport 14094	01/01/23	12/31/23
Mickey Sutor (Fire Chief's Assn) 270 Glenvale Rd., Youngstown 14174	01/01/23	12/31/23
Jim Mihalko (Fire Chief's Assn) Adams Fire Co., 7113 Nash Rd. North Tonawanda 14120	01/01/23	12/31/23
Paul Gurnett (Fire Chief's Assn) 5964 Southwood Dr., Lockport 14094	01/01/23	12/31/23
Nicholas Baes (Fire Chief's Assn) 7841 Chestnut Ridge Rd. Gasport 14067	01/01/23	12/31/23
Arthur Kroening (Vol. Firemens Assn) Vice Chairman 2553 Niagara Rd., Niagara Falls 14304	01/01/23	12/31/23
John Voutour (Vol. Firemens Assn) 3140 Kruger Rd. North Tonawanda 14120	01/01/23	12/31/23
Greg Robertson (Vol. Firemens Assn) Secretary 526 East Oak Terrace, Youngstown 14174	01/01/23	12/31/23
Peter Smith (Vol. Firemens Assn) 6431 South Rd., Apt. D Lockport 14094	01/01/23	12/31/23
Joe Pedulla, Chief	01/01/23	12/31/23

Fire Headquarters, Box 69, 3115 Walnut Ave., NF 14302		
Bernard Lucantonio, Battalion Chief	01/01/23	12/31/23
Fire Headquarters, Box 69, 3115 Walnut Ave., NF 14302		
Luca Quagliano, Chief	01/01/23	12/31/23
Fire Headquarters, One Locks Plaza, Lockport 14094		
Joseph Prica, Assistant Chief	01/01/23	12/31/23
Fire Headquarters, One Locks Plaza, Lockport 14094		
James Diermyer Jr.	01/01/23	12/31/23
Fire Headquarters 1495 Zimmerman St., No. Ton. 14120-9527		
Joseph Sikora, Fire Chief	01/01/23	12/31/23
Fire Headquarters 495 Zimmerman St., No. Ton. 14120		
Michael Kislack	01/01/23	12/31/23
2464 Jagow Rd., Niagara Falls 14304		

Legislators: Myers, Godfrey, Abbott, Foti, Robins

Ex-officio:

Jonathan Schultz, Niagara County Fire Coordinator, 5574 Niagara St. Ext., PO Box 496 Lockport 14095
 Daniel Leven, Dep. Fire Coord., 1048 Elliott Dr. Lewiston 14092
 Pat J. Barney, Dep. Fire Coord., 3014 Savannah St., NF 14305-2326
 Robert Walker, Dep. Fire Coord., 2754 Stenzel Ave., North Tonawanda 14120
 Jeff Dewart, Area 3 Deputy Coord., PO Box 187, 8686 Coleman Rd., Barker 14012
 Jeffrey Baes, Area 4 Dep. Fire Coord., 4011 Wruck Rd., Gasport 14067
 Chad Shepherd, Dep. Fire Coord, 3292 Saunders Settlement Rd, Sanborn 14132
 Dennis McAvoy, Deputy Coord, Fire Investigations, 10 Church St., Middleport 14150
 Les Myers, TRT (Technical Rescue Team) Deputy Coord., 335 Merrie Rd., Lewiston 14092
 Mark Walter, Dep. Fire Coord., Fire Police Team, 4935 Meyer Rd., North Tonawanda, 14120
 Mark Hain, Haz-Mat Deputy Coord., 7818 Ridge Rd., Gasport 14067
 Kevin Hodgson, Haz-Mat Rep., 67 Jesella Dr. North Tonawanda, 14120
 Capt. Marc Kasprzak, Sheriff Dept.
 Richard "Red" Kennerson, Chief, 914 AW/SPTG, 2250 Franklin Dr., Niagara Falls 14304

SOIL & WATER CONSERVATION DISTRICT:

Louise Brachmann (Community at Large) (replaces David C. Wilson)	01/01/23	12/31/25
5354 Baer Road, Sanborn 14132		
Gerald Farnham (community at Large)	01/01/23	12/31/25
5923 Saunders Settlement Rd., Lockport 14094		
Shawn A. Foti, Legislator	01/01/23	12/31/23
William J. Collins, Legislator	01/01/23	12/31/23

Moved by Bradt, seconded by Robins.
 Adopted. 15 Ayes, 0 Noes, 0 Absent.

Moved by Bradt, seconded by Robins that the Board adjourn.

The Chairman declared the Board adjourned 6:09 p.m., subject to the call of the Clerk.

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

Alysa T. Tomasino
 Alysa T. Tomasino, Clerk

Chairman Wydysh Called to order the Budget Meeting at 6:30 p.m.

Clerk Tomasino called the roll. All the Legislators were present.

BUDGET RESOLUTIONS:

Resolution No. B-01-22

From: Administration Committee.

Dated: December 13, 2022

A RESOLUTION TO PROVIDE FUNDING FOR CLOSED CAPTIONING ON LOCKPORT COMMUNITY TELEVISION PROGRAMMING

WHEREAS, Lockport Community Television (LCTV) is a 501(c)(3) nonprofit organization, providing our community with public, government, and educational television channels and online content covering a variety of topics, including sports, entertainment, civic affairs, women and minority issues, religion, and education, and

WHEREAS, LCTV has been an important partner to Niagara County, broadcasting and livestreaming the Legislature's regular and committee meetings, and also recording such meetings for future viewing from their on-demand library, and

WHEREAS, LCTV also produces other programming to help keeps residents informed on important issues in Niagara County, including Niagara County Update, Niagara County Sheriff Updater and Focus on Niagara, among many others, and

WHEREAS, throughout the COVID-19 pandemic, LCTV worked with county leaders, in particular Chairman Wydysh, to provide daily updates to residents at a time when disseminating pandemic information was tremendously important, and

WHEREAS, in order to better serve all residents, LCTV has been piloting closed captioning software so that those with hearing impairments will have access to the informative LCTV programming, and

WHEREAS, there is a substantial cost to providing closed captioning that is beyond the budget of LCTV, now, therefore, be it

RESOLVED, that the Niagara County Legislature deeply values its partnership with LCTV and wants to be sure that county meetings and programming are accessible to all residents, including those with hearing impairments, and be it further

RESOLVED, that Niagara County will allocate \$15,000 in funding to support closed captioning on LCTV to support closed captioning in 2023, and be it further

RESOLVED, that the following 2023 budget be effectuated:

DECREASE APPROPRIATION:

A.08.1991.000 74500.01	General Government Support	\$15,000
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INCREASE APPROPRIATION:

A.01.1010.000 74500.01	Contractual Expense	\$15,000
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Moved by Godfrey, seconded by Nemi.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. B-02-22

From: Administration Committee.

Dated: December 13, 2022

**RATIFICATION OF MODIFIED AGREEMENT BETWEEN THE UNITED STEEL WORKERS
INTERNATIONAL UNION FOR AND ON BEHALF OF ITS LOCAL 2001 NIAGARA COUNTY
SHERIFF'S POLICE BENEVOLENT ASSOCIATION AND
THE COUNTY OF NIAGARA AND THE SHERIFF OF THE COUNTY OF NIAGARA**

WHEREAS, the County of Niagara, the Sheriff of the County of Niagara, and the United Steel Workers International Union for and on behalf of its Local 2001 Niagara County Sheriff's Police Benevolent Association (PBA Union) reached a collective bargaining agreement for the period of January 1, 2022 through December 31, 2026 which was approved by the Niagara County Legislature on March 22, 2022 (CW-004-22), and

WHEREAS, the County of Niagara, the Sheriff of the County of Niagara, and the United Steel Workers International Union for and on behalf of its Local 2001 Niagara County Sheriff's Police Benevolent Association (PBA Union) have reached a Tentative Agreement ("the Agreement") to modify said collective bargaining agreement, and

WHEREAS, said modified Agreement was ratified by the PBA Union on November 29, 2022, and

WHEREAS, funds are available in the 2023 budgeted appropriations and fund balance to carry out the fiscal obligations in the Agreement, 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 upon a vote and approval of the County Legislature on December 13, 2022, the Agreement will be approved as the final ratified Agreement between the parties for the period of January 1, 2022 through December 31, 2026, and be it further

RESOLVED, that Article 13, Section 1 be modified as follows: 1/1/2023, 4.5%, 1/1/2024, 4.5%, 1/1/2025, 2.5%, 1/1/2026, 2.5%, and be it further

RESOLVED, that Article 13, Section 1 be further modified by adding the following language, "Captain based wage on 1/1/2023 to be increased by \$1,500 prior to applying the 2023 general wage increase", and be it further

RESOLVED, that all other contract terms and conditions will remain in full force and effect, and be it further

RESOLVED, that the County Manager is authorized to direct the Departments of Human Resources, Risk Management, Budget, and the Treasurer's Office to implement and administer the provisions of the Agreement, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is authorized to execute said Agreement on behalf of the County of Niagara, subject to the approval of the County Attorney, and be it further

RESOLVED, that the following 2023 budget modification be effectuated:

INCREASE REVENUE:

A.17.3110.000 41289.08	Other General Gov Income Reimbursement	\$ 13,495
A.17.3989.301 41510.02	Sheriff Fees Fraud Investigation	\$ 4,792
A.22.6010.000 44610.00	DSS Administration Revenue	\$ 2,300
	Total	\$ 20,587

DECREASE APPROPRIATIONS:

A.08.1991.000 74500.01	General Government Support	\$246,163
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INCREASE APPROPRIATIONS:

A.17.3110.000 71010.00	Positions Expense	\$ 166,000
A.17.3110.000 71030.00	Part Time Expense	\$ 1,072
A.17.3110.000 71031.00	Court Time Expense	\$ 502
A.17.3110.000 71033.00	Job Parity Expense	\$ 196
A.17.3110.000 71034.00	Briefing Time Expense	\$ 7,103
A.17.3110.000 71050.00	Overtime Expense	\$ 16,929
A.17.3110.000 71055.00	On-Call Pay Expense	\$ 1,806
A.17.3110.000 71070.00	Shift Differential Expense	\$ 1,766
A.17.3110.000 71085.00	Sick Leave Incentive Expense	\$ 174
A.17.3110.000 78100.00	Retirement Expense	\$ 41,602
A.17.3110.000 78200.00	FICA Expense	\$ 14,939
A.17.3110.000 78300.00	Worker's Compensation Expense	\$ 5,077
A.17.3989.301 71010.00	Positions Expense	\$ 3,328
A.17.3989.301 71034.00	Briefing Time Expense	\$ 135
A.17.3989.301 71050.00	Overtime Expense	\$ 99
A.17.3989.301 71085.00	Sick Leave Incentive Expense	\$ 16
A.17.3989.301 78100.00	Retirement Expense	\$ 845
A.17.3989.301 78200.00	FICA Expense	\$ 276
A.17.3989.301 78300.00	Worker's Compensation Expense	\$ 93
A.22.6010.000 74550.10	Programs Welfare Fraud Services	\$ 4,792
Total		\$ 266,750

Moved by Godfrey, seconded by Nemi.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. B-03-22

From: Administration Committee.

Dated: December 13, 2022

**RATIFICATION OF MODIFIED AGREEMENT BETWEEN THE UNITED STEEL WORKERS
INTERNATIONAL UNION FOR AND ON BEHALF OF ITS LOCAL 2002 NIAGARA COUNTY
PROBATION OFFICERS ASSOCIATION AND THE COUNTY OF NIAGARA**

WHEREAS, the County of Niagara, and the United Steel Workers International Union for and on behalf of its Local 2002 Niagara County Probation Officers Association (Probations Union) reached a collective bargaining agreement for the period of January 1, 2022 through December 31, 2026 which was approved by the Niagara County Legislature on March 22, 2022 (CW-003-22), and

WHEREAS, the County of Niagara, and the United Steel Workers International Union for and on behalf of its Local 2002 Niagara County Probation Officers Association (Probations Union) have reached a Tentative Agreement ("the Agreement") to modify said collective bargaining agreement, and

WHEREAS, said modified Agreement was ratified by the Probations Union on November 28, 2022, and

WHEREAS, funds are available in the 2023 budgeted appropriations and fund balance to carry out the fiscal obligations in the Agreement, 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 upon a vote and approval of the County Legislature on December 13, 2022, the Agreement will be approved as the final ratified Agreement between the parties for the period of January 1, 2022 through December 31, 2026, and be it further

RESOLVED, that Article 17, be modified as follows: 1/1/2023, 4.5%, 1/1/2024, 4.5%, 1/1/2025, 2.0%, 1/1/2026, 2.0%, and be it further

RESOLVED, that all other contract terms and conditions will remain in full force and effect, and be it further

RESOLVED, that the County Manager is authorized to direct the Departments of Human Resources, Risk Management, Budget, and the Treasurer's Office to implement and administer the provisions of the Agreement, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is authorized to execute said Agreement on behalf of the County of Niagara, subject to the approval of the County Attorney, and be it further

RESOLVED, that the following 2023 budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.08.1991.000 74500.01	General Government Support	\$ 65,898
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INCREASE APPROPRIATIONS:

A.18.3140.000 71010.00	Position Expense	\$ 52,388
A.18.3140.000 71050.00	Overtime Expense	\$ 610
A.18.3140.000 71060.00	Beeper Pay Expense	\$ 463
A.18.3140.000 71085.00	Sick Leave Incentive Expense	\$ 128
A.18.3140.000 78100.00	Retirement Expense	\$ 6,818
A.18.3140.000 78200.00	FICA Expense	\$ 4,097
A.18.3140.000 78300.00	Worker's Compensation Expense	\$ 1,394

Moved by Godfrey, seconded by Nemi.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. B-04-22

From: Administration Committee.

Dated: December 13, 2022

**RATIFICATION OF MODIFIED AGREEMENT BETWEEN THE COUNTY OF NIAGARA,
NIAGARA COUNTY SEWER DISTRICT #1 AND TEAMSTERS LOCAL #264**

WHEREAS, the County of Niagara, Niagara County Sewer District #1, and Teamsters Local #264 (Teamsters Union) reached a collective bargaining agreement for the period of January 1, 2021 through December 31, 2025 which was approved by the Niagara County Legislature on September 21, 2021 (CW-014-21), and

WHEREAS, the County of Niagara, Niagara County Sewer District #1, and Teamsters Local #264 (Teamsters Union) have reached a Tentative Agreement ("the Agreement") to modify said collective bargaining agreement, and

WHEREAS, said modified Agreement was ratified by the Teamsters Union on December 9, 2022, and

WHEREAS, funds are available in the 2023 budgeted appropriations and fund balance to carry out the fiscal obligations in the Agreement, 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 upon a vote and approval of the County Legislature on December 13, 2022, the Agreement will be approved as the final ratified Agreement between the parties for the period of January 1, 2021 through December 31, 2025, and be it further

RESOLVED, that Article 19, be modified as follows: 1/1/2023, 4.5% general wage increase, 1/1/2024, 4.5% general wage increase, 1/1/2025, 2.0% general wage increase, and be it further

RESOLVED, that all other contract terms and conditions will remain in full force and effect, and be it further

RESOLVED, that the County Manager is authorized to direct the Departments of Human Resources, Risk Management, Budget, and the Treasurer's Office to implement and administer the provisions of the Agreement, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is authorized to execute said Agreement on behalf of the County of Niagara, subject to the approval of the County Attorney, and be it further

RESOLVED, that the following 2023 budget modification be effectuated:

DECREASE APPROPRIATION:

G.32.8130.000 72100.14	Machinery & Equipment, Miscellaneous Equip	\$ 27,127
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INCREASE APPROPRIATION:

G.32.8130.000 71010.00	Positions Expense	\$ 21,398
G.32.8130.000 71050.00	Overtime Expense	\$ 1,013
G.32.8130.000 78100.00	Retirement Expense	\$ 2,415
G.32.8130.000 78200.00	FICA Expense	\$ 1,719
G.32.8130.000 78300.00	Worker's Compensation Expense	\$ 582
	Total	\$ 27,127

Moved by Godfrey, seconded by Nemi.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. B-05-22

From: Administration Committee.

Dated: December 13, 2022

RESOLUTION SETTING BOARD OF ELECTIONS COMMISSIONERS SALARIES

WHEREAS, the Election Law of the State of New York requires that County Election Commissioners be appointed by the county legislative body, and

WHEREAS, On October 18, 2022, the Niagara County Legislature appointed Lora A. Allen as Democratic Election Commissioner and Jennifer A. Sandonato as the Republican Election Commissioner of the Niagara County Board of Elections for a four year term, beginning January 1, 2023 and ending December 31, 2026 (Resolution AD-021-22), and

WHEREAS, the Niagara County Legislature now looks to set the salaries for said positions at the beginning of the term for the entirety of the term with any change being made mid-term to be done by way of Local Law, now, therefore, be it further

RESOLVED, the salary of the County Board of Elections Commissioners shall be \$92,000 for 2023, \$94,300 for 2024, \$96,186 for 2025 and \$98,110 for 2026, now, therefore, be it

RESOLVED, that the following 2023 budget be effectuated:

DECREASE APPROPRIATIONS:

A.08.1991.000 74500.01	General Government Support	\$ 37,412
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INCREASE APPROPRIATIONS:

A.14.1450.000 71010.00	Positions Expense	\$ 30,000
A.14.1450.000 78100.00	Retirement Expense	\$ 4,340
A.14.1450.000 78200.00	FICA Expense	\$ 2,294
A.14.1450.000 78300.00	Worker's Compensation Expense	\$ 778
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Total		\$ 37,412

Moved by Godfrey, seconded by Nemi.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. B-06-22

From: Infrastructure & Facilities and Administration Committees.

Dated: December 13, 2022

**CREATE AND FILL PARK EQUIPMENT MECHANIC POSITION FOR THE DEPARTMENT OF
PUBLIC WORKS, PARKS DEPARTMENT**

RESOLVED, that one (1) position of Park Equipment Mechanic, AFSCME, Grade 47, Step 1, at an annual salary of \$42,890, be created and filled, effective February 5, 2023, and be it further

RESOLVED, that the following 2023 budget be effectuated:

DECREASE APPROPRIATIONS:

A.08.1990.000 74500.01	Contingency	\$ 25,000
A.08.1991.000 74500.01	General Government Support	\$ 33,373
		<hr/>
		\$ 58,373

INCREASE APPROPRIATIONS:

A.15.7110.000 71010.00	Positions Expense	\$ 38,766
A.15.7110.000 78100.00	Retirement Expense	\$ 3,393
A.15.7110.000 78200.00	FICA Expense	\$ 2,966
A.15.7110.000 78300.00	Worker's Compensation Expense	\$ 1,005
A.15.7110.000 78400.01	Insurance, Health Active Hospital/Medical Ins	\$ 10,961
A.15.7110.000 78400.05	Health HRA Employer Contribution	\$ 780
A.15.7110.000 78700.00	NYS Disability Expense	\$ 70
A.15.7110.000 78800.00	Flex 125 Employer Contribution	\$ 432
		<hr/>
		\$ 58,373

Moved by Godfrey, seconded by Nemi.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. B-07-22

From: Administration Committee.

Dated: December 13, 2022

**RATIFICATION OF MODIFIED AGREEMENT BETWEEN NIAGARA COUNTY UNIT 7650,
LOCAL 832, CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. LOCAL 1000, AFSCME, AFL-
CIO AND THE COUNTY OF NIAGARA**

WHEREAS, the County of Niagara, and Niagara County Unit 7650, Local 832, Civil Service Employees Association, Inc. Local 1000, AFSCME, AFL-CIO (CSEA Union) reached a collective bargaining agreement

for the period of January 1, 2020 through December 31, 2023 which was approved by the Niagara County Legislature on December 3, 2019 (CW-023-19), and

WHEREAS, the County of Niagara, and the Niagara County Unit 7650, Local 832, Civil Service Employees Association, Inc. Local 1000, AFSCME, AFL-CIO (CSEA Union) have reached a Tentative Agreement ("the Agreement") to modify said collective bargaining agreement, and

WHEREAS, said modified Agreement was ratified by the CSEA Union on December 8, 2022, and

WHEREAS, funds are available in the 2023 budgeted appropriations and fund balance to carry out the fiscal obligations in the Agreement, 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 upon a vote and approval of the County Legislature on December 13, 2022, the Agreement will be approved as the final ratified Agreement between the parties for the period of January 1, 2020 through December 31, 2024, and be it further

RESOLVED, that Article 22, be modified as follows: 1/1/2023, \$2 per hour increase to wage schedule rates followed by 2.5% general wage increase, 1/1/2024, 2.5% general wage increase, and be it further

RESOLVED, that Article 10, Sick Leave, be modified pursuant to the Tentative Agreement, and be it further

RESOLVED, that Article 15, Compensatory Time, be modified pursuant to the Tentative Agreement, and be it further

RESOLVED, that all other contract terms and conditions will remain in full force and effect, and be it further

RESOLVED, that the County Manager is authorized to direct the Departments of Human Resources, Risk Management, Budget, and the Treasurer's Office to implement and administer the provisions of the Agreement, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is authorized to execute said Agreement on behalf of the County of Niagara, subject to the approval of the County Attorney, and be it further

RESOLVED, that the following 2023 budget modification be effectuated:

INCREASE REVENUE:

A.13.1430.106 41289.09	Salary Reimbursement	\$ 14,321
A.20.4010.000 43401.00	Public Health State Aid Revenue	\$ 5,198
A.20.4090.000 43401.00	Public Health State Aid COLA	\$ 46,374
A.20.4189.401 43401.00	Public Health State Aid Revenue	\$ 31,667
A.21.4310.000 41620.00	Mental Health Fees Revenue	\$ 184,857
A.21.4310.000 44389.13	Comprehensive Opioid Abuse Site	\$ 54,932
A.21.4310.000 44490.00	Mental Health Revenue	\$ 67,549
A.22.6010.000 43610.01	DSS Administration General	\$ 193,493
A.22.6010.000 44610.00	DSS Administration Revenue	\$ 735,275
A.22.6010.000 44611.00	Food Stamps Revenue	\$ 154,795
		<u>\$ 1,488,461</u>

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Taxes Revenue	\$ 63,019
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DECREASE APPROPRIATIONS:

A.08.1991.000 74500.01	General Government Support	\$ 2,294,984
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INCREASE APPROPRIATIONS:

A.01.1670.000 71010.00	Positions Expense	\$ 11,739
A.01.1670.000 78100.00	Retirement Expense	\$ 1,419
A.01.1670.000 78200.00	FICA Expense	\$ 899
A.01.1670.000 78300.00	Worker's Compensation Expense	\$ 304
A.02.1165.000 71010.00	Positions Expense	\$ 55,001
A.02.1165.000 71030.00	Part Time Expense	\$ 1,966
A.02.1165.000 78100.00	Retirement Expense	\$ 5,831
A.02.1165.000 78200.00	FICA Expense	\$ 4,361
A.02.1165.000 78300.00	Worker's Compensation Expense	\$ 1,475
A.03.1170.000 71010.00	Positions Expense	\$ 51,216
A.03.1170.000 78100.00	Retirement Expense	\$ 5,291
A.03.1170.000 78200.00	FICA Expense	\$ 3,919
A.03.1170.000 78300.00	Worker's Compensation Expense	\$ 1,327
A.06.1320.000 71010.00	Positions Expense	\$ 9,827
A.06.1320.000 78100.00	Retirement Expense	\$ 1,020
A.06.1320.000 78200.00	FICA Expense	\$ 752
A.06.1320.000 78300.00	Worker's Compensation Expense	\$ 254
A.07.1325.000 71010.00	Positions Expense	\$ 35,782
A.07.1325.000 71050.00	Overtime Expense	\$ 136
A.07.1325.000 78100.00	Retirement Expense	\$ 3,674
A.07.1325.000 78200.00	FICA Expense	\$ 2,747
A.07.1325.000 78300.00	Worker's Compensation Expense	\$ 930
A.08.1340.000 71010.00	Positions Expense	\$ 9,845
A.08.1340.000 78100.00	Retirement Expense	\$ 909
A.08.1340.000 78200.00	FICA Expense	\$ 753
A.08.1340.000 78300.00	Worker's Compensation Expense	\$ 255
A.09.1355.000 71010.00	Positions Expense	\$ 19,692
A.09.1355.000 71050.00	Overtime Expense	\$ 370
A.09.1355.000 78100.00	Retirement Expense	\$ 2,048
A.09.1355.000 78200.00	FICA Expense	\$ 1,535
A.09.1355.000 78300.00	Worker's Compensation Expense	\$ 520
A.10.1410.000 71010.00	Positions Expense	\$ 82,448
A.10.1410.000 71030.00	Part Time Expense	\$ 974
A.10.1410.000 78100.00	Retirement Expense	\$ 9,115
A.10.1410.000 78200.00	FICA Expense	\$ 6,381
A.10.1410.000 78300.00	Worker's Compensation Expense	\$ 2,160
A.10.1410.103 71010.00	Positions Expense	\$ 94,520
A.10.1410.103 71030.00	Part Time Expense	\$ 12,488
A.10.1410.103 78100.00	Retirement Expense	\$ 11,705
A.10.1410.103 78200.00	FICA Expense	\$ 8,186
A.10.1410.103 78300.00	Worker's Compensation Expense	\$ 2,773
A.13.1430.106 71010.00	Positions Expense	\$ 11,812
A.13.1430.106 78100.00	Retirement Expense	\$ 1,300
A.13.1430.106 78200.00	FICA Expense	\$ 903
A.13.1430.106 78300.00	Worker's Compensation Expense	\$ 306
A.15.1440.000 71010.00	Positions Expense	\$ 16,072

A.15.1440.000 78100.00	Retirement Expense	\$ 1,649
A.15.1440.000 78200.00	FICA Expense	\$ 1,230
A.15.1440.000 78300.00	Worker's Compensation Expense	\$ 415
A.15.1490.000 71010.00	Positions Expense	\$ 3,913
A.15.1490.000 78100.00	Retirement Expense	\$ 361
A.15.1490.000 78200.00	FICA Expense	\$ 300
A.15.1490.000 78300.00	Worker's Compensation Expense	\$ 101
A.15.1620.000 71010.00	Positions Expense	\$ 34,447
A.15.1620.000 78100.00	Retirement Expense	\$ 4,085
A.15.1620.000 78200.00	FICA Expense	\$ 2,634
A.15.1620.000 78300.00	Worker's Compensation Expense	\$ 892
A.15.6610.000 71010.00	Positions Expense	\$ 11,866
A.15.6610.000 78100.00	Retirement Expense	\$ 1,095
A.15.6610.000 78200.00	FICA Expense	\$ 907
A.15.6610.000 78300.00	Worker's Compensation Expense	\$ 307
A.15.7110.000 71010.00	Positions Expense	\$ 8,429
A.15.7110.000 78100.00	Retirement Expense	\$ 778
A.15.7110.000 78200.00	FICA Expense	\$ 646
A.15.7110.000 78300.00	Worker's Compensation Expense	\$ 218
A.16.1680.000 71010.00	Positions Expense	\$ 44,227
A.16.1680.000 71050.00	Overtime Expense	\$ 555
A.16.1680.000 78100.00	Retirement Expense	\$ 4,732
A.16.1680.000 78200.00	FICA Expense	\$ 3,426
A.16.1680.000 78300.00	Worker's Compensation Expense	\$ 1,160
A.16.1680.109 71010.00	Positions Expense	\$ 8,081
A.16.1680.109 78100.00	Retirement Expense	\$ 726
A.16.1680.109 78200.00	FICA Expense	\$ 618
A.16.1680.109 78300.00	Worker's Compensation Expense	\$ 209
A.17.3110.000 71010.00	Positions Expense	\$ 92,103
A.17.3110.000 78100.00	Retirement Expense	\$ 11,024
A.17.3110.000 78200.00	FICA Expense	\$ 7,051
A.17.3110.000 78300.00	Worker's Compensation Expense	\$ 2,387
A.17.3150.000 71010.00	Positions Expense	\$ 16,297
A.17.3150.000 71030.00	Part Time Expense	\$ 1,892
A.17.3150.000 78100.00	Retirement Expense	\$ 1,710
A.17.3150.000 78200.00	FICA Expense	\$ 1,394
A.17.3150.000 78300.00	Worker's Compensation Expense	\$ 470
A.17.3989.300 71010.00	Positions Expense	\$ 35,514
A.17.3989.300 71030.00	Part Time Expense	\$ 1,892
A.17.3989.300 78100.00	Retirement Expense	\$ 4,645
A.17.3989.300 78200.00	FICA Expense	\$ 2,862
A.17.3989.300 78300.00	Worker's Compensation Expense	\$ 967
A.18.3140.000 71010.00	Positions Expense	\$ 31,286
A.18.3140.000 78100.00	Retirement Expense	\$ 3,883
A.18.3140.000 78200.00	FICA Expense	\$ 2,394
A.18.3140.000 78300.00	Worker's Compensation Expense	\$ 812
A.18.3989.302 71010.00	Positions Expense	\$ 20,350
A.18.3989.302 71030.00	Part Time Expense	\$ 1,892
A.18.3989.302 78100.00	Retirement Expense	\$ 2,229
A.18.3989.302 78200.00	FICA Expense	\$ 1,702
A.18.3989.302 78300.00	Worker's Compensation Expense	\$ 578
A.19.3410.000 71010.00	Positions Expense	\$ 5,878
A.19.3410.000 78100.00	Retirement Expense	\$ 543

A.19.3410.000 78200.00	FICA Expense	\$ 450
A.19.3410.000 78300.00	Worker's Compensation Expense	\$ 152
A.19.3640.000 71010.00	Positions Expense	\$ 5,878
A.19.3640.000 78100.00	Retirement Expense	\$ 543
A.19.3640.000 78200.00	FICA Expense	\$ 450
A.19.3640.000 78300.00	Worker's Compensation Expense	\$ 154
A.19.4540.000 71010.00	Positions Expense	\$ 78,901
A.19.4540.000 71030.00	Part Time Expense	\$ 11,274
A.19.4540.000 78100.00	Retirement Expense	\$ 7,892
A.19.4540.000 78200.00	FICA Expense	\$ 6,898
A.19.4540.000 78300.00	Worker's Compensation Expense	\$ 2,336
A.20.2960.000 71010.00	Positions Expense	\$ 13,009
A.20.2960.000 71050.00	Overtime Expense	\$ 7
A.20.2960.000 78100.00	Retirement Expense	\$ 1,242
A.20.2960.000 78200.00	FICA Expense	\$ 996
A.20.2960.000 78300.00	Worker's Compensation Expense	\$ 338
A.20.4010.000 71010.00	Positions Expense	\$ 11,775
A.20.4010.000 71050.00	Overtime Expense	\$ 43
A.20.4010.000 78100.00	Retirement Expense	\$ 1,412
A.20.4010.000 78200.00	FICA Expense	\$ 904
A.20.4010.000 78300.00	Worker's Compensation Expense	\$ 305
A.20.4059.000 71010.00	Positions Expense	\$ 113,803
A.20.4059.000 71050.00	Overtime Expense	\$ 261
A.20.4059.000 78100.00	Retirement Expense	\$ 13,038
A.20.4059.000 78200.00	FICA Expense	\$ 8,725
A.20.4059.000 78300.00	Worker's Compensation Expense	\$ 2,954
A.20.4090.000 71010.00	Positions Expense	\$ 100,341
A.20.4090.000 71030.00	Part Time Expense	\$ 3,872
A.20.4090.000 71050.00	Overtime Expense	\$ 1,146
A.20.4090.000 71055.00	On Call Pay Expense	\$ 384
A.20.4090.000 78100.00	Retirement Expense	\$ 12,256
A.20.4090.000 78200.00	FICA Expense	\$ 8,085
A.20.4090.000 78300.00	Worker's Compensation Expense	\$ 2,735
A.20.4189.401 71010.00	Positions Expense	\$ 72,124
A.20.4189.401 71050.00	Overtime Expense	\$ 369
A.20.4189.401 78100.00	Retirement Expense	\$ 8,048
A.20.4189.401 78200.00	FICA Expense	\$ 5,546
A.20.4189.401 78300.00	Worker's Compensation Expense	\$ 1,879
A.21.4310.000 71010.00	Positions Expense	\$ 239,208
A.21.4310.000 71030.00	Part Time Expense	\$ 11,172
A.21.4310.000 71050.00	Overtime Expense	\$ 4,864
A.21.4310.000 78100.00	Retirement Expense	\$ 25,958
A.21.4310.000 78200.00	FICA Expense	\$ 19,527
A.21.4310.000 78300.00	Worker's Compensation Expense	\$ 6,609
A.22.6010.000 71010.00	Positions Expense	\$ 1,576,216
A.22.6010.000 71050.00	Overtime Expense	\$ 14,836
A.22.6010.000 78100.00	Retirement Expense	\$ 180,913
A.22.6010.000 78200.00	FICA Expense	\$ 121,768
A.22.6010.000 78300.00	Worker's Compensation Expense	\$ 41,200
A.22.7310.000 71010.00	Positions Expense	\$ 3,950
A.22.7310.000 78100.00	Retirement Expense	\$ 766
A.22.7310.000 78200.00	FICA Expense	\$ 303
A.22.7310.000 78300.00	Worker's Compensation Expense	\$ 102

A.24.6772.000 71010.00	Positions Expense	\$ 35,150
A.24.6772.000 71030.00	Part Time Expense	\$ 5,108
A.24.6772.000 78100.00	Retirement Expense	\$ 4,276
A.24.6772.000 78200.00	FICA Expense	\$ 3,087
A.24.6772.000 78300.00	Worker's Compensation Expense	\$ 1,042
A.24.7610.702 71010.00	Positions Expense	\$ 13,727
A.24.7610.702 71030.00	Part Time Expense	\$ 946
A.24.7610.702 78100.00	Retirement Expense	\$ 1,244
A.24.7610.702 78200.00	FICA Expense	\$ 1,123
A.24.7610.702 78300.00	Worker's Compensation Expense	\$ 378
A.28.8020.000 71010.00	Positions Expense	\$ 16,126
A.28.8020.000 71050.00	Overtime Expense	\$ 75
A.28.8020.000 78100.00	Retirement Expense	\$ 1,866
A.28.8020.000 78200.00	FICA Expense	\$ 1,23
A.28.8020.000 78300.00	Worker's Compensation Expense	\$ 420
		<u>\$ 3,720,426</u>

INCREASE REVENUE:

CD.29.6290.000 44791.00	WIOA Revenue	\$ 81,836
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DECREASE REVENUE:

CD.29.6291.000 44791.00	WIOA Revenue	\$ 81,836
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DECREASE APPROPRIATIONS:

CD.29.6291.000 74500.01	Contractual Expense	\$ 81,836
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INCREASE APPROPRIATIONS:

CD.29.6290.000 71010.00	Positions Expense	\$ 67,560
CD.29.6290.000 78100.00	Retirement Expense	\$ 7,359
CD.29.6290.000 78200.00	FICA Expense	\$ 5,169
CD.29.6290.000 78300.00	Worker's Compensation Expense	\$ 1,748
		<u>\$ 81,836</u>

INCREASE REVENUE:

CM.02.1989.115 41001.00	Real Property Taxes Revenue	\$ 4,698
CM.20.4046.418 41001.00	Real Property Taxes Revenue	\$ 5,853
CM.20.4046.418 43401.00	Public Health State Aid COLA	\$ 3,291
CM.20.4189.404 41001.00	Real Property Taxes Revenue	\$ 10,017
CM.20.4189.404 43401.00	Public Health State Aid COLA	\$ 5,634
CM.24.6772.601 44641.00	Home Energy Assistance Revenue	\$ 2,198
		<u>\$ 31,691</u>

DECREASE APPROPRIATIONS:

CM.20.4070.419 74375.01	Communications Advertising & Promotion	\$ 5,813
CM.20.4070.419 74750.02	General Supplies/Materials	\$ 15,000
CM.20.4070.420 74500.01	Contractual Expenses	\$ 12,068
CM.20.4189.405 74750.02	General Supplies/Materials	\$ 14,089
CM.20.4189.406 72100.01	Machinery & Equipment Furniture & Fixtures	\$ 11,667
CM.24.6772.602 74500.01	Contractual Expenses	\$ 4,521
CM.24.6772.603 72100.01	Machinery & Equipment Furniture & Fixtures	\$ 10,662
CM.24.7610.703 74500.01	Contractual Expenses	\$ 4,348
		<u>\$ 78,168</u>

INCREASE APPROPRIATIONS:

CM.02.1989.115 71010.00	Positions Expense	\$ 3,949
CM.02.1989.115 78100.00	Retirement Expense	\$ 346
CM.02.1989.115 78200.00	FICA Expense	\$ 301
CM.02.1989.115 78300.00	Worker's Compensation Expense	\$ 102
CM.20.4046.418 71010.00	Positions Expense	\$ 7,434
CM.20.4046.418 71050.00	Overtime Expense	\$ 6
CM.20.4046.418 78100.00	Retirement Expense	\$ 944
CM.20.4046.418 78200.00	FICA Expense	\$ 567
CM.20.4046.418 78300.00	Worker's Compensation Expense	\$ 193
CM.20.4070.419 71010.00	Positions Expense	\$ 17,134
CM.20.4070.419 78100.00	Retirement Expense	\$ 1,924
CM.20.4070.419 78200.00	FICA Expense	\$ 1,312
CM.20.4070.419 78300.00	Worker's Compensation Expense	\$ 443
CM.20.4070.420 71010.00	Positions Expense	\$ 10,010
CM.20.4070.420 78100.00	Retirement Expense	\$ 1,033
CM.20.4070.420 78200.00	FICA Expense	\$ 765
CM.20.4070.420 78300.00	Worker's Compensation Expense	\$ 260
CM.20.4189.404 71010.00	Positions Expense	\$ 8,854
CM.20.4189.404 71050.00	Overtime Expense	\$ 4,034
CM.20.4189.404 78100.00	Retirement Expense	\$ 1,447
CM.20.4189.404 78200.00	FICA Expense	\$ 979
CM.20.4189.404 78300.00	Worker's Compensation Expense	\$ 337
CM.20.4189.405 71010.00	Positions Expense	\$ 11,794
CM.20.4189.405 78100.00	Retirement Expense	\$ 1,086
CM.20.4189.405 78200.00	FICA Expense	\$ 904
CM.20.4189.405 78300.00	Worker's Compensation Expense	\$ 305
CM.20.4189.406 71010.00	Positions Expense	\$ 7,863
CM.20.4189.406 71050.00	Overtime Expense	\$ 1,906
CM.20.4189.406 78100.00	Retirement Expense	\$ 887
CM.20.4189.406 78200.00	FICA Expense	\$ 752
CM.20.4189.406 78300.00	Worker's Compensation Expense	\$ 259
CM.24.6772.601 71030.00	Part Time Expense	\$ 1,855
CM.24.6772.601 78100.00	Retirement Expense	\$ 153
CM.24.6772.601 78200.00	FICA Expense	\$ 142
CM.24.6772.601 78300.00	Worker's Compensation Expense	\$ 48
CM.24.6772.602 71030.00	Part Time Expense	\$ 3,783
CM.24.6772.602 78100.00	Retirement Expense	\$ 350
CM.24.6772.602 78200.00	FICA Expense	\$ 290
CM.24.6772.602 78300.00	Worker's Compensation Expense	\$ 98
CM.24.6772.603 71010.00	Positions Expense	\$ 8,363
CM.24.6772.603 71030.00	Part Time Expense	\$ 568
CM.24.6772.603 78100.00	Retirement Expense	\$ 819
CM.24.6772.603 78200.00	FICA Expense	\$ 681
CM.24.6772.603 78300.00	Worker's Compensation Expense	\$ 231
CM.24.7610.703 71010.00	Positions Expense	\$ 978
CM.24.7610.703 71030.00	Part Time Expense	\$ 2,838
CM.24.7610.703 78100.00	Retirement Expense	\$ 142
CM.24.7610.703 78200.00	FICA Expense	\$ 292
CM.24.7610.703 78300.00	Worker's Compensation Expense	\$ 98
		\$ 109,859

INCREASE REVENUE:

D.15.5110.000 41001.00	Real Property Taxes Revenue	\$ 36,769
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INCREASE APPROPRIATIONS:

D.15.5010.000 71010.00	Positions Expense	\$ 11,902
D.15.5010.000 78100.00	Retirement Expense	\$ 1,081
D.15.5010.000 78200.00	FICA Expense	\$ 912
D.15.5010.000 78300.00	Worker's Compensation Expense	\$ 308
D.15.5110.000 71010.00	Positions Expense	\$ 18,161
D.15.5110.000 78100.00	Retirement Expense	\$ 2,545
D.15.5110.000 78200.00	FICA Expense	\$ 1,390
D.15.5110.000 78300.00	Worker's Compensation Expense	\$ 470
		<u>\$ 36,769</u>

INCREASE REVENUE:

DM.15.5132.000 41001.00	Real Property Taxes Revenue	\$ 5,682
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INCREASE APPROPRIATIONS:

DM.15.5132.000 71010.00	Positions Expense	\$ 4,556
DM.15.5132.000 78100.00	Retirement Expense	\$ 660
DM.15.5132.000 78200.00	FICA Expense	\$ 348
DM.15.5132.000 78300.00	Worker's Compensation Expense	\$ 118
		<u>\$ 5,682</u>

INCREASE REVENUE:

EL 40599.00	Appropriated Fund Balance Account	\$ 743
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INCREASE APPROPRIATIONS:

EL.30.8161.000 71010.00	Positions Expense	\$ 604
EL.30.8161.000 78100.00	Retirement Expense	\$ 78
EL.30.8161.000 78200.00	FICA Expense	\$ 45
EL.30.8161.000 78300.00	Worker's Compensation Expense	\$ 16
		<u>\$ 743</u>

INCREASE REVENUE:

FX 40599.00	Appropriated Fund Balance Account	\$ 88,781
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INCREASE APPROPRIATIONS:

FX.31.8310.000 71010.00	Positions Expense	\$ 3,968
FX.31.8310.000 71030.00	Part Time Expense	\$ 1,893
FX.31.8310.000 71050.00	Overtime Expense	\$ 105
FX.31.8310.000 78100.00	Retirement Expense	\$ 375
FX.31.8310.000 78200.00	FICA Expense	\$ 457
FX.31.8310.000 78300.00	Worker's Compensation Expense	\$ 154
FX.31.8330.000 71010.00	Positions Expense	\$ 63,025
FX.31.8330.000 71050.00	Overtime Expense	\$ 4,259
FX.31.8330.000 78100.00	Retirement Expense	\$ 7,649
FX.31.8330.000 78200.00	FICA Expense	\$ 5,152
FX.31.8330.000 78300.00	Worker's Compensation Expense	\$ 1,744
		<u>\$ 88,781</u>

DECREASE APPROPRIATIONS:

G.32.8110.000 74650.07	Professional Engineering Services	\$ 4,695
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G.32.8130.000 72100.14	Machinery & Equipment, Misc. Equipment	\$ 5,491
		\$ 10,186

INCREASE APPROPRIATIONS:

G.32.8110.000 71010.00	Positions Expense	\$ 3,913
G.32.8110.000 71050.00	Overtime Expense	\$ 18
G.32.8110.000 78100.00	Retirement Expense	\$ 362
G.32.8110.000 78200.00	FICA Expense	\$ 300
G.32.8110.000 78300.00	Worker's Compensation Expense	\$ 102
G.32.8130.000 71010.00	Positions Expense	\$ 4,596
G.32.8130.000 78100.00	Retirement Expense	\$ 424
G.32.8130.000 78200.00	FICA Expense	\$ 352
G.32.8130.000 78300.00	Worker's Compensation Expense	\$ 119
		\$ 10,186

Moved by Godfrey, seconded by Nemi.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. B-02-22

From: Administration Committee.

Dated: December 13, 2022

RATIFICATION OF MODIFIED AGREEMENT BETWEEN THE NIAGARA COUNTY DEPUTY SHERIFF'S ASSOCIATION AND THE COUNTY OF NIAGARA AND THE SHERIFF OF THE COUNTY OF NIAGARA

WHEREAS, the County of Niagara, the Sheriff of the County of Niagara, and the Niagara County Deputy Sheriff's Association (DSA Union) reached a collective bargaining agreement for the period of January 1, 2020 through December 31, 2024 which was approved by the Niagara County Legislature on January 19, 2021 (CW-004-21), and

WHEREAS, the County of Niagara, the Sheriff of the County of Niagara, and the Niagara County Deputy Sheriff's Association (DSA Union) have reached a Tentative Agreement ("the Agreement") to modify said collective bargaining agreement, and

WHEREAS, said modified Agreement was ratified by the DSA Union on December 10, 2022, and WHEREAS, funds are available in the 2023 budgeted appropriations and fund balance to carry out the fiscal obligations in the Agreement, 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 upon a vote and approval of the County Legislature on December 13, 2022, the Agreement will be approved as the final ratified Agreement between the parties for the period of January 1, 2020 through December 31, 2024, and be it further

RESOLVED, that Article 13, Section 1 be modified as follows: 1/1/2023, 4.5%, 1/1/2024, 4.5%, and be it further

RESOLVED, that all other contract terms and conditions will remain in full force and effect, and be it further

RESOLVED, that the County Manager is authorized to direct the Departments of Human Resources, Risk Management, Budget, and the Treasurer's Office to implement and administer the provisions of the Agreement, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is authorized to execute said Agreement on behalf of the County of Niagara, subject to the approval of the County Attorney, and be it further

RESOLVED, that the following 2023 budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.08.1991.000 74500.01	General Government Support	\$405,960
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INCREASE APPROPRIATIONS:

A.17.3020.000 71010.00	Positions Expense	\$ 55,004
A.17.3020.000 71031.00	Court Time	\$ 5
A.17.3020.000 71032.00	Training Allowance	\$ 1,297
A.17.3020.000 71033.00	Job Parity	\$ 315
A.17.3020.000 71034.00	Briefing Pay	\$ 2,451
A.17.3020.000 71050.00	Overtime Pay	\$ 2,025
A.17.3020.000 71085.00	Sick Leave Incentive	\$ 313
A.17.3020.000 78100.00	Retirement Expense	\$ 7,700
A.17.3020.000 78200.00	FICA Expense	\$ 4,701
A.17.3020.000 78300.00	Worker's Compensation Expense	\$ 1,590
A.17.3110.000 71010.00	Positions Expense	\$ 2,080
A.17.3110.000 71032.00	Training Allowance Expense	\$ 49
A.17.3110.000 71086.00	Vacation Buyback Expense	\$ 81
A.17.3110.000 78100.00	Retirement Expense	\$ 333
A.17.3110.000 78200.00	FICA Expense	\$ 169
A.17.3110.000 78300.00	Worker's Compensation Expense	\$ 58
A.17.3150.000 71010.00	Positions Expense	\$215,861
A.17.3150.000 71031.00	Court Time Expense	\$ 15
A.17.3150.000 71032.00	Training Allowance Expense	\$ 5,083
A.17.3150.000 71033.00	Job Parity Expense	\$ 13
A.17.3150.000 71034.00	Briefing Time Expense	\$ 8,709
A.17.3150.000 71050.00	Overtime Expense	\$ 30,000
A.17.3150.000 71085.00	Sick Leave Incentive Expense	\$ 1,727
A.17.3150.000 71086.00	Vacation Buyback Expense	\$ 349
A.17.3150.000 78100.00	Retirement Expense	\$ 39,234
A.17.3150.000 78200.00	FICA Expense	\$ 20,018
A.17.3150.000 78300.00	Worker's Compensation Expense	\$ 6,780
	Total	\$ 405,960

Moved by Godfrey, seconded by Nemi.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. B-09-22

From: Administration Committee.

Dated: December 13, 2022

RESOLUTION SETTING SALARY OF COUNTY TREASURER

WHEREAS, the State of New York requires that the salary of the County Treasurer be set prior to the start of his term, and

WHEREAS, the County Treasurer will begin his fourth full term of office on January 1, 2023 and

WHEREAS, the County Treasurer has worked diligently with management and legislature leadership to ensure the county bond rating of Aa3, a “superior” rating, has remained constant during his tenure, and

WHEREAS, the County Treasurer has twice worked to restructure county debt and realized a savings of \$906,426.13 and \$233,103.55, during each respective occasion, and

WHEREAS, the County Treasurer has streamlined functions in his department during his tenure in office resulting in reduced staffing of one full-time and one seasonal employee, along with an 85% reduction in the usage of overtime within his department since taking office, and

WHEREAS, under his direction, the county has aggressively worked to clear up a backlog of prior tax agreements, enforce existing tax liens, and ultimately realizing in excess of \$10 million from the sale of in rem property, and

WHEREAS, the County Treasurer oversaw the successful implementation of a new HR/Payroll system which has allowed for full integration with the county’s finance system, and

WHEREAS, this resolution sets the salary of the County Treasurer through the year 2026, now therefore be it

RESOLVED, the salary of the County Treasurer shall be set as follows: \$108,640 per year commencing January 1, 2023, \$111,900 per year commencing January 1, 2024, \$115,257 per year commencing January 1, 2025, and \$118,715 commencing January 1, 2026, and be it further

RESOLVED, that the following 2023 budget be effectuated:

INCREASE REVENUE:

A.07.1325.000 42401.01	Interest and Earnings	\$8,486
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INCREASE APPROPRIATIONS:

A.07.1325.000 71010.00	Positions	\$6,805
A.07.1325.000 78100.00	Retirement Expense	\$ 984
A.07.1325.000 78200.00	FICA Expense	\$ 520
A.07.1325.000 78300.00	Worker’s Compensation Expense	\$ 177
	Total	\$8,486

Moved by Godfrey, seconded by Nemi.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. B-10-22

From: Legislators Christopher A. Robins, Mark J. Grozio and Jeffrey Elder.

Dated: December 13, 2022

**BUDGET MODIFICATION
SALES TAX**

WHEREAS, the Sales Tax amount appropriated in the 2023 budget is \$84,650,000, now, therefore, be it

RESOLVED, that sales tax revenue be increased in the 2023 Budget by \$2,184,869, and be if further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.07.1325.000 41110.01	Sales & Use Tax-General	\$1,157,981
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A.07.1325.000 41110.02	Sales & Use Tax-Medicaid	<u>\$1,026,888</u>
		\$2,184,869

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$2,184,869
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Moved by Godfrey, seconded by Nemi.

Rejected. 3 Ayes – Elder, Grozio Robins, 12 Noes, 0 Absent.

Resolution No. B-11-22

From: Legislators Rebecca J. Wydysh, Randy R. Bradt, David E. Godfrey, Richard L. Andres, Irene M. Myers, Jesse P. Gooch, William J. Collins, Michael A. Hill, Anthony J. Nemi, Shawn A. Foti, Christopher Voccio, Richard E. Abbott .

Dated: December 13, 2022

**BUDGET MODIFICATION
SALES TAX**

WHEREAS, the Sales Tax amount appropriated in the 2023 budget is 84,650,000, now, therefore be it

RESOLVED, that the sales tax amount be increased in the 2023 budget by \$525,000, and be if further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.07.1325.000 41110.01	Sales & Use Tax-General	\$278,250
A.07.1325.000 41110.02	Sales & Use Tax-Medicaid	\$246,750

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$525,000
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Moved by Bradt, seconded by Hill.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. B-12-22

From: Administration Committee.

Dated: December 13, 2022

ADOPTION FOR 2023 ASSESSMENT ROLL & BUDGET - WATER DISTRICT

WHEREAS, a public hearing was held on December 6, 2022, at 5:10 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2023 assessment roll and budget for the Niagara County Water District, and

WHEREAS, 1 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 2023 assessment roll and budget for the Niagara County Water District, at \$12,599,005, and directs that the necessary taxes be levied to fund said budget pursuant to the provisions of the County law.

Moved by Godfrey, seconded by Nemi.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. B-13-22

From: Administration Committee.

Dated: December 13, 2022

ADOPTION FOR 2023 ASSESSMENT ROLL & BUDGET - SEWER DISTRICT

WHEREAS, a public hearing was held on December 6, 2022, at 5:30 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2023 assessment roll and budget for the Niagara County Sewer District #1, and

WHEREAS, 2 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 2023 assessment roll and budget for the Niagara County Sewer District #1, at \$ 7,332,375, and directs that the necessary taxes be levied to fund said budget pursuant to the provisions of the County law.

Moved by Godfrey, seconded by Nemi.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. B-14-22

From: Administration Committee.

Dated: December 13, 2022

**ADOPTION FOR 2023 ASSESSMENT ROLL & BUDGET
REFUSE DISPOSAL DISTRICT**

WHEREAS, a public hearing was held on December 6, 2022, at 5:20 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2023 assessment roll and budget for the Niagara County Refuse Disposal District, and

WHEREAS, 1 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 2023 assessment roll and budget for the Niagara County Refuse Disposal District, at \$ 745,064, and directs that the necessary taxes be levied to fund said budget pursuant to the provisions of the County law.

Moved by Godfrey, seconded by Nemi.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. B-15-22

From: Administration Committee.

Dated: December 13, 2022

**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 Godfrey, seconded by Nemi.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. B-16-22

From: Administration Committee.

Dated: December 13, 2022

ADOPTION OF 2023 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 2023, and

WHEREAS, pursuant to Section 359 of the County Law, public hearings were held on December 6, 2022, on the Niagara County Water District's budget at 5:10 p.m., Sewer District #1's budget at 5:30 p.m., Refuse Disposal District at 5:20 p.m., and the County's budget at 5:40 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 2023, 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 Godfrey, seconded by Nemi.

Adopted. 12 Ayes, 3 Noes – Elder, Grozio, Robins, 0 Absent.

Resolution No. B-17-22

From: Administration Committee.

Dated: December 13, 2022

LEVYING OF TAXES

WHEREAS, the Niagara County Legislature has, by resolution, made amendments to the tentative budget submitted for the year 2023 by the County Manager and the Budget Director, thereby making appropriations for the conduct of the County for calendar year 2023, 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 \$ 89,514,938 .

Upon all the taxable property in the area comprising the Sewer District #1,
the sum of \$ 3,446,463 .

Upon all the taxable property in the area comprising the County Water District,
the sum of \$ 5,495,316 .

Upon all the taxable property in the area comprising the County Refuse Disposal District,
the sum of \$ 679,221 .

Moved by Godfrey, seconded by Nemi.

Adopted. 12 Ayes, 3 Noes – Elder, Grozio, Robins, 0 Absent.

Resolution No. B-18-22

From: Administration Committee.

Dated: December 13, 2022

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.

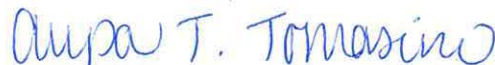
Moved by Godfrey, seconded by Nemi.

Adopted. 12 Ayes, 3 Noes – Elder, Grozio, Robins, 0 Absent.

Recess:

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

The Chairman declared the Board adjourned at 7:14 p.m., subject to the call of the Clerk.


Alysa T. Tomasino, Clerk