

OFFICIAL RECORD

Lockport, New York
December 14, 2021

The meeting was called to order by Chairman Wydysh at 6:06 p.m.

Clerk Moran called the roll. All Legislators were present, with the exception of Legislator Steed.

RECOGNITION:

Chairman Wydysh recognized Legislators Anita Mullane, Owen T. Steed, John Syracuse and Dennis F. Virtuoso on their years of service and dedication to their County. Legislator Virtuoso reflected on his 30 years spent as a County Legislator and many Legislators and Department heads shared stories of the outgoing Legislators.

PRESENTATIONS:

Chairman Wydysh called founder of the Peanut Butter Jelly Drive Pete Robinson to the lectern to present a cart of Peanut Butter and Jelly donated by the Legislature.

Chairman Wydysh Called Ed Pettit from SAFE and President of the Niagara County Federation of Conservation Chris Schotz to the lectern to recognize Legislator Syracuse for all the work he has done with both organizations.

Chairman Wydysh called Jason Zona and Gina Virtuoso up to the lectern to recognize Legislator Virtuoso on his many years of service as a Legislator.

1 Citizen spoke on the Agenda

Moved by Bradt, second by Virtuoso to accept the Preferred Agenda.

Resolution No. AD-023-21

From: Administration Committee.

Dated: December 14, 2021

RENEWAL OF CONTRACT WITH ENTERPRISE TRAINING SOLUTIONS, INC. FOR E-LEARNING/DISTANCE LEARNING TRAINING SERVICES

WHEREAS, the County of Niagara is required to comply with new NYS requirements to provide annual training to all employees and separate higher level training for supervisors/managers on the Niagara County Sexual Harassment Prevention Policy, and

WHEREAS, the County of Niagara has determined that the most efficient means to comply with this new requirement is to provide the majority of the training with the use of technology whereby employees conduct interactive online training in a self-paced approach, on an annualized basis as required by regulation, and

WHEREAS, the County of Niagara has selected to engage in a professional services contract with Enterprise Training Solutions, Inc. which is on State contract through the Office of General Services (OGS), award # 22883 for Group 73016 – e-Learning/Distance Learning Training Services (Statewide) for the time period of January 15, 2022 through January 14, 2025 and

WHEREAS, the County of Niagara wishes to renew the contract and continue to partner with Enterprise Training solutions, Inc. for an additional 3-year contract, and

WHEREAS, the annual fee for the aforementioned online trainings, and a third training topic (to be determined) of the new contract term shall continue to be \$14,950 each year and

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

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. AD-024-21

From: Administration Committee.

Dated: December 14, 2021

**RESOLUTION
COMPREHENSIVE CONTRACT POLICY**

WHEREAS, On April 18, 1978, the Niagara County Legislature adopted its first set of Purchasing Rules and Regulations by Resolution 161-78, and

WHEREAS, On February 16, 1993, the Legislature adopted Purchasing Guidelines by Resolution No. 61-93, and

WHEREAS, On August 6, 2002, the County adopted Resolution No. IL-061-02/Local Law No. 5 of 2002 that established the Office of the County Manager and delegated certain powers and duties similar to what would eventually be incorporated in an Administrative Code, and

WHEREAS, On December 16, 2003, the County adopted Local Law No. 4 which established the Administrative Code for the County of Niagara, and

WHEREAS, Subsection (j) of the Administrative Code delegates the power and duty "to examine and approve for payment all contracts, purchase orders and other documents by which the County incurs financial obligations, having ascertained before approval that monies have been duly appropriated for, provided for, and allotted to meet such obligations and will be available when such obligations shall become due and payable, and record such obligations of the respective appropriations for which such obligation are to be paid," and

WHEREAS, On February 17, 2004, the County Legislature adopted Resolution AD-010-04 entitled "Finance Reform Policy" which amended Resolution IL-039-99 (adopted June 1, 1999) and Resolutions FN-024-00, FN-025-01, FN-022-02 and FN-033-03, and

WHEREAS, Resolution AD-010-04 adopted a Financial Reform Memorandum that streamlined the Legislature's financial management procedures and allowed department heads to operate according to the adopted budget. It was intended to streamline the financial process, reduce the number of resolutions and budget transfers, reduce personnel time to process paperwork, and expedite the approval process thereby improving the overall efficiency of the County's financial function, and

WHEREAS, The Finance Reform Policy contained a "Niagara County Contract Policy" that established "policies and procedures for the approval of contracts entered into by Niagara County department heads for the purchase of services and/or commodities," and

WHEREAS, Pursuant to that Policy, "a formal written contract is required between the County and a vendor when (1) the consideration is \$2,000.00 or more; or (2) the department and vendor enter into an on-going relationship that involves more than a onetime transaction. All non-recurring contracts or those less than \$2,000.00 may be acquired by invoice and voucher," and

WHEREAS, The Policy also states that all administrative contracts defined in Section 9 must be approved by the appropriate board/standing committee's attorney to ascertain that all the contract requirements have been addressed and so noted on the contract. This added a second layer of checks and balances (appropriate board/standing committee) to the authority and duty granted the County Manager over contracts, and

WHEREAS, Section 9 states that Administrative contracts should be done by purchase order and comply with purchasing guidelines. If no purchase order, the County Manager, Director of the Office of Management and Budget or the Chairman of the Legislature may sign the contract conditioned upon (1) funding in the adopted budget; (2) approval by Dept. Home Committee; (3) approval to form by County Attorney; and (4) total contract does not exceed \$50,000. All other contracts that do not go through the Purchasing Department and exceed \$50,000 must be approved by the Standing Committee. This section granted authority to the County Manager, Director of the Office of Management and Budget in addition to the Chairman, and

WHEREAS, The Finance Reform Policy further states that "all contracts for programmatic services as provided by the Health Department, Mental Health, Social Services and Mt. View will continue to be processed by those departments with the help of the County Attorney assigned to that division, and

WHEREAS, The Finance Reform Policy also states "The Director of the Office of Management and Budget or the County Manager may sign all contracts that are attached to Purchase Order, e.g. copier contracts, and

WHEREAS, On September 5, 2006, the Legislature passed Resolution IL-007-06 requiring preference be given to professionals that maintain offices in Niagara County, and

WHEREAS, On April 5, 2011, the Legislature passed Resolution AD-009-11 that adopted guidelines in addition to guidelines adopted in Resolutions 161-78 and 399-91 and it superseded Resolution 61-93 by raising the dollar limits in accordance with a recent change in Section 103 of the General Municipal Law, and

WHEREAS, the Federal Code of Rules and Regulations now require non-federal entities that receive federal funding to include the following applicable provisions in contracts that receive federal funding:

- Contracts more than Simplified Acquisition Threshold (\$150,000) must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

- All contracts more than \$10,000 must address termination for cause and for convenience by the non-federal entity including the manner by which it will be effected and the basis for settlement.

- EEO

- Davis Bacon Act

- Contract work hours and safety standards

- Rights to Inventions Made Under a Contract or Agreement

- Clean Air Act

- Debarment and Suspension

- Byrd – Anti-Lobbying Amendment

- Procurement of Recovered Materials, and

WHEREAS, the NYSDOT requires various procedures and clauses in contracts and deeds to ensure that any municipal entity that receives federal transportation funds comply with the state's Title VI Policy which is an extension of the Civil Rights Act of 1964 (49 CFR Part 21) , and

WHEREAS, on December 1, 2020, the Niagara County Legislature adopted Resolution AD-021-20 approving the following amendments to the Niagara County Purchasing Guidelines established by resolution 161-78, resolution 399-91, resolution AD-009-11 and resolution AD-034-17 and authorized the Department of Management and Budget, Division of Purchasing to make such amendments to the Purchasing Guidelines and include Uniform Guidance for Federal Awards – Procurement, Suspension and Debarment, and

WHEREAS, Section 104-b of the New York State General Municipal Law requires that the governing board of every political subdivision shall adopt, by resolution, internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of Section 103 of New York State General Municipal Law or of any other general, special or local law, and

WHEREAS, the Contracts Standardization Subcommittee prepared a Comprehensive Contract Policy that consolidated all of the resolutions, local laws and policies below into one uniform document, and

WHEREAS, the Comprehensive Contract Policy includes a newly created position of “Contract Administrator” to be placed under the function of County Manager to act as a central gatekeeper for all County department contracts, and

WHEREAS, the Committee recommended that the position act as a central gatekeeper for all County contract forms, utilize technology to standardize contract forms, streamline contract processes, maximize the ability to negotiated favorable terms, take advantage of group rates, reduce potential liability and ultimately measure contract performance, and

WHEREAS, the policy and guidelines set forth in Schedule “A” annexed shall supersede all existing contracts, and purchasing rules and regulations as established by the above resolutions, local laws, guidelines and policies and, any other previous resolutions referencing contracts and purchasing guidelines, now, therefore, be it

RESOLVED, that pursuant to Section 104-b of the New York State General Municipal Law the following Comprehensive Contract and Purchasing Policy set forth in Schedule “A’ annexed be and is hereby adopted., and be it further

RESOLVED, that the Comprehensive Contract Policy shall supersede all prior Contract and Purchasing Policies and Resolutions excepting those Policies and Resolutions that are not inconsistent with this Policy, and be it further

RESOLVED, that the Comprehensive Contract Policy may be amended as necessary by the County Manager as allowed by law.

Moved by Nemi, seconded by Bradt.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. CS-054-21

From: Community Services and Administration Committees.

Dated: December 14, 2021

WAIVER OF RESIDENCY REQUIREMENT

LICENSED CLINICIAN – POSITION NO. 13289
DEPARTMENT OF MENTAL HEALTH & SUBSTANCE ABUSE SERVICES

WHEREAS, the Niagara County Department of Mental Health & Substance Abuse Services has received permission to fill a Licensed Clinician vacancy within the HCBS Hospital Diversion Program, which is critical for maintaining quality service to Niagara County residents, and

WHEREAS, due to long standing challenges with recruitment for this position, Niagara County has opened the Licensed Clinician Civil Service Exam to residents of counties contiguous to Niagara County, and

WHEREAS, all Niagara County candidates who are qualified for the Licensed Clinician examination, given November 6, 2021, have been hired by the Department, and

WHEREAS, the Department has made a diligent and sincere effort to recruit candidates for the position from within Niagara County, including the County website, social media pages, and job recruitment sites, and

WHEREAS, there are no remaining qualified Niagara County applicants for this position, and

WHEREAS, this position will be filled provisionally until the next Licensed Clinician exam is given, and

WHEREAS, any provisional employee must pass and be reachable on the Civil Service examination, now therefore, be it

RESOLVED, that a Waiver of Residency from the policy to hire only Niagara County residents be approved to fill the vacant Licensed Clinician position.

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. CS-055-21

From: Community Services and Administration Committees.

Dated: December 14, 2021

**MH – BUDGET MODIFICATION – ACCEPT NEW YORK STATE OFFICE OF MENTAL HEALTH
ONE-TIME ONLY FUNDING FOR NIAGARA COUNTY DEPARTMENT OF
MENTAL HEALTH & SUBSTANCE ABUSE SERVICES**

WHEREAS, Niagara County Department of Mental Health and Substance Abuse Services receives funding from the New York State Office of Mental Health (OMH) for the oversight and provision of mental health, alcohol and substance abuse, and developmental disabilities services in Niagara County, and

WHEREAS, in 2021 the New York State Office of Mental Health (OMH) restored funding that was withheld in the 3rd and 4th quarters of 2020, and has given permission to utilize this funding in 2021 for department and contract agency one-time year end needs, now, therefore, be it

RESOLVED, that the following budget modification be effectuated to the department and contract agency budgets and the department is given authorization to accept New York State Office of Mental Health funding effective December 7, 2021:

INCREASE REVENUE:

A.21.4310.000.43490.05	Mental Health Program Reinvestment	\$ 55,118
CM.21.4322.416.43489.04	Pinnacle	\$ 10,603
CM.21.4322.415.43490.05	Dale Association	\$ 9,125

CM.21.4322.416.43489.04	New Directions (CCI, Non-Med CM)	\$ 4,912
CM.21.4322.415.43490.01	New Directions (FPSS)	\$ 1,577
CM.21.4322.415.43490.05	New Directions (Mobile Crisis)	\$ 3,078
CM.21.4322.412.43490.09	Mental Health Association (CE &R)	\$ 275
CM.21.4322.415.43490.01	Empower	\$ 4,977
CM.21.4322.423.43490.14	CMI	\$ 18,000

INCREASE APPROPRIATION:

A.21.4310.000.72100.01	Furniture & Fixtures	\$ 5,498
A.21.4310.000.74800.10	Misc Equipment Under \$500	\$ 3,782
A.21.4310.000.72100.05	Computer Equipment	\$ 20,528
A.21.4310.000.72100.12	Cars, Vans, Light Trucks	\$ 25,310
CM.21.4322.416.74500.01	Pinnacle	\$ 10,603
CM.21.4322.415.74550.06	Dale Association	\$ 9,125
CM.21.4322.416.74500.01	New Directions (CCI, Non-Med CM)	\$ 4,912
CM.21.4322.415.74500.01	New Directions (FPSS)	\$ 1,577
CM.21.4322.415.74550.06	New Directions (Mobile Crisis)	\$ 3,078
CM.21.4322.412.74500.01	Mental Health Association (CE &R)	\$ 275
CM.21.4322.415.74500.01	Empower	\$ 4,977
CM.21.4322.423.74500.01	CMI	\$ 18,000

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. CS-056-21

From: Community Services and Administration Committees.

Dated: December 14, 2021

**BUDGET TRANSFER
COURT ORDERED COUNTY MANDATED COSTS**

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

WHEREAS, as a result of the bills generated by the length of hospital stay imposed by Court Orders for year 2021, outstanding expenses currently exist, and

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

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

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

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

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

RESOLVED, the following budget transfer be effectuated:

INCREASE APPROPRIATION:

A.21.4310.000 74550.17	Department of Mental Hygiene	\$ 78,451
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DECREASE APPROPRIATION:

A.08.1990.000 74500.01	Contingency	\$ 78,451
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. CSS-114-21

From: Community Safety & Security and Administration Committees.

Dated: December 14, 2021

**DISTRICT ATTORNEY MOTOR VEHICLE THEFT AND
INSURANCE FRAUD PREVENTION PROGRAM GRANT ACCEPTANCE**

WHEREAS, the Niagara County District Attorney's Office has been notified by the New York State Division of Criminal Justice Services that the Motor Vehicle Theft and Insurance Fraud Prevention Program grant has been renewed for the period of January 1, 2022 through December 31, 2022, and

WHEREAS, funding has been awarded in the amount of \$109,443 and said funds are used to offset expenses for the District Attorney's Motor Vehicle Theft and Insurance Fraud Prevention Unit, and

WHEREAS, basic revenue and appropriation figures for said program were calculated and are contained within the CM.02.1989.114 Motor Vehicle Theft and Insurance Fraud Prevention cost center for the 2022 budget year, and

WHEREAS, this program will continue to fund one full time Assistant District Attorney, Position #9700, ATT III, Step 3, \$88,307 annually and one full time Criminal Investigator, Position #9701, NUH 6, Step 6, \$57,439 annually, with fringe benefits which shall remain coterminus with grant funding, now, therefore, be it

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

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

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. CSS-115-21

From: Community Safety & Security and Administration Committees.

Dated: December 14, 2021

**WAIVER OF RESIDENCY REQUIREMENT
CONFLICT ATTORNEY**

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

WHEREAS, the Niagara County Conflicts Office and Assigned Counsel has had recent challenges with recruitment efforts of Niagara County residents that are experienced criminal trial attorneys for such position of Conflict Attorney to provide legal representation of indigent persons entitled to public defense who cannot be represented by the Public Defender's Office, and

WHEREAS, the Niagara County Conflicts Office & Assigned Counsel has a Conflict Attorney position with the title of "Conflict Attorney II", which is currently filled by attorney Dominic Saraceno, this position is an important position since Mr. Saraceno provides both legal representation to indigent persons entitled to public defense who cannot be represented by the Public Defender's Office due to a conflict of interest and also provides supervisory duties to the Niagara County Conflicts Office & Assigned Counsel, and

WHEREAS, Dominic Saraceno has worked as both an attorney for the Niagara County Conflicts Office and Assigned Counsel, as well as the Niagara County Public Defender's Office for a total of fifteen [15] years, and in such capacity he has provided competent legal services to indigent persons entitled to public defense in Niagara County. In such capacity Mr. Saraceno has become experienced with the workings of the Niagara County Court system and perfected skills which are valuable and necessary to the Niagara County Conflicts Office and Assigned Counsel, Niagara County has a significant investment in the training and skills of Mr. Saraceno, and

WHEREAS, due to a Niagara County residency requirement, which seeks to promote employment opportunities for Niagara County residents, Dominic Saraceno will be required to resign his employment as a Conflict Attorney II for the Conflicts Office & Assigned Counsel, due to a contemplated change of residency outside of Niagara County necessitated by family obligations.

WHEREAS, the Niagara County Conflicts Office & Assigned Counsel has made diligent and sincere efforts to recruit highly qualified candidates such as Mr. Saraceno and has been unable to find a suitable attorney replacement for Mr. Saraceno that resides within Niagara County, and

WHEREAS, due to the necessary qualifications, skills and training of Dominic Saraceno for his position as Conflict Attorney II, it has hereby been determined by the Niagara County Legislature that the Niagara County residency requirements should be waived for Dominic Saraceno and thereby allow Niagara County to benefit from its investment in Mr. Saraceno and the services so provided by Mr. Saraceno to the indigent persons of Niagara County who are entitled to a public defense, now, therefore, be it

RESOLVED, that a Waiver of Residence from the Niagara County residency policy which seeks to provide employment to residents of Niagara County is hereby granted and thereby Mr. Saraceno shall be permitted to maintain his current position of Conflict Attorney II due to his qualifications and experience when he moves from and resides outside of the County of Niagara.

Moved by Bradt, seconded by Syracuse to table the Resolution.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. IF-115-21

From: Infrastructure & Facilities and Administration Committees.

Dated: December 14, 2021

ASBESTOS ABATEMENT AND FLOOR PREPARATION- COURT HOUSE AND CIVIC BUILDING CHANGE ORDER NO. 6

WHEREAS, by Resolution No. IF-090-18, dated June 19, 2018, the Legislature awarded the contract for the Asbestos Abatement and Floor Preparation-Court House and Civic Building Project to Metro Environmental, 2939 Lockport Road, Niagara Falls, NY 14305, for a contract amount of \$184,000, and
WHEREAS, Resolution No. IF-152-18, dated December 4, 2018, authorized Change Order No. 1 to increase the contract in the amount of \$9,336 for abatement of additional pipe joint elbow mudded fittings, for a revised contract amount of \$193,336, and

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

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

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

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

WHEREAS, it is necessary to increase the contract in the amount of \$13,211.11 for select demolition of non-structural partition walls and acoustic tile and grid ceilings in the third floor offices where flooring abatement work is to occur for a revised contract amount of \$228,624.25, and

WHEREAS, 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. 6 to increase the contract by \$13,211.11 for the Asbestos Abatement and Floor Preparation-Court House and Civic Building Project, for a revised contract amount of \$228,624.25 to Metro Environmental, 2939 Lockport Road, Niagara Falls, NY 14305, be approved, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. IF-116-21

From: Infrastructure & Facilities and Administration Committees.

Dated: December 14, 2021

GAS AND OIL BUDGET MODIFICATION

WHEREAS, the Machinery Fund purchases bulk fuel on behalf of the County Departments, to obtain the best possible pricing, and

WHEREAS, due to the increased price of fuel, additional appropriations are required for the overall purchase of fuel, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

INCREASE REVENUE:

DM.15.5130.000.40999.43	Recovery of Shared Services	\$60,000
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INCREASE APPROPRIATION:

DM.15.5130.000.74750.22	External Gas and Oil Purchases	\$60,000
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. IF-117-21

From: Infrastructure & Facilities and Administration Committees.

Dated: December 14, 2021

**BEAR RIDGE ROAD CULVERT REHABILITATION PROJECT
CHANGE ORDER NO. 1**

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

WHEREAS, it is necessary to increase the contract in the amount of \$40,000 in order to install additional concrete and guide rail, for a revised contract amount of \$267,749, and

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

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

INCREASE REVENUE:

H652.15.5197.000 43501.00	Consol Highway Aid Revenue	\$40,000
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INCREASE APPROPRIATIONS:

H652.15.5197.000 72600.02	Bridges	\$40,000
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and be it further

RESOLVED, that Change Order No. 1 to increase the contract by \$40,000 for the Bear Ridge Road Culvert Rehabilitation Project, for a revised contract amount of \$267,749, to Concrete Applied Technologies Corp. (CATCO), 1266 Townline Road, Alden, NY 14004, be approved, and be it further

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

Moved by Collins, seconded by Hill to amend the resolution.

Amendment: Delete 1 in title and replace with 2

Additional WHEREAS after first WHEREAS 'WHEREAS, Resolution No. IF-0196-21, dated September 21, 2021, authorized Change Order No. 1 to the contract completion date to October 1, 2021, at no additional cost to the count, and

Delete 1 in last RESOLVED and replace it with 2

Moved by Collins, seconded by Hill on the amendment

Moved by Collins, seconded by Hill.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. IF-118-21

From: Infrastructure & Facilities and Administration Committees.

Dated: December 14, 2021

**REPLACEMENT OF BEAR RIDGE ROAD BRIDGE OVER AN UNNAMED STREAM
CHANGE ORDER NO. 1**

WHEREAS, by Resolution No. IF-074-21, dated June 15, 2021, the Legislature awarded the contract for the Replacement of the Bear Ridge Road Bridge over an Unnamed Stream Project to Concrete Applied Technologies Corp. (CATCO), 1266 Townline Road, Alden, NY 14004, for a contract amount of \$746,546.57, and

WHEREAS, it is necessary to increase the contract in the amount of \$25,000.00 in order to install additional work beyond the original scope of the contract and for cost overruns of various contract items, for a revised contract amount of \$771,546.57, and

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

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

INCREASE REVENUE:

H713.15.5197.000 43501.00	Consol Highway Aid Revenue	\$25,000
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INCREASE APPROPRIATIONS:

H713.15.5197.000 72600.02	Bridges	\$25,000
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and be it further

RESOLVED, that Change Order No. 1 to increase the contract by \$25,000.00 for the Replacement of the Bear Ridge Road Bridge over an Unnamed Stream Project, for a revised contract amount of \$771,546.57, to Concrete Applied Technologies Corp. (CATCO), 1266 Townline Road, Alden, NY 14004, be approved, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. IF-119-21

From: Infrastructure & Facilities and Administration Committees.

Dated: December 14, 2021

**AWARD CONSULTANT CONTRACT
HUNT STREET BRIDGE OVER BERGHOLZ CREEK**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Hunt Street Bridge over Bergholz Creek Project, and

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

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

INCREASE REVENUE:

H729.15.5197.000 43501.00	Consol Hwy Aid Revenue	\$100,000
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INCREASE APPROPRIATIONS:

H729.15.5197.000 72600.01	Bridges	\$100,000
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and be it further

RESOLVED, that the consultant services contract for the Hunt Street Bridge over Bergholz Creek Project be awarded to Watts Engineering and Architecture, 95 Perry Street, Suite 300, Buffalo, NY 14203, for a contract amount not to exceed \$199,963, 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 Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. IF-120-21

From: Infrastructure & Facilities Committee.

Dated: December 14, 2021

**EXTENSION OF SNOW AND ICE AGREEMENT FOR COUNTY ROADWAYS
2021-2024**

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

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

WHEREAS, it would be in the best interest of Niagara County to ratify and implement the attached agreement for the period of October 1, 2021 through September 30, 2024, and

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

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. IL-048-21

From: Legislator Mark J. Grozio.

Dated: December 14, 2021

**AUTHORIZATION TO INTEREST AND PENALTIES ON CERTAIN PROPERTY IN THE CITY OF
NIAGARA AND RETURN THIS PROPERTY TO THE TAX ROLLS**

WHEREAS, certain property located in the City of Niagara Falls and identified as Parcel ID 291100: SBL # 161.63-1-54 located on Cayuga Drive, consisting of a 60.00 x 83.50 lot in the Niagara Falls School District, and

WHEREAS, county, city and school taxes were not paid for in excess of a decade and Niagara County currently recognizes unpaid taxes in the amount of 16,968.01 (inclusive of interest and penalties), dating back to 2006, and

WHEREAS, this resolution allows for the positive usage of an otherwise dilapidated parcel to be rehabilitated for potential economic development purposes and for the collection of property taxes upon the same, and

WHEREAS, the City of Niagara Falls is similarly working on legislation to facilitate the development of this parcel by a new owner, now, therefore, be it

RESOLVED, the Niagara County does agree to forgive County interest and penalties on the above described property from 2006 through 2021, and be it further,

RESOLVED, that the above referenced forgiveness does not apply to the base tax lien in any respective year, and be it further

RESOLVED, that this one-time forgiveness is contingent upon the conveyance of the property from the owner of record as of the date of this resolution.

Approved for Submission.

Moved by Grozio, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

APPOINTMENT:

COMMUNITY SERVICES BOARD:

	<u>Appt.</u>	<u>Expires</u>
Burt Marshall 47 Lincolnshire, NY 14097	01/01/22	12/31/25
Jaclyn Bieber 4344 Royalton Center Rd. Gasport, NY 14067	01/01/22	12/31/25
Candice Butcher 6849 Plaza Dr., Niagara Falls 14304	01/01/22	12/31/25
Thomas R. Gerbasi, MD 601 Sherwood Court, Lewiston 14092	01/01/22	12/31/25

Subcommittee for People with Developmental Disabilities:

Jay Mapstone 4661 Lower River Rd., Lewiston 14092	01/01/22	12/31/25
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Motion by Bradt, second by Virtuoso.

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

The Chairman declared the Board adjourned at 7:37 p.m., subject to the call of the Clerk.

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

BUDGET RESOLUTIONS:

The meeting was called to order by Chairman Wydysh at 8:29 p.m.

Clerk Moran called the roll. All Legislators were present, with the exception of Legislator Steed.

Resolution No. B-01-21

From: Infrastructure & Facilities and Administration Committees

Dated: December 14, 2021

**BUDGET MODIFICATION
NIAGARA COUNTY SEWER DISTRICT #1**

WHEREAS, it is necessary for certain modifications to be made to the Niagara County Sewer District #1 2022 budget, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

DECREASE REVENUE:

G.32.8110.000 41001.00	Real Property Tax Revenue	\$8,729.00
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INCREASE REVENUE:

G.32.8110.000 42374.00	Sewer Services, Other Gov Revenue	\$8,729.00
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Moved by Collins, seconded by Myers.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. B-02-21

From: Community Services and Administration Committees.

Dated: December 14, 2021

**2022 BUDGET MODIFICATION
EMERGENCY PLANNING DIVISION - DEPARTMENT OF HEALTH**

WHEREAS, the Emergency Planning Division of the Niagara County Department of Health provides services, information and training to protect the health and safety of the citizens of Niagara County, and

WHEREAS, the New York State Department of Health awarded the Public Health Emergency Planning Division COVID-19 funds for Corona Virus (COVID-19) response approved through Resolution CS-019-20, and

WHEREAS, positive COVID cases increased resulting in expanded contact investigation, testing and vaccination requiring increased need for RN staff, and

WHEREAS, an additional five per diem RN positions were approved through resolution CS-053-21, and

WHEREAS, per diem positions #13707, 13708, 10709, 10710, and 10711 need to be carried to the 2022 budget, now, therefore, be it

RESOLVED, that the department is given authorization to accept partial balance of Corona Virus response funding and add positions #13707, 13708, 10709, 10710, and 10711 to the 2022 budget with the following modification.

INCREASE REVENUE:

CM.20.4189.406 44489.08	Other Health Response	\$55,110
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INCREASE APPROPRIATIONS:

CM.20.4189.406 71030.00 position #13707		\$10,000
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CM.20.4189.406 71030.00 position #13708	\$10,000
CM.20.4189.406 71030.00 position #13709	\$10,000
CM.20.4189.406 71030.00 position #13710	\$10,000
CM.20.4189.406 71030.00 position #13711	\$10,000
CM.20.4189.406 78200.00 FICA	\$ 3,825
CM.20.4189.406 78300.00 Worker's Comp	\$ 1,285

Moved by Collins, seconded by Myers.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. B-03-21

From: Legislators Dennis F. Virtuoso, Anita Mullane, Owen T. Steed, Mark J. Grozio and Christopher A. Robins.

Dated: December 14, 2021

**BUDGET MODIFICATION
APPROPRIATED FUND BALANCE**

WHEREAS, the Niagara County 2022 Budget includes an appropriation line for unassigned fund balance of \$1,700,000, now, therefore, be it

RESOLVED, that an additional \$300,000 of fund balance be appropriated in the 2022 County Budget as follows:

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$300,000
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INCREASE APPROPRIATED FUND BALANCE:

A 40599.00	Appropriated Fund Balance	\$300,000
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Moved by Virtuoso, seconded by Grozio.

Rejected. 4 Ayes, 10 Noes, 1 Absent – Steed.

Resolution No. B-04-21

From: Legislators Dennis F. Virtuoso, Anita Mullane, Owen T. Steed, Mark J. Grozio and Christopher A. Robins.

Dated: December 14, 2021

**BUDGET MODIFICATION
COUNTY AUDITOR**

RESOLVED, that the County Auditor position be eliminated in the 2022 County Budget as follows:

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$107,608
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DECREASE APPROPRIATIONS:

A.06.1320.000.71010.00.00078	County Auditor	\$80,333
A.06.1320.000 71012.00	Longevity	500
A.06.1320.000.78100.00	Retirement	11,478
A.06.1320.000.78200.00	FICA	6,184
A.06.1320.000.78300.00	Workers' Comp	2,077
A.06.1320.000 78400.01	Health Insurance	6,208
A.06.1320.000 78400.05	HRA	425
A.06.1320.000 78800.00	Flex 125	<u>403</u>

Total:
Moved by Virtuoso, seconded by Mullane.
Rejected. 4 Ayes, 10 Noes, 1 Absent – Steed.

\$107,608

Resolution No. B-05-21

From: Legislators Dennis F. Virtuoso, Anita Mullane, Owen T. Steed, Mark J. Grozio and Christopher A. Robins.

Dated: December 14, 2021

**BUDGET MODIFICATION
PUBLIC INFORMATION OFFICER**

RESOLVED, that the Public Information Officer position and budget be eliminated in the 2022 County Budget as follows:

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$117,881
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DECREASE APPROPRIATIONS:

A.01.1480.000.71010.00.10611	Public Information Officer	\$86,083
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 74375.03	Telephone System	30
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	5,377
A.01.1480.000 74800.01	Communication Supplies	840
A.01.1480.000 74800.06	Repairs and Maintenance	300
A.01.1480.000 78100.00	Retirement	12,224
A.01.1480.000.78200.00	FICA	6,662
A.01.1480.000.78300.00	Workers' Comp	2,212
A.01.1480.000 78400.06	Health Care Waiver	1,000
A.01.1480.000 78800.00	Flex 125	<u>403</u>

Total:	\$117,881
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Moved by Virtuoso, seconded by Mullane.
Rejected. 4 Ayes, 10 Noes, 1 Absent – Steed.

Resolution No. B-06-21

From: Legislators Dennis F. Virtuoso, Anita Mullane, Owen T. Steed, Mark J. Grozio and Christopher A. Robins.

Dated: December 14, 2021

**BUDGET MODIFICATION
EMERGENCY MANAGEMENT BUDGET**

WHEREAS, the Emergency Management 2022 Budget includes an appropriation for \$62,100 for Contractual Expenses, now, therefore be it

RESOLVED, that \$62,100 be decreased in the 2022 County Budget as follows:

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$62,100
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DECREASE APPROPRIATIONS:

A.19.3640.000 74500.01	Contractual Expenses	\$62,100
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Moved by Grozio, seconded by Robins.

Rejected. 4 Ayes, 10 Noes, 1 Absent – Steed.

Resolution No. B-07-21

From: Legislators Dennis F. Virtuoso, Anita Mullane, Owen T. Steed, Mark J. Grozio and Christopher A. Robins.

Dated: December 14, 2021

**BUDGET MODIFICATION
GENERAL INSURANCE FUND**

WHEREAS, the General Insurance 2022 Budget includes an appropriation for \$950,000, therefore be it

RESOLVED, that \$50,000 be decreased in the 2022 County Budget 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
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Moved by Virtuoso, seconded by Mullane.

Rejected. 4 Ayes, 10 Noes, 1 Absent – Steed.

Resolution No. B-08-21

From: Legislators Dennis F. Virtuoso, Anita Mullane, Owen T. Steed, Mark J. Grozio and Christopher A. Robins.

Dated: December 14, 2021

**BUDGET MODIFICATION
TRAVEL, CONFERENCE**

RESOLVED, that the Travel, Conference budget lines in the 2022 Budget be reduced by 10%, and be it further

RESOLVED, that the following budget modification be effectuated:

DECREASE REVENUE;

A.07.1325.000 41001.00	Real Property Tax	\$ 9,633
D.15.5010.000 41001.00	Real Property Tax	135
		<hr/> \$ 9,768

DECREASE APPROPRIATIONS:

A.01.1040.000 74300.01	Travel, Conference	\$ 300
A.01.1185.000 74300.01	Travel, Conference	200
A.01.1480.000 74300.01	Travel, Conference	90
A.02.1165.000 74300.01	Travel, Conference	1,300
A.03.1170.000 74300.01	Travel, Conference	470
A.04.1170.102 74300.01	Travel, Conference	400

A.05.1230.000 74300.01	Travel, Conference	200
A.07.1325.000 74300.01	Travel, Conference	653
A.08.1340.000 74300.01	Travel, Conference	100
A.10.1410.000 74300.01	Travel, Conference	609
A.11.1420.000 74300.01	Travel, Conference	75
A.14.1450.000 74300.01	Travel, Conference	600
A.15.1440.000 74300.01	Travel, Conference	255
A.15.1490.000 74300.01	Travel, Conference	375
A.15.6610.000 74300.01	Travel, Conference	50
A.15.8160.802 74300.01	Travel, Conference	275
A.16.1680.000 74300.01	Travel, Conference	480
A.16.1680. 109 74300.01	Travel, Conference	65
A.17.3020.000 74300.01	Travel, Conference	190
A.17.3110.000 74300.01	Travel, Conference	500
A.17.3150.000 74300.01	Travel, Conference	300
A.18.3140.000 74300.01	Travel, Conference	658
A.18.3989.302 74300.01	Travel, Conference	50
A.19.3410.000 74300.01	Travel, Conference	100
A.19.3640.000 74300.01	Travel, Conference	75
A.20.4010.000 74300.01	Travel, Conference	348
A.20.4090.000 74300.01	Travel, Conference	172
A.24.6772.000 74300.01	Travel, Conference	245
A.28.8020.000 74300.01	Travel, Conference	498
D.15.5010.000 74300.01	Travel, Conference	135
		<u>\$ 9,768</u>

Moved by Virtuoso, seconded by Mullane.
Rejected. 4 Ayes, 10 Noes, 1 Absent – Steed.

Resolution No. B-09-21

From: Legislators Dennis F. Virtuoso, Anita Mullane, Owen T. Steed, Mark J. Grozio and Christopher A. Robins.

Dated: December 14, 2021

BUDGET MODIFICATION SALES TAX

WHEREAS, the Sales Tax amount appropriated in the 2022 budget is \$74,680,000, now, therefore be it

RESOLVED, that sales tax revenue be increased in the 2022 Budget by \$750,000, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.07.1325.000 41110.01	Sales & Use Tax-General	375,000
A.07.1325.000 41110.02	Sales & Use Tax-Medicaid	<u>375,000</u>
		\$750,000

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$750,000
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Moved by Robins, seconded by Grozio.
Rejected. 4 Ayes, 10 Noes, 1 Absent – Steed.

Resolution No. B-10-21

From: Legislators Dennis F. Virtuoso, Anita Mullane, Owen T. Steed, Mark J. Grozio and Christopher A. Robins.

Dated: December 14, 2021

**BUDGET MODIFICATION
DEBT RESERVE**

WHEREAS, the Debt Reserve amount appropriated in the 2022 budget is \$765,000, now, therefore be it

RESOLVED, that the debt reserve amount be increased in the 2022 budget by \$300,000, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.07.9901.000 45031.20	Debt Reserve	\$300,000
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DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$300,000
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Moved by Robins, seconded by Mullane.

Rejected. 4 Ayes, 10 Noes, 1 Absent – Steed.

Resolution No. B-11-21

From: Legislators Dennis F. Virtuoso, Anita Mullane, Owen T. Steed, Mark J. Grozio and Christopher A. Robins.

Dated: December 14, 2021

**BUDGET MODIFICATION
LEGISLATIVE BOARD BUDGET**

WHEREAS, the Legislative Board 2022 Budget includes an appropriation for \$4,500 for Dues and Membership to the National Association of Counties, now, therefore be it

RESOLVED, that \$4,500 be decreased in the 2022 County Budget as follows:

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$4,500
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DECREASE APPROPRIATIONS:

A.01.1010.000 74600.04	Dues and Memberships	\$4,500
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Moved by Virtuoso, seconded by Grozio.

Rejected. 4 Ayes, 10 Noes, 1 Absent – Steed.

Resolution No. B-12-21

From: Legislators Dennis F. Virtuoso, Anita Mullane, Owen T. Steed, Mark J. Grozio and Christopher A. Robins.

Dated: December 14, 2021

**BUDGET MODIFICATION
NIAGARA COUNTY SHERIFF'S DEPARTMENT/JAIL**

WHEREAS, the Niagara County Sheriff Department/Jail 2022 Budget contains an appropriation in line A.17.3150.000 74800.03 of \$40,000 for doors at the jail, and

WHEREAS, funds are available in Capital Reserve to offset this cost, now, therefore be it

RESOLVED, that \$40,000 of Capital Reserve be used in the 2022 budget, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.07.9901.000 45031.10	Capital Reserve	\$40,000
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DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$40,000
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Moved by Virtuoso, seconded by Robins.

Rejected. 4 Ayes, 10 Noes, 1 Absent – Steed.

Resolution No. B-13-21

From: Legislators Dennis F. Virtuoso, Anita Mullane, Owen T. Steed, Mark J. Grozio and Christopher A. Robins.

Dated: December 14, 2021

**BUDGET MODIFICATION
COMMUNITY PARTNERSHIP FUND**

WHEREAS, the Economic Development 2022 Budget includes an appropriation for \$300,000 in line A.28.8020.814, Community Partnership Fund, now, therefore be it

RESOLVED, that \$300,000 be decreased in the 2022 County Budget as follows:

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$300,000
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DECREASE APPROPRIATIONS:

A.28.8020.814 74500.01	Contractual Expenses	\$300,000
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Moved by Virtuoso, seconded by Mullane.

Rejected. 4 Ayes, 10 Noes, 1 Absent – Steed.

Resolution No. B-14-21

From: Community Safety & Security and Administration Committees.

Dated: December 14, 2021

**NIAGARA COUNTY PUBLIC DEFENDER'S OFFICE
BUDGET MODIFICATION
CONTRACT FOR STATEWIDE EXPANSION OF HURRELL-HARRING REFORM
OFFICE OF INDIGENT LEGAL SERVICES (OILS) GRANT**

WHEREAS, Niagara County Public Defender's Office has received an award from the New York State Office of Indigent Legal Services (OILS) in the amount of \$10,307,506.56 for a term from April 1, 2018 through March 31, 2023, and

WHEREAS, the 2022 budget will need to be modified to allow for the spending of \$1,546,243.39 dollars of revenue allocated in Fiscal year Three (FY3) of this grant, and

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

WHEREAS, the Public Defender's Office will use these funds to cover any applicable salary and fringe benefit costs for the department, and

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

RESOLVED, these changes will be effective January, 1, 2022, and reflect no cost increase to the County and will be conterminous with the grant, and be it further

RESOLVED, that the 1st Assistant Public Defender salary will be \$134,000.00, Second Assistant Public Defender salary will be \$132,000.00, and the Special Assistant Public Defender will be \$115,000.00, and it be further

RESOLVED, that the following 2022 budget be modified as follows:

INCREASE REVENUE:

A.03.1170.000 43025.03	Hurrell-Harring Settlement	\$58,677
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INCREASE APPROPRIATION:

A.03.1170.000 71010.00	Positions	\$47,371
A.03.1170.000 78100.00	Retirement	6,466
A.03.1170.000 78200.00	FICA	3,625
A.03.1170.000 78300.00	Worker's Comp	<u>1,215</u>
Total		\$58,677

Moved by Godfrey, seconded by Hill.

Approved. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. B-15-21

From: Community Safety & Security and Administration Committees.

Dated: December 14, 2021

**NIAGARA COUNTY PUBLIC DEFENDER'S OFFICE
BUDGET MODIFICATION
CONTRACT FOR STATEWIDE EXPANSION OF HURRELL-HARRING REFORM
OFFICE OF INDIGENT LEGAL SERVICES (OILS) GRANT
CONTRACT NUMBER CSTWIDEHH30**

WHEREAS, Niagara County Public Defender's Office; Conflicts' Office and Assigned Counsel has received an award from the New York State Office of Indigent Legal Services (OILS) in the amount of \$10,307,506.56 for a term from April 1, 2018 through March 31, 2023, and

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

WHEREAS, the part-time Assigned Counsel/Conflict Administrator will receive an annual increase in salary of \$10,000.00. The increase in salary is for the additional responsibility of the roll of Data Officer. This position will work with ILS to operationalize data requirements on behalf of Niagara County. This position is not provided with health insurance benefits. The total annual salary for this position will be \$92,800.00. The

increase for the Data Officer role will be funded by this contract. The County will continue its current commitment to fund \$47,397.36 from the part-time position, and

WHEREAS, these changes will be effective January 1, 2022 and reflect no cost increase to the County and will be coterminous with the grant, now, therefore, be it

RESOLVED, that the following 2022 budget be effectuated:

INCREASE REVENUE:

A.04.1170.000.43025.03	Indigent Legal Service	\$ 11,898
	Hurrell-Harring Reform Grant	

INCREASE APPROPRIATIONS:

A.04.1170.102 71010.00	Positions	\$ 10,000
A.04.1170.102 78100.00	Retirement	876
A.04.1170.102 78200.00	FICA	765
A.04.1170.102 78300.00	Worker's Comp	257
Total		<u>\$ 11,898</u>

Moved by Godfrey, seconded by Nemi.

Approved. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. B-16-21

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 and John Syracuse.

Dated: December 14, 2021

**BUDGET MODIFICATION
SALES TAX**

WHEREAS, the Sales Tax amount appropriated in the 2022 budget is 74,680,000, now, therefore, be it

RESOLVED, that the sales tax amount be increased in the 2022 budget by \$350,000, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.07.1325.000 41110.01	Sales & Use Tax-General	\$175,000
A.07.1325.000 41110.02	Sales & Use Tax-Medicaid	175,000

DECREASE REVENUE:

A.07.1325.000 41001.00	Real Property Tax	\$350,000
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Moved by Bradt, seconded by Nemi.

Approved. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. B-17-21

From: Community Safety & Security and Administration Committees.

Dated: December 14, 2021

**RESOLUTION RECOGNIZING NIAGARA COUNTY
EMPLOYEES WORKING THROUGH
THE COVID-19 PANDEMIC AND COVID-19 ESSENTIAL WORKER PREMIUM PAY**

WHEREAS, in March 2020, the COVID-19 pandemic caused government and service shutdowns throughout our Country, and

WHEREAS, many County employees were still required to report to work throughout the shutdown despite the heightened challenges of the COVID-19 pandemic, and

WHEREAS, the Niagara County Legislature appreciates and recognizes the hard work and dedication of all of its employees, and

WHEREAS, the Niagara County Legislature especially recognizes those Niagara County first responders and employees that worked throughout the COVID-19 shutdown amidst the heightened challenges of COVID pandemic, and

WHEREAS, Niagara County met and discussed with the six representative Unions to provide COVID-19 Essential Worker Premium Pay, and

WHEREAS, funds are available under the Coronavirus State and Local Fiscal Recovery Funds to respond to the needs of essential workers by allowing recipients to remunerate essential workers for the challenges they have faced during the public health emergency of the COVID-19 pandemic, and

WHEREAS, additional funds are available under the 2022 General Government Support Line and State and Federal revenue, now, therefore, be it

RESOLVED, the County Manager and the Niagara County Legislature supports COVID-19 Essential Worker Premium Pay, and be it further

RESOLVED, that eligible employees shall be those active employees and those that have retired up to the passage of this resolution, that worked in their regular place of work such as a Niagara County office that involved regular in-person interactions with patients, the public, or co-workers for the time period of May 1, 2020 through July 31, 2020, and be it further

RESOLVED, that those union and nonunion hourly employees, and Conflicts Office Attorneys and Public Defender Office Attorneys shall be compensated \$5 per hour for those actual hours paid pursuant to above during the period of May 1, 2020 through July 31, 2020, and be it further

RESOLVED, that those FLAT salaried employees including District Attorney Office Attorneys, County Attorney Office Attorneys, and Assistant Social Services Attorney p/t shall receive a 1% general wage increase, and be it further

RESOLVED, eligible employees will be compensated per the above according to their status as of December 14, 2021, and be it further

RESOLVED, that the Purchasing Agent position in the Niagara County Department of Management and Budget be upgraded from Flat Grade 9, step 6 at \$70,165 to flat grade 10, step 5, at \$71,011 and be it further

RESOLVED, that the Deputy Director of DSS position in the Niagara County Department of Social Services be upgraded from Flat Grade 9, step 6 at \$70,165 to flat grade 10, step 5 at \$71,011, and be it further

RESOLVED, that the Deputy Director of Eligibility position in the Niagara County Department of Social Services be upgraded from Flat Grade 9, step 6 at \$70,165 to flat grade 10, step 5 at \$71,011, and be it further

RESOLVED, that the County Manager position in the Niagara County Manager's Office be upgraded from Flat Cty Mgr 1 at \$132,594 to Cty Mgr 1 at \$136,800, and be it further

RESOLVED, that the PIO Officer position in the Niagara County Public Information Office be upgraded from Flat Grade 12, step 6 at \$86,944 to flat grade 14, step 5 at \$93,608, and be it further

RESOLVED, that the Fire Coordinator position in the Niagara County Fire Coordinator Office be upgraded from Flat Grade 14, step 6 at \$98,014 to flat grade 15, step 5 at \$99,657, and be it further

RESOLVED, that the Clerk of the Legislature position in the Niagara County Clerk of the Legislature Office be upgraded from Flat Grade 7, step 4 at \$58,021 to flat grade 8, step 5 at \$63,502, and be it further

RESOLVED, that the Public Health Director position in the Niagara County Public Health Department be upgraded from Flat Grade 18, step 99 at \$130,852 to flat grade 18, step 99 at \$133,366, and be it further

RESOLVED, that the County Attorney position in the Niagara County Attorney's Office be upgraded from LOC County Att 1 at \$139,500 to LOC County Att 1 at \$160,000, and be it further

RESOLVED, that the Public Defender position in the Niagara County Public Defender's Office be upgraded from LOC Public Def 1 at \$54,731 to LOC Public Def 1 at \$57,468, and be it further

RESOLVED, that the Conflict Attorney position in the Niagara County Assigned Counsel/Conflict Admin Office be upgraded from Atty Conflict AttII at \$51,000 to Atty Conflict ATT 2 at \$61,731, and be it further

RESOLVED, that the County Attorney position in the Niagara County Attorney's Office be upgraded from Atty Cnty Att 2 at \$61,917 to Atty Cnty Att 2 at \$65,102, and be it further

RESOLVED, that the County Attorney position in the Niagara County Attorney's Office be upgraded from Atty Cnty Att 3 at \$86,323 to Atty Cnty Att 3 at \$88,792, and be it further

RESOLVED, that the Confidential Assistant position in the Niagara County Office of Risk and Insurance Services be upgraded from NUH Grade 5, step 4 at \$26.63/hour to NUH Grade 5, step 5 at \$27.82/hour, and be it further

RESOLVED, that the two Deputy Elections Commissioner positions in the Niagara County Board of Elections Office be upgraded from NUH Grade 64, step 8 at \$34.09/hour to NUH Grade 65, step 4 at \$34.70/hour and from NUH Grade 64, step 4 at \$32.04/hour to NUH Grade 65, step 2 at \$32.56/hour and be it further

RESOLVED, that the following budget lines be effectuated.

INCREASE APPROPRIATION:

A.01.1040.000 71010.00	Positions Expense	6,587
A.01.1040.000 71025.00	COV 19 Prem Pay Expense	1,050
A.01.1040.000 78100.00	Retirement Expense	688
A.01.1040.000 78200.00	FICA Expense	583
A.01.1040.000 78300.00	Worker's Compensation Expense	170
A.01.1480.000 71010.00	Positions Expense	7,525
A.01.1480.000 78100.00	Retirement Expense	1,068

A.01.1480.000 78200.00	FICA Expense	576
A.01.1480.000 78300.00	Worker's Compensation Expense	194
A.01.1670.000 71025.00	COV 19 Prem Pay Expense	2,205
A.01.1670.000 78100.00	Retirement Expense	401
A.01.1670.000 78200.00	FICA Expense	169
A.02.1165.000 71010.00	Positions Expense	16,551
A.02.1165.000 71025.00	COV 19 Prem Pay Expense	19,753
A.02.1165.000 71030.00	Part Time	346
A.02.1165.000 78100.00	Retirement Expense	4,512
A.02.1165.000 78200.00	FICA Expense	2,704
A.02.1165.000 78300.00	Worker's Compensation Expense	431
A.03.1170.000 71010.00	Position	2,737
A.03.1170.000 71025.00	COV 19 Prem Pay Expense	32,041
A.03.1170.000 78100.00	Retirement Expense	5,283
A.03.1170.000 78200.00	FICA Expense	2,660
A.03.1170.000 78300.00	Worker's Comp	70
A.04.1170.102 71010.00	Positions	10,731
A.04.1170.102 71025.00	COV 19 Prem Pay Expense	3,715
A.04.1170.102 78100.00	Retirement Expense	4,645
A.04.1170.102 78200.00	FICA Expense	1,104
A.04.1170.102 78300.00	Worker's Comp	245
A.05.1230.000 71010.00	Positions Expense	6,198
A.05.1230.000 71025.00	COV 19 Prem Pay Expense	1,020
A.05.1230.000 78100.00	Retirement Expense	1,021
A.05.1230.000 78200.00	FICA Expense	553
A.05.1230.000 78300.00	Worker's Compensation Expense	160
A.06.1320.000 71010.00	Positions Expense	804
A.06.1320.000 71025.00	COV 19 Prem Pay Expense	2,620
A.06.1320.000 78100.00	Retirement Expense	470
A.06.1320.000 78200.00	FICA Expense	261
A.06.1320.000 78300.00	Worker's Compensation Expense	21
A.07.1325.000 71010.00	Positions Expense	3,515
A.07.1325.000 71025.00	COV 19 Prem Pay Expense	13,829
A.07.1325.000 78100.00	Retirement Expense	2,493
A.07.1325.000 78200.00	FICA Expense	1,327
A.07.1325.000 78300.00	Worker's Compensation Expense	90
A.08.1340.000 71010.00	Positions Expense	4,426
A.08.1340.000 71025.00	COV 19 Prem Pay Expense	3,053
A.08.1340.000 78100.00	Retirement Expense	1,000
A.08.1340.000 78200.00	FICA Expense	570
A.08.1340.000 78300.00	Worker's Compensation Expense	113
A.09.1355.000 71025.00	COV 19 Prem Pay Expense	6,790
A.09.1355.000 78100.00	Retirement Expense	873
A.09.1355.000 78200.00	FICA Expense	519
A.10.1410.000 71010.00	Positions Expense	1,304
A.10.1410.000 71025.00	COV 19 Prem Pay Expense	29,320
A.10.1410.000 78100.00	Retirement Expense	4,734
A.10.1410.000 78200.00	FICA Expense	2,343

A.10.1410.000 78300.00	Worker's Compensation Expense	34
A.10.1410.103 71010.00	Positions Expense	1,495
A.10.1410.103 71025.00	COV 19 Prem Pay Expense	37,577
A.10.1410.103 78100.00	Retirement Expense	5,806
A.10.1410.103 78200.00	FICA Expense	2,989
A.10.1410.103 78300.00	Worker's Compensation Expense	38
A.11.1420.000 71010.00	Positions Expense	26,264
A.11.1420.000 71025.00	COV 19 Prem Pay Expense	2,170
A.11.1420.000 78100.00	Retirement Expense	4,004
A.11.1420.000 78200.00	FICA Expense	1,110
A.11.1420.000 78300.00	Worker's Compensation Expense	676
A.12.1430.000 71010.00	Positions Expense	1,818
A.12.1430.000 71025.00	COV 19 Prem Pay Expense	7,659
A.12.1430.000 78100.00	Retirement Expense	1,458
A.12.1430.000 78200.00	FICA Expense	724
A.12.1430.000 78300.00	Worker's Compensation Expense	47
A.13.1430.106 71010.00	Positions Expense	3,952
A.13.1430.106 71025.00	COV 19 Prem Pay Expense	7,161
A.13.1430.106 78100.00	Retirement Expense	1,591
A.13.1430.106 78200.00	FICA Expense	850
A.13.1430.106 78300.00	Worker's Compensation Expense	72
A.14.1450.000 71010.00	Positions	2,056
A.14.1450.000 71025.00	COV 19 Prem Pay Expense	26,954
A.14.1450.000 78100.00	Retirement Expense	4,511
A.14.1450.000 78200.00	FICA Expense	2,219
A.14.1450.000 78300.00	Worker's Comp	54
A.15.1440.000 71010.00	Positions Expense	943
A.15.1440.000 71025.00	COV 19 Prem Pay Expense	8,183
A.15.1440.000 78100.00	Retirement Expense	1,317
A.15.1440.000 78200.00	FICA Expense	699
A.15.1440.000 78300.00	Worker's Compensation Expense	24
A.15.1490.000 71010.00	Positions Expense	1,951
A.15.1490.000 71025.00	COV 19 Prem Pay Expense	3,605
A.15.1490.000 78100.00	Retirement Expense	874
A.15.1490.000 78200.00	FICA Expense	426
A.15.1490.000 78300.00	Worker's Compensation Expense	50
A.15.1620.000 71010.00	Positions Expense	970
A.15.1620.000 71025.00	COV 19 Prem Pay Expense	112,217
A.15.1620.000 78100.00	Retirement Expense	15,847
A.15.1620.000 78200.00	FICA Expense	8,659
A.15.1620.000 78300.00	Worker's Compensation Expense	25
A.15.6610.000 71025.00	COV 19 Prem Pay Expense	6,275
A.15.6610.000 78100.00	Retirement Expense	665
A.15.6610.000 78200.00	FICA Expense	480
A.15.7110.000 71025.00	COV 19 Prem Pay Expense	22,819
A.15.7110.000 78100.00	Retirement Expense	3,187
A.15.7110.000 78200.00	FICA Expense	1,746
A.15.8160.802 71010.00	Positions Expense	794

A.15.8160.802 78100.00	Retirement Expense	113
A.15.8160.802 78200.00	FICA Expense	61
A.15.8160.802 78300.00	Worker's Compensation Expense	21
A.16.1680.000 71010.00	Positions Expense	2,719
A.16.1680.000 71025.00	COV 19 Prem Pay Expense	18,896
A.16.1680.000 78100.00	Retirement Expense	2,895
A.16.1680.000 78200.00	FICA Expense	1,653
A.16.1680.000 78300.00	Worker's Compensation Expense	70
A.16.1680.109 71025.00	COV 19 Prem Pay Expense	1,075
A.16.1680.109 78100.00	Retirement Expense	114
A.16.1680.109 78200.00	FICA Expense	82
A.17.3020.000 71025.00	COV 19 Prem Pay Expense	73,300
A.17.3020.000 78100.00	Retirement Expense	11,184
A.17.3020.000 78200.00	FICA Expense	5,608
A.17.3110.000 71010.00	Positions Expense	4,558
A.17.3110.000 71025.00	COV 19 Prem Pay Expense	274,800
A.17.3110.000 78100.00	Retirement Expense	72,932
A.17.3110.000 78200.00	FICA Expense	21,371
A.17.3110.000 78300.00	Worker's Compensation Expense	117
A.17.3150.000 71010.00	Positions Expense	2,213
A.17.3150.000 71025.00	COV 19 Prem Pay Expense	264,263
A.17.3150.000 78100.00	Retirement Expense	52,307
A.17.3150.000 78200.00	FICA Expense	20,384
A.17.3150.000 78300.00	Worker's Compensation Expense	58
A.17.3989.300 71025.00	COV 19 Prem Pay Expense	11,849
A.17.3989.300 78100.00	Retirement Expense	2,004
A.17.3989.300 78200.00	FICA Expense	906
A.17.3989.301 71025.00	COV 19 Prem Pay Expense	4,204
A.17.3989.301 78100.00	Retirement Expense	1,286
A.17.3989.301 78200.00	FICA Expense	322
A.18.3140.000 71010.00	Positions Expense	2,145
A.18.3140.000 71025.00	COV 19 Prem Pay Expense	68,003
A.18.3140.000 78100.00	Retirement Expense	10,936
A.18.3140.000 78200.00	FICA Expense	5,366
A.18.3140.000 78300.00	Worker's Compensation Expense	55
A.18.3989.302 71025.00	COV 19 Prem Pay Expense	5,673
A.18.3989.302 78100.00	Retirement Expense	701
A.18.3989.302 78200.00	FICA Expense	434
A.19.3410.000 71010.00	Positions Expense	2,613
A.19.3410.000 71025.00	COV 19 Prem Pay Expense	2,065
A.19.3410.000 78100.00	Retirement Expense	690
A.19.3410.000 78200.00	FICA Expense	358
A.19.3410.000 78300.00	Worker's Compensation Expense	67
A.19.3640.000 71010.00	Positions Expense	822
A.19.3640.000 71025.00	COV 19 Prem Pay Expense	1,196
A.19.3640.000 78100.00	Retirement Expense	226
A.19.3640.000 78200.00	FICA Expense	155
A.19.3640.000 78300.00	Worker's Compensation Expense	22

A.19.3645.000 71025.00	COV 19 Prem Pay Expense	1,196
A.19.3645.000 78100.00	Retirement Expense	127
A.19.3645.000 78200.00	FICA Expense	92
A.20.2960.000 71010.00	Positions Expense	236
A.20.2960.000 71025.00	COV 19 Prem Pay Expense	4,726
A.20.2960.000 78100.00	Retirement Expense	575
A.20.2960.000 78200.00	FICA Expense	379
A.20.2960.000 78300.00	Worker's Compensation Expense	6
A.20.4010.000 71010.00	Positions Expense	9,650
A.20.4010.000 71025.00	COV 19 Prem Pay Expense	5,422
A.20.4010.000 78100.00	Retirement Expense	2,240
A.20.4010.000 78200.00	FICA Expense	1,154
A.20.4010.000 78300.00	Worker's Compensation Expense	248
A.20.4059.000 71010.00	Positions Expense	660
A.20.4059.000 71025.00	COV 19 Prem Pay Expense	26,779
A.20.4059.000 78100.00	Retirement Expense	4,116
A.20.4059.000 78200.00	FICA Expense	2,100
A.20.4059.000 78300.00	Worker's Compensation Expense	17
A.20.4090.000 71010.00	Positions Expense	1,030
A.20.4090.000 71025.00	COV 19 Prem Pay Expense	51,212
A.20.4090.000 78100.00	Retirement Expense	8,053
A.20.4090.000 78200.00	FICA Expense	3,997
A.20.4090.000 78300.00	Worker's Compensation Expense	27
A.20.4189.401 71010.00	Positions Expense	986
A.20.4189.401 71025.00	COV 19 Prem Pay Expense	38,524
A.20.4189.401 78100.00	Retirement Expense	5,746
A.20.4189.401 78200.00	FICA Expense	3,022
A.20.4189.401 78300.00	Worker's Compensation Expense	25
A.21.4310.000 71010.00	Positions Expense	3,931
A.21.4310.000 71025.00	COV 19 Prem Pay Expense	66,038
A.21.4310.000 78100.00	Retirement Expense	9,721
A.21.4310.000 78200.00	FICA Expense	5,351
A.21.4310.000 78300.00	Worker's Compensation Expense	101
A.22.6010.000 71010.00	Positions Expense	8,501
A.22.6010.000 71025.00	COV 19 Prem Pay Expense	519,738
A.22.6010.000 71030.00	Part Time	3,928
A.22.6010.000 78100.00	Retirement Expense	81,680
A.22.6010.000 78200.00	FICA Expense	40,708
A.22.6010.000 78300.00	Worker's Compensation Expense	324
A.22.7310.000 71010.00	Positions Expense	665
A.22.7310.000 71025.00	COV 19 Prem Pay Expense	1,105
A.22.7310.000 78100.00	Retirement Expense	336
A.22.7310.000 78200.00	FICA Expense	135
A.22.7310.000 78300.00	Worker's Compensation Expense	17
A.24.6772.000 71010.00	Positions Expense	1,327
A.24.6772.000 71025.00	COV 19 Prem Pay Expense	20,452
A.24.6772.000 78100.00	Retirement Expense	3,142
A.24.6772.000 78200.00	FICA Expense	1,667

A.24.6772.000 78300.00	Worker's Compensation Expense	35
A.24.7610.702 71025.00	COV 19 Prem Pay Expense	15,851
A.24.7610.702 78100.00	Retirement Expense	1,860
A.24.7610.702 78200.00	FICA Expense	1,094
A.28.7989.704 71010.00	Positions Expense	555
A.28.7989.704 78100.00	Retirement Expense	48
A.28.7989.704 78200.00	FICA Expense	42
A.28.7989.704 78300.00	Worker's Compensation Expense	14
A.28.8020.000 71010.00	Positions Expense	896
A.28.8020.000 71025.00	COV 19 Prem Pay Expense	3,881
A.28.8020.000 78100.00	Retirement Expense	833
A.28.8020.000 78200.00	FICA Expense	366
A.28.8020.000 78300.00	Worker's Compensation Expense	23
		<hr/> 2,472,818

DECREASE APPROPRIATION:

A.08.1991.000 74500.01	General Government Support	241,318
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INCREASE REVENUE:

A.07.1325.000 44089.07	ARPA State/Local Rec Fund	1,726,151
A.04.1170.102 43025.03	Hurrell-Harring Settlement	15,789
A.13.1430.106 41289.09	Salary Reimbursement	2,661
A.20.4010.000 43401.00	PH State Aid	2,051
A.22.6010.000 43610.01	DSS Administration - State	161,616
A.22.6010.000 44610.00	DSS Administration - Federal	323,232
		<hr/> 2,231,500

INCREASE APPROPRIATION:

CD.29.6290.000 71010.00	Positions Expense	1,945
CD.29.6290.000 71025.00	COV 19 Prem Pay Expense	13,493
CD.29.6290.000 78100.00	Retirement Expense	2,222
CD.29.6290.000 78200.00	FICA Expense	1,181
CD.29.6290.000 78300.00	Worker's Compensation Expense	50
		<hr/> 18,891

INCREASE REVENUE:

CD.29.6290.000 44089.07	ARPA State/Local Rec Fund	16,516
CD.29.6290.000 44791.00	Workforce Investment Act	2,375
		<hr/> 18,891

INCREASE APPROPRIATION:

CM.02.1989.114 71010.00	Positions Expense	883
CM.02.1989.114 78100.00	Retirement Expense	78
CM.02.1989.114 78200.00	FICA Expense	68
CM.02.1989.114 78300.00	Worker's Compensation Expense	22
CM.02.1989.115 71010.00	Positions Expense	1,894
CM.02.1989.115 78100.00	Retirement Expense	269
CM.02.1989.115 78200.00	FICA Expense	144
CM.02.1989.115 78300.00	Worker's Compensation Expense	48

CM.20.4046.418 71010.00	Positions Expense	47
CM.20.4046.418 78100.00	Retirement Expense	6
CM.20.4046.418 78200.00	FICA Expense	4
CM.20.4046.418 78300.00	Worker's Compensation Expense	1
CM.20.4189.406 71010.00	Positions Expense	537
CM.20.4189.406 78100.00	Retirement Expense	75
CM.20.4189.406 78200.00	FICA Expense	40
CM.20.4189.406 78300.00	Worker's Compensation Expense	13
CM.24.6772.602 71010.00	Positions Expense	171
CM.24.6772.602 78100.00	Retirement Expense	24
CM.24.6772.602 78200.00	FICA Expense	13
CM.24.6772.602 78300.00	Worker's Compensation Expense	4
CM.24.6772.603 71010.00	Positions Expense	572
CM.24.6772.603 78100.00	Retirement Expense	76
CM.24.6772.603 78200.00	FICA Expense	44
CM.24.6772.603 78300.00	Worker's Compensation Expense	15
		<hr/>
		5,048

INCREASE REVENUE:

CM.02.1989.114 43389.13	Crime Prevention	1,051
CM.02.1989.115 43389.13	Crime Prevention	2,355
CM.20.4046.418 43401.00	State Aid	58
CM.20.4189.406 43401.00	State Aid	665
CM.24.6772.602 43772.01	Programs for Aging	212
CM.24.6772.603 43772.08	Programs for Aging-Ny Connects	707
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		5,048

INCREASE APPROPRIATION:

D.15.5010.000 71010.00	Positions Expense	896
D.15.5010.000 71025.00	COV 19 Prem Pay Expense	6,171
D.15.5010.000 78100.00	Retirement Expense	891
D.15.5010.000 78200.00	FICA Expense	541
D.15.5010.000 78300.00	Worker's Compensation Expense	23
D.15.5110.000 71010.00	Positions Expense	738
D.15.5110.000 71025.00	COV 19 Prem Pay Expense	49,430
D.15.5110.000 78100.00	Retirement Expense	7,111
D.15.5110.000 78200.00	FICA Expense	3,837
D.15.5110.000 78300.00	Worker's Compensation Expense	19
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		69,657

DECREASE APPROPRIATION:

D.15.5110.000 71011.00	Seasonal	1,984
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INCREASE REVENUE:

D.15.5010.000 44089.07	ARPA State/Local Rec Fund	67,673
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INCREASE APPROPRIATION:

DM.15.5132.000 71010.00	Positions Expense	788
DM.15.5132.000 71025.00	COV 19 Prem Pay Expense	16,476
DM.15.5132.000 78100.00	Retirement Expense	2,568
DM.15.5132.000 78200.00	FICA Expense	1,321
DM.15.5132.000 78300.00	Worker's Compensation Expense	20
		<u>21,173</u>

DECREASE APPROPRIATION:

DM.15.5132.000 74600.03	Training and Education	400
DM.15.5132.000 74800.16	Supplies under \$500	581
		<u>981</u>

INCREASE REVENUE:

DM.15.5132.000 44089.07	ARPA State/Local Rec Fund	20,192
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INCREASE APPROPRIATION:

EL.30.8161.000 71010.00	Positions Expense	148
EL.30.8161.000 71025.00	COV 19 Prem Pay Expense	1,533
EL.30.8161.000 78100.00	Retirement Expense	200
EL.30.8161.000 78200.00	FICA Expense	129
EL.30.8161.000 78300.00	Worker's Compensation Expense	4
EL.30.8161.806 71010.00	Positions Expense	50
EL.30.8161.806 78100.00	Retirement Expense	7
EL.30.8161.806 78200.00	FICA Expense	4
EL.30.8161.806 78300.00	Worker's Compensation Expense	1
		<u>2,076</u>

DECREASE APPROPRIATION:

EL.30.8161.000 74650.08	Consultants	247
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INCREASE REVENUE:

EL.30.8161.000 44089.07	ARPA State/Local Rec Fund	1,829
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INCREASE APPROPRIATION:

ER.26.7140.000 71010.00	Positions Expense	502
ER.26.7140.000 71025.00	COV 19 Prem Pay Expense	3,637
ER.26.7140.000 78100.00	Retirement Expense	677

ER.26.7140.000 78200.00	FICA Expense	316
ER.26.7140.000 78300.00	Worker's Compensation Expense	12
		<hr/> 5,144

DECREASE APPROPRIATION:

ER.26.7140.000 74500.01	Contractual	623
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INCREASE REVENUE:

ER.26.7140.000 44089.07	ARPA State/Local Rec Fund	4,521
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INCREASE APPROPRIATION:

FX.31.8310.000 71010.00	Positions Expense	861
FX.31.8310.000 71025.00	COV 19 Prem Pay Expense	2,265
FX.31.8310.000 78100.00	Retirement Expense	391
FX.31.8310.000 78200.00	FICA Expense	240
FX.31.8310.000 78300.00	Worker's Compensation Expense	22
FX.31.8330.000 71010.00	Positions Expense	1,440
FX.31.8330.000 71025.00	COV 19 Prem Pay Expense	30,725
FX.31.8330.000 78100.00	Retirement Expense	4,885
FX.31.8330.000 78200.00	FICA Expense	2,461
FX.31.8330.000 78300.00	Worker's Compensation Expense	37
FX.31.8340.000 71010.00	Positions Expense	788
FX.31.8340.000 71025.00	COV 19 Prem Pay Expense	11,678
FX.31.8340.000 78100.00	Retirement Expense	1,981
FX.31.8340.000 78200.00	FICA Expense	954
FX.31.8340.000 78300.00	Worker's Compensation Expense	20
		<hr/> 58,748

DECREASE APPROPRIATION:

FX.31.1990.000 74500.01	Contingency	3,844
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INCREASE REVENUE:

FX.31.8310.000 44089.07	ARPA State/Local Rec Fund	54,904
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INCREASE APPROPRIATION:

G.32.8110.000 71010.00	Positions Expense	1,095
G.32.8110.000 71025.00	COV 19 Prem Pay Expense	4,135
G.32.8110.000 78100.00	Retirement Expense	693
G.32.8110.000 78200.00	FICA Expense	400
G.32.8110.000 78300.00	Worker's Compensation Expense	28
G.32.8130.000 71010.00	Positions Expense	1,593
G.32.8130.000 71025.00	COV 19 Prem Pay Expense	30,056
G.32.8130.000 78100.00	Retirement Expense	4,341
G.32.8130.000 78200.00	FICA Expense	2,420

G.32.8130.000 78300.00	Worker's Compensation Expense	41
		44,802

DECREASE APPROPRIATION:

G.32.8110.000 74300.02	Routine Travel Exp	1,981
G.32.8110.000 74650.07	Engineering Services	1,303
		3,284

INCREASE REVENUE:

G.32.8110.000 44089.07	ARPA State/Local Rec Fund	41,518
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Moved by Nemi, seconded by Bradt.
Approved. 13 Ayes, 1 Noes - Virtuoso, 1 Absent – Steed.

Resolution No. B-18-21

From: Administration Committee.

Dated: December 14, 2021

ADOPTION FOR 2022 ASSESSMENT ROLL & BUDGET - WATER DISTRICT

WHEREAS, a public hearing was held on December 7, 2021, at 5:10 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2022 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 2022 assessment roll and budget for the Niagara County Water District, at \$ 11,808,222, 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 Bradt.

Approved. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. B-19-21

From: Administration Committee.

Dated: December 14, 2021

ADOPTION FOR 2022 ASSESSMENT ROLL & BUDGET - SEWER DISTRICT

WHEREAS, a public hearing was held on December 7, 2021, at 5:30 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2022 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 2022 assessment roll and budget for the Niagara County Sewer District #1, at \$7,147,881, 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 Myers.

Approved. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. B-20-21

From: Administration Committee.

Dated: December 14, 2021

**ADOPTION FOR 2022 ASSESSMENT ROLL & BUDGET
REFUSE DISPOSAL DISTRICT**

WHEREAS, a public hearing was held on December 7, 2021, at 5:20 p.m., in the Legislative Chambers, Courthouse, Lockport, New York on the 2022 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 2022 assessment roll and budget for the Niagara County Refuse Disposal District, at \$760,320, 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 Myers.

Approved. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. B-21-21

From: Administration Committee.

Dated: December 14, 2021

**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 Collins.

Approved. 14 Ayes, 0 Noes, 1 Absent – Steed.

Resolution No. B-22-21

From: Administration Committee.

Dated: December 14, 2021

ADOPTION OF 2022 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 2022, and

WHEREAS, pursuant to Section 359 of the County Law, public hearings were held on December 7, 2021, 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 2022, 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 Collins.

Approved. 10 Ayes, 4 Noes – Grozio, Mullane, Robins, Virtuoso, 1 Absent – Steed.

Resolution No. B-23-21

From: Administration Committee.

Dated: December 14, 2021

LEVYING OF TAXES

WHEREAS, the Niagara County Legislature has, by resolution, made amendments to the tentative budget submitted for the year 2022 by the County Manager and the Budget Director, thereby making appropriations for the conduct of the County for calendar year 2022, 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 \$87,855,069.

Upon all the taxable property in the area comprising the Sewer District #1,
the sum of \$ 3,377,531.

Upon all the taxable property in the area comprising the County Water District,
the sum of \$5,392,851.

Upon all the taxable property in the area comprising the County Refuse Disposal District,
the sum of \$667,991.

Moved by Nemi, seconded by Syracuse.

Approved. 10 Ayes, 4 Noes – Grozio, Mullane, Robins, Virtuoso, 1 Absent – Steed.

Resolution No. B-23-21

From: Administration Committee.

Dated: December 14, 2021

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 Godfrey.

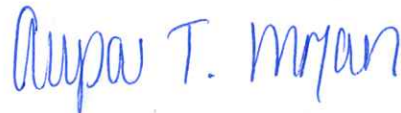
Approved. 10 Ayes, 4 Noes – Grozio, Mullane, Robins, Virtuoso, 1 Absent – Steed.

Motioned by Syracuse, second by Godfrey to enter into an Executive session at 9:25 p.m. for Broadband Contract Negotiations.

Motioned by Grozio, second by Hill to adjourn the Executive Session at 9:57 p.m.

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

The Chairman declared the Board adjourned at 9:57 p.m., subject to the call of the Clerk.



Alysa T. Moran, Clerk