

A public hearing was held pursuant to AD-039-25, adopted by the Legislature on November 18, 2025, for the purpose of hearing public comments on the Assessment Tax Roll for the Niagara County Water District. Legislator Godfrey opened the hearing at 5:10 p.m. and closed it at approximately 5:11 p.m.

A public hearing was held pursuant to AD-040-25, adopted by the Legislature on November 18, 2025, for the purpose of hearing public comments on the Assessment Tax Roll for the Niagara County Refuse Disposal District. Legislator Godfrey opened the hearing at 5:20 p.m. and closed it at approximately 5:21 p.m.

A public hearing was held pursuant to AD-041-25, adopted by the Legislature on November 18, 2025, for the purpose of hearing public comments on the Assessment Tax Roll for the Niagara County Sewer District #1. Legislator Godfrey opened the hearing at 5:30 p.m. and closed it at approximately 5:31 p.m.

A public hearing was held pursuant to AD-042-24, adopted by the Legislature on November 18, 2025, for the purpose of hearing public comments on the Tentative Budget for the Year 2025. Legislator Godfrey opened the hearing at 5:40 p.m. and closed it at approximately 5:42 p.m.

### **OFFICIAL RECORD**

Lockport, New York  
December 2, 2025

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

Clerk Tomasino called the roll. All Legislators were present with the exception of Legislator Hill.

Chairman Wydysh reminded to residents the 2026 tentative budget hearings took place this evening, if you were unable to attend you can submit your comments on the Niagara County 2026 Tentative Budget to [NCPIO@niagaracounty.gov](mailto:NCPIO@niagaracounty.gov), those comments will be shared with the legislators.

No citizens spoke on the Agenda.

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

**Resolution No. AD-051-25 was read at this time. (Appears in numerical order)**

#### **Resolution No. AD-048-25**

From: Administration Committee.

Dated: December 2, 2025

### **RESOLUTION SETTling UNITED STATES V. 9.108 ACRES OF LAND (CIVIL ACTION NUMBER 1:25-CV-0031) AND SETTLEMENT OF TAXES**

WHEREAS, the United States of America, at the request of the United States Army and the United States Army Corps of Engineers brought a civil action for the taking of land in Lockport, NY under its power of eminent domain and through a Declaration of Takings, and for the determination of an award of just compensation to the owners and parties in interest, and

WHEREAS, the property located at 601 Ohio Street in the City of Lockport, commonly known as the Guterl Special Steel Corporation was selected for acquisition to carry out the Formerly Utilized Sites Remedial Action Program, and

WHEREAS, Niagara County was included in this civil action as to our interest in the property due to years of unpaid taxes, and

WHEREAS, as part of the civil action the United States of America has estimated, based upon fair market value of the property that just compensation for the property is \$100, which was deposited with the Court, and

WHEREAS, this 9.108 acres site is currently assessed at \$4,600 total due to the environmental contamination on the property, with taxes owing since 2001 for a total owing of \$777.25, and

WHEREAS, in order for the County to receive any more than their portion of the just compensation rendered in the Government's Petition we would have to contest that issue in a condemnation proceeding pursuant to Federal Rules of Civil Procedure and applicable law, and

WHEREAS, the cost of litigation in federal court to prove an increase in just compensation would likely be more than the unpaid taxes and therefore it would be more beneficial to use their just compensation to resolve our interest in this matter, now, therefore, be it

RESOLVED, that the Niagara County Legislature approves the settlement of Niagara County's interest in United States v. 9.108 Acres of Land and thereafter approves the settlement of unpaid taxes on the property to the just compensation awarded under Civil Action Number 1:25-CV-0031, and it is further

RESOLVED, that upon review by the County Attorney, the County Attorney or Chairman of the Legislature is authorized to sign documentation as to the settlement of Niagara County's interest.

Moved by Bradt, seconded by Robins.

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

**Resolution No. AD-049-25**

From: Administration Committee.

Dated: December 2, 2025

**CLAIM SETTLEMENT  
PATRICIA CLERI VS. NIAGARA COUNTY, NEW YORK  
NIAGARA COUNTY INDEX NO. E173158/2020**

WHEREAS, the County of Niagara self-insures its general liability coverage, and

WHEREAS, such loss fund is fully funded and separate from the General fund, and

WHEREAS, the County Legislature is authorized under Section 6-N of the General Municipal Law to approve claim settlements in excess of \$25,000.00, and

WHEREAS, on or about July 25, 2019 Patricia Cleri was injured in a slip and fall accident while at the Niagara County Philo Brooks Building, located at 59 Park Avenue, Lockport, New York, which is owned and maintained by Niagara County, and

WHEREAS, the case Patricia Cleri vs. Niagara County, New York, now presents an opportunity for settlement thereby avoiding additional litigation, trial and adverse judicial determinations, now, therefore, be it

RESOLVED, that the authority to disburse the Patricia Cleri vs. Niagara County, New York., litigation, in settlement, is given to the Risk & Insurance Manager in the amount of \$42,500.00 upon completion and receipt of a General Release for Niagara County and all other agents and employees of Niagara County and Stipulation of Discontinuance from plaintiff's and County's counsel.

Moved by Bradt, seconded by Robins.  
Adopted. 14 Ayes, 0 Noes, 1 Absent – Hill.

**Resolution No. AD-050-25**

From: Administration Committee.

Dated: December 2, 2025

**WAIVER OF RESIDENCY REQUIREMENT  
TAX MAP TECHNICIAN – REAL PROPERTY DEPARTMENT**

WHEREAS, the Niagara County Real Property Tax Department has permission to fill a Tax Map Technician vacant position, which is vital to satisfy requirements as mandated by NYS Real Property Tax Law, and

WHEREAS, due to challenges with recruitment for this highly technical and specialized position, Niagara County Civil Service posted the open position which resulted in two applicants, one of which resides outside Niagara County, and

WHEREAS, after considering the one Niagara County candidate it was determined that they had since taken another position and rescinded their application, and

WHEREAS, the Department has made a diligent and sincere effort to recruit candidates for the position from within Niagara County, including newspaper announcements and various job recruitment websites, and

WHEREAS, there are no remaining Niagara County applicants for this position at this time, now, therefore, be it

RESOLVED, that a Waiver of Residence from the policy to hire only Niagara County residents be approved to fill the vacant Tax Map Technician position when the most qualified applicant resides outside Niagara County.

Moved by Bradt, seconded by Robins.

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

**Resolution No. AD-051-25**

From: Administration Committee.

Dated: December 2, 2025

**BOARD OF ELECTIONS  
INTER-MUNICIPAL BMD TRANSFER AGREEMENT**

WHEREAS, Niagara County Board of Elections currently possesses ten (10) Ballot Marking Devices (BMD), previously used as voting machines which the county wishes to declare as surplus property, and

WHEREAS, the County of Ontario has a need for ten (10) Ballot Marking Devices (BMD), and

WHEREAS, an Inter-Municipal Agreement between the County of Niagara and the County of Ontario has been drafted by the County Attorney's office for a transfer of aforementioned ten (10) Ballot Marking Devices (BMD), now, therefore, be it

RESOLVED, that the County of Niagara declares the ten (10) Ballot Marking Devices to be surplus property and authorizes an agreement with the County of Ontario to transfer ownership of the ten (10) Ballot Marking Devices (BMD), and be it further

RESOLVED, that following the County Attorney's review, the agreement with the County of Ontario may be executed pursuant to the Niagara County Contract Policy

Approved for submission.

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

Carried.

Moved by Bradt, seconded by Robins.

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

**Resolution No. CS-051-25**

From: Community Services and Administration Committees.

Dated: December 2, 2025

**BUILDOUT OF THE RELOCATION OF PUBLIC HEALTH CLINIC AND OFFICES  
CHANGE ORDER NO. 2-FINAL**

WHEREAS, Resolution No. CS-055-24, dated October 15, 2024, awarded the contract for the Buildout of the Relocation of Public Health Clinic and Offices to BMBM Properties, LLC at 55 Stevens Street, Lockport, New York 14094, and

WHEREAS, Resolution No. CS-036-25 increased the Buildout contract to \$706,786, and

WHEREAS, it has since been determined an increase in electrical outlets and breaker for the employee kitchenette area are needed, and

WHEREAS, a line balance from new building furniture funds is available to cover this unexpected cost, and

WHEREAS, Article 6 State Aid will reimburse 36% of the cost, 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.2-Final be approved to increase the contract by \$3,750 and authorize final payment for the Buildout of the Relocation of Public Health Clinic and Offices, for a revised contract amount of \$710,536 to BMBM Properties, LLC 6427 Dysinger Road, Suite B, Lockport, New York 14094, and be it further

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

Moved by Bradt, seconded by Robins.

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

**Resolution No. CS-052-25**

From: Community Services and Administration Committees.

Dated: December 2, 2025

**2025 CONTRACT STATE AID COLA - MENTAL HEALTH DEPARTMENT**

WHEREAS, the New York State Office of Mental Health (OMH) and New York State Office of Addiction Services and Supports (OASAS) has approved additional State Aid COLA for the calendar year of 2025 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.21.4322.415.43490.05	Reinvestment (Community Missions, Dale, MHA, ND, NFMMC)	\$ 7,591
CM.21.4322.415.43490.08	Community Support Services	\$ 10,577

INCREASE APPROPRIATIONS:

CM.21.4322.415.74550.06	Reinvestment (Community Missions, Dale, MHA, ND, NFMMC)	\$ 7,591
CM.21.4322.415.74500.01	Community Support Services	\$ 10,577

Moved by Bradt, seconded by Robins.

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

**Resolution No. CS-053-25**

From: Community Services and Administration Committees.

Dated: December 2, 2025

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

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

WHEREAS, as a result of the bills generated by the length of hospital stay imposed by Court Orders for year 2025, 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, the Niagara County Department of Mental Health administers payment of these bills on behalf of the County, now, therefore, be it

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

RESOLVED, the following budget transfer be effectuated:

INCREASE APPROPRIATED FUND BALANCE:

A.40599.00	Appropriated Fund Balance	\$ 634,000
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INCREASE APPROPRIATIONS:

A.21.4310.000 74550.17	Department of Mental Hygiene	\$ 634,000
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Moved by Bradt, seconded by Robins.

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

**Resolution No. CS-054-25**

From: Community Services and Administration Committees.

Dated: December 2, 2025

**MH - RESOLUTION TO REORGANIZE OPIOID ADDICTION/OVERDOSE STRATEGY  
IMPLEMENTATION STANDING (OASIS) COMMITTEE**

WHEREAS, in 2016, based upon the growing need to address the opioid epidemic in Western New York, the Niagara County Legislature created the OASIS standing committee, and

WHEREAS, since its implementation, Niagara County Department of Mental Health & Substance Abuse Services (NCDMH) has taken the lead in addressing important aspects of Opioid addiction/overdose issues in Niagara County, and

WHEREAS, community and agency resources are in place that would better address specific issues related to opioid overdose, and addiction issues in Niagara County, now, therefore, be it

RESOLVED, that the advisory committee, OASIS, shall be dissolved, and be it further

RESOLVED, that any and all functions of that advisory committee shall be reorganized and merged with the long-standing suicide prevention efforts in Niagara County under Hope Speaks – Niagara, a community coalition led by NCDMH.

Moved by Bradt, seconded by Robins.

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

**Resolution No. CSS-127-25**

From: Community Safety & Security and Administration Committees.

Dated: December 2, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE  
AWARD OF SHOWER REFINISHING FOR NIAGARA COUNTY SHERIFF'S OFFICE  
REQUEST FOR PROPOSAL**

WHEREAS, the Niagara County Purchasing Department issued Request for Proposal 2025-51 Shower Refinishing for Niagara County Sheriff's Office on October 30, 2025, and

WHEREAS, only one vendor, Miracle Method of Western NY, was present for the mandatory pre-bid site inspection which was held on November 6, 2025, and

WHEREAS, there is only one vendor eligible to bid on this project which has a bid opening on November 25, 2025, and

WHEREAS, the proposal from Miracle Method of Western NY will be evaluated for compliance with the Request for Proposal parameters and appropriateness of cost, and

WHEREAS, if the Niagara County Sheriff's Office finds the proposal from Miracle Method of Western NY, to be an acceptable proposal, now, therefore, be it

RESOLVED, that the Request for Proposal 2025-51 Shower Refinishing for Niagara County Sheriff's Office be awarded to Miracle Method of Western NY, and be it further

RESOLVED, that following the County Attorney's review, the Request for Proposal 2025-51 Shower Refinishing for Niagara County Sheriff's Office contract with Miracle Method of Western NY may be executed pursuant to the Niagara County Contract Policy.

Motion by McKimmie, second by Godfrey to amend the resolution

Amendment:

Remove and replace third WHEREAS and replace with:

WHEREAS, only one response was received for the bid opening on November 25, 2025 which was from SL Associates of Rochester Inc. DBA Miracle Method of Western NY, 645 Ling Rd Rochester, NY 14612 in the amount of \$81,205, and

Deletion of the fifth WHEREAS.

Motion by McKimmie, second by Godfrey to approve the amendment to the resolution.

Approved.

Moved by McKimmie, seconded by Godfrey.

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

#### **Resolution No. CSS-128-25**

From: Community Safety & Security and Administration Committees.

Dated: December 2, 2025

### **NIAGARA COUNTY SHERIFF'S OFFICE ACCEPT POLICE TRAFFIC SERVICES GRANT**

WHEREAS, the Niagara County Sheriff's Office has been awarded a Police Traffic Services Grant from the Governor's Traffic Safety Committee for the period October 1, 2025 through September 30, 2026 in the amount of \$25,810, and

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

WHEREAS, the funds are used for traffic enforcement overtime with the goal of increasing seat belt usage and reducing dangerous driving behaviors in an effort to reduce serious injuries and deaths from traffic crashes in Niagara County, now, therefore, be it

RESOLVED, that following the County Attorney review, the New York State Governor's Traffic Safety Committee Police Traffic Services Grant may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

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

#### **Resolution No. CSS-129-25**

From: Community Safety & Security and Administration Committees.

Dated: December 2, 2025

### **NIAGARA COUNTY SHERIFF'S OFFICE SOLE SOURCE DORON PRECISION SYSTEMS**

WHEREAS, the Niagara County Sheriff's Office purchased a Driving Simulator and Trailer from Doron Precision Systems, Inc., in 2015 under Sealed Bid 2015-30 Driving Simulator System and Trailer for Niagara County Sheriff's Office, and

WHEREAS, the Driving Simulator is used for the Niagara County Law Enforcement Academy, Traffic Safety Fairs for area high school seniors, other Niagara County Departments and partner agencies throughout Niagara County in an effort to improve driving skills and safety awareness for drivers, and

WHEREAS, Doron Precision Systems Inc., is the only provider of a Maintenance Service Agreement for its driving simulator which also includes regularly scheduled preventive maintenance calls including parts, labor and travel costs as well as emergency service, and

WHEREAS, it is necessary to keep the driving simulator in operational condition for the various situations in which it is used throughout Niagara County, and

WHEREAS, the Doron Precision Systems Inc. Annual Maintenance Service Agreement for 1/1/26 to 12/31/26 has a cost of \$10,788.00, and

WHEREAS, the Sheriff's Office would like to continue to have a Maintenance Service Agreement for the Doron Driving Simulator and does not have the ability to purchase one from another vendor, now, therefore, be it

RESOLVED, there is a need for sole source purchase for the Niagara County Sheriff's Office in the purchase of a Doron Driving Simulator maintenance agreement, and be it further

RESOLVED, that it is hereby determined that Doron Precision Systems, Inc., is the sole provider of Maintenance Service Agreements for the Doron Driving Simulator and that the Sheriff's Office is hereby authorized to purchase Doron Driving Simulator Maintenance Service Agreements from Doron Precision Systems, Inc without the need to solicit for alternate proposals, such purchase to be made in consultation with the Purchasing Department and in accordance with budgetary procedures.

Moved by Bradt, seconded by Robins.

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

**Resolution No. CSS-130-25**

From: Community Safety & Security and Administration Committees.

Dated: December 2, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE  
SOLE SOURCE QUALTRAX SOFTWARE MAINTENANCE SERVICE AGREEMENT**

WHEREAS, the Niagara County Sheriff's Office purchased Qualtrax Software in 2019 for the NCSO Forensic Laboratory and since 2019 has purchased annual maintenance, hosting and licenses, and

WHEREAS, the Qualtrax Software is a Quality Control Program which tracks all of the processes in the Forensic Laboratory which is essential for court cases and Laboratory Accreditation, and

WHEREAS, Qualtrax Inc., a subsidiary of Ideagen, is the only vendor that hosts, licenses and maintains its Qualtrax Software, and

WHEREAS, it is necessary to have annual contracts with Qualtrax Inc./Ideagen to keep the Qualtrax Software functional, current and address any issues, and

WHEREAS, Qualtrax Inc./Ideagen has provided a quote for a five-year contract which would avoid annual price increases which have happened consistently in the past and holds the annual fee at \$15,178.77 through December 31, 2030, and

WHEREAS, the Sheriff's Office would like to continue to have a Maintenance Service Agreement for the Qualtrax Software and does not have the ability to purchase it from another vendor, now, therefore, be it

RESOLVED, there is a need for sole source purchase for the Niagara County Sheriff's Office in the purchase of a Qualtrax Software Annual Maintenance Agreement to include Hosting, Licenses and Service, and be it further



RESOLVED, that it is hereby determined that Qualtrax Inc., a subsidiary of Ideagen, is the sole provider of Software Annual Maintenance Agreements including hosting, licenses and service of the Qualtrax Software and that the Sheriff's Office is hereby authorized to purchase Qualtrax Software Maintenance Service Agreements from Qualtrax Inc, a subsidiary of Ideagen without the need to solicit for alternate proposals, such purchase to be made in consultation with the Purchasing Department and in accordance with budgetary procedures.

Moved by Bradt, seconded by Robins.

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

**Resolution No. IF-172-25**

From: Infrastructure & Facilities and Administration Committees.

Dated: December 2, 2025

**ACCEPT BIDS FOR NIAGARA COUNTY REFUSE DISPOSAL DISTRICT  
STORMWATER SUMP DEWATERING SYSTEM IMPORVEMENTS  
(REF-10-2025 SUMP)**

WHEREAS, the Niagara County Refuse Disposal District has prepared specifications in conjunction with the Department of Public Works Engineering Division, to initiate repairs to the stormwater sump dewatering infrastructure located at the landfill site in in the City and Town of Lockport, and

WHEREAS, sealed bid for the General Contract Work for the Landfill 1 Project were received and publically opened by the Purchasing Department on November 20, 2025 as tabulated below:

Contractor	Bid Price
1. Ground Breaking Solutions LLC 1019 Blakeley Rd. East Aurora, NY 14052	\$151,500.00
2. American Contracting and Environmental Services, Inc. 11075 Stratfield Ct. Marriottsville, MD 21104	\$251,700.00
3. Kandey Co Inc. 19 Ransier Dr. West Seneca, NY 14224	\$183,325.00
4. NFP and Sons, Inc. 7311 Ward Rd. North Tonawanda, NY 14120	\$125,500.00
5. Mark Cerrone Inc. 2368 Maryland Ave. Niagara Falls, NY 14305	\$157,000.00
6. Malvestuto Construction Inc. 2043 Cayuga Drive Ext. Niagara Falls, NY 14304	\$185,000.00

and

WHEREAS, the contract for the Stormwater Sump Dewatering System Improvements be awarded to the lowest responsible bidder, NFP and Sons Inc., and

WHEREAS, the cost of the work to be performed shall not exceed \$125,500, and

WHEREAS, the cost of the work to be performed shall be covered from the proceeds of an insurance policy posted by the Niagara County Refuse Disposal District in conjunction with work previously performed at the site, and which is now being corrected under the present bid, and

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

RESOLVED, that NFP and Sons Inc., 7311 Ward Road, North Tonawanda, New York 14120, be awarded the bid for the Stormwater Sump Dewatering System Improvements in the amount of \$125,500.00, and be it further

RESOLVED, that the following capital project be created and budget modification be effectuated:

INCREASE ANTICIPATED REVENUE:

H818.30.8997.000 42770.01	Unclassified Revenue – Ins. Reimb.	\$125,500
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INCREASE ANTICIPATED EXPENSE:

H818.30.8997.000 72400.00	Land Improvements	\$125,500
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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 Robins.

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

**Resolution No. IF-173-25**

From: Infrastructure & Facilities and Administration Committees.

Dated: December 2, 2025

**RESOLUTION TO DECLARE REFUSE DISPOSAL DISTRICT  
2002 VOLVO CHASSIS AND TANK SURPLUS PROPERTY**

WHEREAS, the County of Niagara currently owns A 2002 Volvo VHD64B chassis with 5,000 gallon tank, and

WHEREAS, effective September 2025 a new truck chassis and tank to haul Refuse District leachate was commissioned into service, and

WHEREAS, the 2002 Volvo chassis has low mileage and has been well maintained, but the condition of the 5,000 gallon tank is not suitable for use as an alternative vehicle for the Refuse District, and

WHEREAS, the Refuse District must declare the property surplus to proceed with auction/sale, now, therefore, be it

RESOLVED, that the County of Niagara declares the 2002 Volvo VHD64B chassis with 5,000 gallon tank (VIN#4V5KC9GG82N321488) as surplus property.

Moved by Bradt, seconded by Robins.

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

**Resolution No. IF-174-25**  
From: Infrastructure & Facilities and Administration Committees.  
Dated: December 2, 2025

**BUDGET MODIFICATION – PARKING LOT IMPROVEMENTS**

WHEREAS, funds were budgeted in the 2025 operational budget for Buildings and Grounds - Land Improvements, and

WHEREAS, the County has various parking lots that are in need of sealing and striping to prevent deterioration and improve overall condition, and

WHEREAS, the County recognizes the need to maintain the appearance and functionality of its parking lots to ensure safety and asset preservation, and

WHEREAS, due to department work load exceeding department capacity in 2025 these funds need to be moved to the Capital Account H661.15.1620.000, Parking Lot Improvements, so these funds can be secured for parking lot improvements in 2026, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:		
A.15.1620.000.72400.00	Land Improvements Expense	\$50,000
INCREASE APPROPRIATIONS:		
A.07.9950.000.79010.10	Transfer to Capital	\$50,000
INCREASE ESTIMATED REVENUE:		
H661.15.1620.000.45031.00	Transfers From Operating	\$50,000
INCREASE APPROPRIATIONS:		
H661.15.1620.000.72400.00	Land Improvements – Parking Lots	\$50,000
Moved by Bradt, seconded by Robins.		
Adopted. 14 Ayes, 0 Noes, 1 Absent – Hill.		

**Resolution No. IF-175-25**  
From: Infrastructure & Facilities and Administration Committees.  
Dated: December 2, 2025

**EWINGS ROAD OVER EIGHTEEN MILE CREEK, TOWN OF NEWFANE AND QUAKER ROAD  
OVER GOLDEN HILL CREEK, TOWN OF SOMERSET  
FEDERAL AID LOCAL PROJECT AGREEMENT**

WHEREAS, the Ewings Road Bridge over Eighteen Mile Creek and Quaker Road Over Golden Hill Creek, P.I.N. 5764.25, (the “Project”), is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% Non-Federal Funds, and

WHEREAS, the County of Niagara desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Construction/Construction Inspection phase, and

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

RESOLVED, that the Legislature of the County of Niagara hereby approves the above-subject project, and be it further

RESOLVED, that the Legislature of the County of Niagara hereby authorizes the County of Niagara to pay in the first instance 100% of the Federal and non-federal shares of the cost of Construction/Construction Inspection phase of the Project or portions thereof, and be it further

RESOLVED, that in the event of the full federal and non-federal share costs of the project exceeds the amount appropriated above the County of Niagara Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation, and be it further

RESOLVED, that the Chair of the Legislature of the County of Niagara be, and hereby is, authorized to execute all necessary Agreements, certifications, or reimbursement requests for Federal Aid and/or Marchiselli aid on behalf of the County of Niagara with the New York State Department of Transportation, in connection with the advancement or approval of the Project providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

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

INCREASE ANTICIPATED REVENUE:

H765.15.5197.000 44597.01	Federal Aid Capital Const Hwy	\$ 953,600
H765.15.5197.000 43501.01	State Aid Capital Construction Hwy	\$ 178,800

INCREASE ANTICIPATED APPROPRIATIONS:

H765.15.5197.000 72600.02	Infrastructure-Bridges	\$1,132,400
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and be it further

RESOLVED, that the sum of \$1,132,400 is hereby appropriated in account H765.15.5197.000 72600.02 and made available to cover the cost of participation in the above phases of the project, and be it further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

Moved by Bradt, seconded by Robins.

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

**Resolution No. IF-176-25**

From: Infrastructure & Facilities and Administration Committees.

Dated: December 2, 2025

**MEMBERSHIP CONTRACT  
WESTERN NEW YORK STORMWATER COALITION**

WHEREAS, the Western New York Stormwater Coalition (the Coalition) was created by a Memorandum of Agreement dated December 31, 2005, and

WHEREAS, the Coalition coordinates and cooperates in efforts to meet the requirements of the Phase II Stormwater regulations (40 C.F.R. Sections 9, 122, 123, and 124 [1999], as amended), and the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from MS4s (GP-0-15-003 and subsequent renewals for the term of the Agreement), and

WHEREAS, Niagara County has been a member of the Coalition since its inception, and

WHEREAS, Niagara County would like to continue its membership in the Coalition, and

WHEREAS, funds are available in account D.15.5140.000 74600.04, Dues and Memberships, 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 contract for the Western New York Stormwater Coalition be executed by Niagara County so as to remain a partner in the Coalition, at an annual cost of \$1,800, for a term of five (5) years, ending on December 31, 2030, and be it further

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

Moved by Bradt, seconded by Robins.

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

**Resolution No. IF-177-25**

From: Infrastructure & Facilities and Administration Committees.

Dated: December 2, 2025

**NIAGARA COUNTY DEPARTMENT OF PUBLIC WORKS  
CAPITAL ACCOUNT BUDGET MODIFICATIONS**

WHEREAS, the County has identified excess SLFRF funds that were previously obligated as of the deadline but ultimately not expended on an eligible activity, and

WHEREAS, the County may reclassify the SLFRF funds from the original activity to another project that would be eligible under the SLFRF program rules, including the requirement that the recipient incurred an obligation by December 31, 2024, and

WHEREAS, Resolution No. IF-220-24 allocated \$11,113,586.06 of capital reserve funds to the Public Works Storm Facility, and

WHEREAS, a portion of these funds are covering ARPA eligible obligations that were in place prior to the December 31, 2024 deadline, now, therefore, be it

RESOLVED, that the ARPA funds available for reclassification, in the amount of \$129,461.19, be applied to the Public Works Storm Facility, and be it further

RESOLVED, that \$129,461.19 be returned to the original funding source of Capital Reserve, and be it further

RESOLVED, that the following budget modifications be effectuated:

DECREASE ESTIMATED REVENUE:

H749.15.7110.000	44089.07	Federal Aid,Other ARPA State/Local Fiscal Recovery	\$ 10,804.21
H771.15.7110.000	44089.07	Federal Aid,Other ARPA State/Local Fiscal Recovery	\$ 12,302.35
H770.15.7110.000	44089.07	Federal Aid, Other ARPA State/Local Fiscal Recovery	\$ 43,572.05
H782.15.1620.000	44089.07	Federal Aid,Other ARPA State/Local Fiscal Recovery	\$ 32,664.55
H523.15.1620.000	45031.10	Interfund Transfers from Capital Reserves	\$129,461.19

DECREASE APPROPRIATIONS:

H749.15.7110.000	72400.00	Land Improvement Expense	\$ 10,804.21
H770.15.7110.000	72200.01	Land Improvement Expense	\$ 43,572.05
H771.15.7110.000	72400.00	Land Improvement Expense	\$ 12,302.35
H782.15.1620.000	72200.01	Building Improvements	\$ 32,664.55

INCREASE ESTIMATED REVENUE:

H523.15.1620.000	44089.07	Federal Aid,Other ARPA State/Local Fiscal Recovery	\$ 129,461.19
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Moved by Bradt, seconded by Robins.

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

**Resolution No. IF-178-25**

From: Infrastructure & Facilities and Administration Committees.

Dated: December 2, 2025

**AWARD OF CONTRACT – NEW PUBLIC WORKS FACILITY  
12,000-GALLON STEEL UNDERGROUND TANK REMOVAL NO. 1 –FINAL**

WHEREAS, Sun Environmental Corp located at 4655 Crossroads Park Drive, Liverpool, NY 13088, was awarded the contract for the New Public Works Facility 12,000 - gallon steel underground storage tank (UST) removal, for a contract amount not to exceed \$ 21,080.00, and

WHEREAS, it is necessary to increase the contract in the amount of \$9,978.37, for additional investigation of contaminated soil, for a revised contract amount of \$31,058.37, and

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

RESOLVED, that Change Order No. 1-Final to increase the contract by \$9,978.37 for the New Public Works Facility 12,000 - gallon steel underground storage tank (UST) removal project, for a revised contract amount of \$31,058.37 to Sun Environmental Corp located at 4655 Crossroads Park Drive, Liverpool, NY 13088, be approved, and be it further

RESOLVED, that final payment be made to Sun Environmental Corp as soon as practicable, and be it further

RESOLVED, that, following the County Attorney's review, Change Order No. 1-Final may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

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

**Resolution No. IF-179-25**

From: Infrastructure & Facilities and Administration Committees.

Dated: December 2, 2025

**NEW PUBLIC WORKS FACILITY ELECTRICAL CONTRACT  
CHANGE ORDER NO. 1**

WHEREAS, Resolution No. IF-223-24, dated December 03, 2024, awarded the contract for New Public Works Facility - Electrical Contract to Concord Electric Corp. 305 Pinewild Drive, Suite 4 Rochester, NY 14606 for a contract amount not to exceed \$2,994,000.00, and

WHEREAS, it is necessary to increase the contract in the amount of \$40,677.72 as additional work is needed to furnish and install fiber optic lines between all buildings for a revised contract amount of \$3,034,677.72

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

RESOLVED, that Change Order No. 1 to increase the contract in the amount of \$40,677.72 for the New Public Works Facility Electrical Contract, as additional work is needed to furnish and install fiber optic lines between all buildings for a revised contract amount of \$3,034,677.72 to Concord Electric Corp. 305 Pinewild Drive, Suite 4 Rochester, NY 14606, be approved, and be it further

RESOLVED, that, following the County Attorney's review, Change Order No. 1 may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

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

**Resolution No. IF-180-25**

From: Infrastructure & Facilities and Administration Committees.

Dated: December 2, 2025

**RENEWAL OF CONTRACT WITH NIAGARA FALLS COACH LINES, INC.  
FOR THE OPERATION AND MAINTENANCE OF CONNECT NIAGARA  
RURAL TRANSPORTATION**

WHEREAS, Resolution No. IF-185-23, dated December 5, 2023, awarded the contract for Connect Niagara Rural Transportation Services to Niagara Falls Coach Lines Inc., 120-13<sup>th</sup> Street, Niagara Falls NY 14303, for a rate of \$3.71 per mile, from January 1, 2024 to December 31, 2024, and

WHEREAS, Resolution No. IF-205-24, dated November 11, 2024, renewed the contract for Connect Niagara Rural Transportation Services to Niagara Falls Coach Lines Inc., 120-13<sup>th</sup> Street, Niagara Falls NY 14303, for a rate of \$3.78 per mile, from January 1, 2025 to December 31, 2025, and

WHEREAS, it is necessary to extend the contract date from January 1, 2026 to December 31, 2026, at the rate of \$3.78 per mile, and

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

RESOLVED, that the contract to Niagara Falls Coach Lines Inc., 120-13<sup>th</sup> Street, Niagara Falls NY 14303, be extended from January 1, 2026 to December 31, 2026, at the rate of \$3.78 per mile, and be it further

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

Moved by Bradt, seconded by Robins.

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

County Manager Updegrave shared an article on a report prepared by the Progressive Policy Institute regarding the Climate Leadership and Protection Act.

**APPOINTMENTS:**

**PERSONNEL OFFICER:**

Joseph A. Vacanti Jr.

Motioned by Bradt, Second Andres.

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

**Appt.**

**Expires**

12/08/25

12/08/31

Moved by McKimmie, second by Speranza to enter into Executive Session at 6:11 p.m. for discussion on pending litigation.

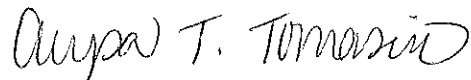
Moved by McKimmie, second by Myers to adjourn Executive Session at 6:22 p.m.

**Resolution No. CW-020-25 was read at this time. (Appears in numerical order)**

Motion by McKimmie, second by Myers, to adjourn the board.

The Chairman declared the Board adjourned at 6:24 pm, subject to the call of the Clerk.

No citizens spoke at this time on the General Welfare of the County.



Alysa T. Tomasino, Clerk