

A public hearing was held pursuant ED-002-21, adopted by the Legislature on January 19, 2021, on a proposed Brent Industries, LLC Community Development Block Grant Application Chairman Wydysh opened the hearing at 5:15 p.m. and closed it at approximately 5:17 p.m.

A public hearing was held pursuant ED-003-21, adopted by the Legislature on January 19, 2021, on a proposed Locks & Erie Canal Cruises Community Development Block Grant Application. Chairman Wydysh opened hearing at 5:30 p.m. and closed it at approximately 5:32 p.m.

A public hearing was held pursuant ED-004-21, adopted by the Legislature on January 19, 2021, on a proposed Ultimate Physique Community Development Block Grant Application. Chairman Wydysh opened hearing at 5:45 p.m. and closed it at approximately 5:47 p.m.

## **OFFICIAL RECORD**

Lockport, New York  
February 16, 2021

The meeting was called to order by Chairman Wydysh at 6:03 p.m.

Clerk Moran called the roll. All Legislators were present.

Chairman Wydysh gave the first virtual State of the County of Address. She asked for a moment of silence to honor the 272 Niagara County residents who have passed from COVID-19 provided a summary of the past year, while highlighting some key initiatives, and discussed goals for the upcoming year.

### **PRESENTATIONS:**

Chairman Wydysh read the proclaiming February 2021 as "Black History Month Proclamation"

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

### **Resolution No. AD-002-21**

From: Administration Committee.

Dated: February 16, 2021

## **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 exam for this position which resulted in only one candidate being on the certified list, and

WHEREAS, after considering the one candidate it was determined that they were not qualified for the vacant position, 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 Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. AD-003-21**

From: Administration Committee.

Dated: February 16, 2021

**BUDGET MODIFICATION – DISTRIBUTION OF SALES TAX**

WHEREAS, the County Treasurer's Office has reviewed the year-to-date distribution of county-wide sales tax revenue for 2020, and

WHEREAS, sales tax revenue for the month of December, which is received in January 2021 came in higher than anticipated and must be accrued back to 2020 per Generally Accepted Accounting Principles (GAAP), and

WHEREAS, such unanticipated increase in sales tax revenue has led the County to distribute higher than anticipated amounts of revenue to the local municipalities, and

WHEREAS, budget modifications for the 2020 fiscal year can continue to be made into the first quarter of 2021, now, therefore, be it

RESOLVED, the following budget modification be effectuated to the 2020 County budget:

**INCREASE ESTIMATED REVENUE:**

A.07.1985.000 41110.01 Sales and Use Tax General Distribution	\$594,115
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**INCREASE APPROPRIATION:**

A.07.1985.000 74500.01 Distribution of Sales Tax	\$594,115
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Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CS-003-21**

From: Community Services and Administration Committees.

Dated: February 16, 2021

**BUDGET MODIFICATION  
CHILD FATALITY REVIEW TEAM INITIATIVE**

WHEREAS, the New York State Office Of Children & Family Services (OCFS), in conjunction with the New York State Department of Health (DOH), did make state-wide funds available for the provision and expansion of Child Fatality Review Teams (CFRT's), whose responsibility it is to review the death of any child whose care and custody or custody and guardianship has been transferred to an authorized agency, and

WHEREAS, demographic analysis have revealed that many children and families who are involved with the child welfare and juvenile justice systems in New York State are disproportionately Black and Latino, and many are poor, and

WHEREAS, resources have been made available for the assessment of relevant date, identification of affected communities across the state, and the identification of evidence based and/or best practice strategies which can be replicated in New York State, and

WHEREAS, Niagara County did receive a renewed allocation of \$50,000, effective February 1, 2021 – January 31, 2022, which is 100 % State funded, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services will continue to contract with Niagara Falls Memorial Medical Center - Child Advocacy Center to provide services to our most vulnerable children and families, and to implement activities in accordance with the CFRT Initiative, and be it further

RESOLVED, that the following budget modification be effectuated to the Social Services 2021 budget:

INCREASE REVENUE:

A.22.6010.000 43610.01	DSS Admin General	\$ 50,000
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INCREASE APPROPRIATION:

A.22.6010.000 74500.01	Contractual Exp-Contractual	\$ 50,000
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Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CS-004-21**

From: Community Services and Administration Committees.

Dated: February 16, 2021

**BUDGET MODIFICATION  
SAFE HARBOR INITIATIVE**

WHEREAS, 2008 New York State legislation, The Safe Harbor for Exploited Children Act, ended the prosecution of minors under prostitution charges and instead identified minors as victims of commercial sexual exploitation by adults, and

WHEREAS, The Safe Harbor Act is the result of years of advocacy work in New York and around the country in advancing the cause for child victims. The number of sexually exploited children, in addition to data surrounding the correlation between abuse and mental health concerns, highlighted the need for a model shift from criminalizing to protecting victims, and

WHEREAS, resources have been made available for the identification of Commercially Sexually Exploited (CSE) youth, the provision of case coordination and advocacy for CSE youth, assisting youth with access to medical care, mental health counseling, financial assistance, emergency shelter and other basic living and safety needs, crisis intervention, problem solving, action planning, and skill building, and

WHEREAS, Niagara County was selected as one of few counties across the state to receive funds to support the Safe Harbor program, and did receive a renewed allocation of \$33,000 effective January 1, 2021 – December 31, 2021, which is 100 % State funded, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services will continue to contract and collaborate with Niagara Falls Memorial Medical Center - Child Advocacy Center, with the goal of providing immediate and intensive services to youth who are sexually exploited, and reduce the risk of continued sexual exploitation and abuse, in accordance with the Safe Harbor Initiative, and be it further

RESOLVED, that the following budget modification be effectuated to the Social Services 2021 budget:

INCREASE REVENUE:

A.22.6010.000 43610.01      DSS Admin General      \$ 33,000

INCREASE APPROPRIATION:

A.22.6010.000 74500.01      Contractual Exp-Contractual      \$ 33,000

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CS-005-21**

From: Community Services and Administration Committees.

Dated: February 16, 2021

**BUDGET MODIFICATION – REAPPROPRIATE MEDICAL RESERVE CORPS FUNDS  
EMERGENCY PLANNING- DEPARTMENT OF HEALTH**

WHEREAS, the Emergency Planning Program 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 National Association of County & City Health Officials awarded Emergency Planning Program funds to assist in preparedness of Medical Reserve Corps approved through resolution CS-012-20, and

WHEREAS, the Department of Health requests re-appropriation of 2020 fund balance to 2021 budget, now, therefore, be it

RESOLVED, the budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.406 44489.24      Other Health MRC      \$ 5,588.00

INCREASE APPROPRIATIONS:

CM.20.4189.406 74600.03      Training & Education      \$ 5,588.00

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CS-006-21**

From: Community Services and Administration Committees.

Dated: February 16, 2021

**BUDGET MODIFICATION –REAPPROPRIATE IMMUNIZATION FUNDS  
NURSING DIVISION DEPARTMENT OF HEALTH**

WHEREAS, the Nursing Division of the Niagara County Department of Health provides a wide array of essential services, and

WHEREAS, the New York State Department of Health awarded the Public Health Nursing Division Immunization Action Plan funds to expand and enhance influenza vaccine outreach, promotion and mass vaccination activities approved through Resolution CS-033-20, and

WHEREAS, the Department of Health requests re-appropriation of fund balance, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.404 44489.07 Other Health Immunization	\$46,259.00
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INCREASE APPROPRIATIONS:

CM.20.4189.404 72100.01 Machinery & Equipment	\$27,000.00
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CM.20.4189.404 74750.11 General Medical/Lab/Clinic supplies	\$19,259.00
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Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CS-007-21**

From: Community Services and Administration Committees.

Dated: February 16, 2021

**BUDGET MODIFICATION –REAPPROPRIATE COVID-19 FUNDS  
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 to conduct case and contact investigation for Corona Virus (COVID-19) approved through Resolution CS-032-20, and

WHEREAS, the Department of Health requests re-appropriation of fund balance, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.406 44489.08 Other Health Response	\$39,903.93
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INCREASE APPROPRIATIONS:

CM.20.4189.406 71050.00 Overtime	\$30,629.00
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CM.20.4189.406 78100.00 Retirement	6,126.27
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CM.20.4189.406 78200.00 FICA	2,343.12
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CM.20.4189.406 78300.00 Worker's Compensation	805.54
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Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CS-008-21**

From: Community Services and Administration Committees.

Dated: February 16, 2021

**BUDGET MODIFICATION –REAPPROPRIATE COVID-19 RESPONSE FUNDS  
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 D-19) approved through Resolution CS-019-20, and

WHEREAS, the Department of Health requests re-appropriation of fund balance, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

**INCREASE REVENUE:**

CM.20.4189.406 44489.08	Other Health Response	\$88,130.32
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**INCREASE APPROPRIATIONS:**

CM.20.4189.406 71050.00	Overtime	\$37,257.00
CM.20.4189.406 78100.00	Retirement	7,451.40
CM.20.4189.406 78200.00	FICA	2,850.16
CM.20.4189.406 78300.00	Worker's Compensation	979.86
CM.20.4189.406 74750.02	Supplies/Materials	39,591.90

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CS-009-21**

From: Community Services and Administration Committees.

Dated: February 16, 2021

**WAIVER OF RESIDENCY REQUIREMENT  
LICENSED CLINICIAN – POSITION NO. 10817  
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 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 were qualified and present for the last Mental Hygiene Practitioner (title since changed to Licensed Clinician) examination, given December 1, 2018, 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 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. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CS-010-21**

From: Community Services and Administration Committees.  
Dated: February 16, 2021

**COUNTY CLERK OFFICE INTEGRATED  
RECORD MANAGEMENT SYSTEM  
CONTRACT AMENDMENT**

WHEREAS, the appropriate management of local government records is essential for efficient and effective government, and

WHEREAS, the County Clerk performs the duties prescribed by law as register and must provide, at the expense of the County, all books, files, and other necessary equipment for the filing, recording and depositing of documents for indexing as directed by law, and

WHEREAS, the proper custodial facilitation of the Niagara County records includes a comprehensive integrated records management system that provides for indexing, recording, imaging, archiving and cash fee functions, and

WHEREAS, the County entered into a contract with Info Quick Solutions, Inc. (IQS) for professional services to provide integrated records management services commencing February, 2014 for a five-year period, and

WHEREAS, the County has an options to renew for one 2-year period and one 3-year period, and

WHEREAS, the County Clerk recommends an amendment to the contract to include a 3-year renewal in accordance with the contract, now, therefore, be it

RESOLVED, that Niagara County enter into a contract renewal for professional services (integrated record management for the Niagara County Clerk's Office) with Info Quick Solutions, Inc. (IQS) for a 36 month period commencing immediately, with all terms of the original Contract between the parties executed on February 18, 2014 remaining unchanged and in full force and effect except for said Amendment, and be it further

RESOLVED, that the contract be accepted and approved, and following the County Attorney's review, the Chairman of the Legislature be authorized to execute said contract.

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CSS-013-21**

From: Community Safety & Security and Administration Committees.  
Dated: February 16, 2021

**PROBATION – ACCEPT CRTF GRANT**

WHEREAS, the Niagara County Probation Department applied for funding from the New York State Division of Criminal Justice Services for a Niagara County Reentry Program for the contract period of October 1, 2020 through September 30, 2021 under the Local Reentry Task Force Initiative for Upstate Counties, and

WHEREAS, the Niagara County Reentry Task Force (CRTF) is part of a state-wide comprehensive strategy developed under the Division of Criminal Justice Services Executive Deputy Commissioner Michael C. Green, to reduce recidivism in local jurisdictions and increase public safety through improved coordination and collaboration among criminal justice, social services, educational, health, and mental health systems, and

WHEREAS, the role of the Niagara CRTF is to provide these coordinated services to high-risk offenders, including housing, employment, education, family support and reunification, substance abuse services, mental and physical health, and other transitional needs, and

WHEREAS, the Niagara CRTF will collaborate with state and county criminal justice agencies, particularly with the NYS Department of Corrections and Community Supervision (DOCCS) and the Niagara County Probation Department, as well as human service providers to develop well-crafted transition plans for high-risk offenders transitioning from prison or jail back into the community, and

WHEREAS, the Niagara County Probation Department has received notification from the New York State Division of Criminal Justice Services of a financial award in the amount of \$111,109 for the period of October 1, 2020 through September 30, 2021 to contract with Community Missions, Inc. to establish and manage a comprehensive parole reentry program, and

WHEREAS, Community Missions, Inc. has been the only agency providing reentry services in Niagara County since 2008, is the only agency able to adequately provide crises housing to the population served by the program, is the only agency with an experienced Reentry Coordinator, and has staff trained and certified to provide the required cognitive behavioral interventions, and

WHEREAS, the provision of the services described above constitute professional services requiring specialized skills and training. Community Missions, Inc., is currently the sole source provider for such services in Niagara County, and

WHEREAS, funding for the Niagara CRTF is included in the approved 2021 Niagara County Budget, now, therefore be it

RESOLVED, that the Niagara County Legislature does hereby waive purchasing guidelines requiring the solicitation of alternate price quotations and/or advertisement of a Request for Proposals as the parole reentry program provided by Community Missions, Inc. is the sole provider of the professional services required in Niagara County, and be it further

RESOLVED, that the County of Niagara does hereby accept this grant and continue to fund the Niagara CRTF through Community Missions, Inc. co-terminus with this grant, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to sign the Grant Award, Special Conditions documents and program contracts subject to approval by the County Attorney's Office.

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CSS-014-21**

From: Community Safety & Security and Administration Committees.

Dated: February 16, 2021

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION - LEADSONLINE SERVICE**

WHEREAS, LeadsOnline is a technology service which is the nation's largest online investigation system, and

WHEREAS, LeadsOnline is used by the Niagara County Crime Analysis Center which includes personnel from the Niagara County Sheriff's Office and the Niagara Falls Police Department, and



WHEREAS, the Niagara County Sheriff's Office and the Niagara Falls Police Department have agreed to split the cost of the service for 2021, and

WHEREAS, the 2021 budget needs to be amended to use Department of Treasury Asset Forfeiture funds for this expense, now, therefore, be it

RESOLVED, that that the following budget line modifications be effectuated:

INCREASE REVENUE:

A.17.3110.000 44389.12	Other Public Safety Asset Forfeiture	\$6,000
	Dept Treasury	

INCREASE APPROPRIATIONS:

A.17.3110.000 74500.06	Contractual Expenses Asset Forfeiture	\$6,000
	Dept Treasury	

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CSS-015-21**

From: Community Safety & Security and Administration Committees.

Dated: February 16, 2021

**NIAGARA COUNTY SHERIFF'S OFFICE  
FORENSIC LABORATORY**

**ABOLISH D.S. FORENSIC CHEMIST/CREATE FORENSIC SCIENTIST I (BIOLOGY)**

WHEREAS, Niagara County has a forensic laboratory which is accredited by New York State and must maintain high standards to ensure accuracy and credibility within the law enforcement community as well as the court system, and

WHEREAS, the Niagara County Sheriff's Office forensic laboratory will be experiencing a vacancy due to retirement within the next 2 months, and

WHEREAS, to continue to maintain the integrity of the laboratory we need to plan for a smooth transition, and

WHEREAS, the position of Deputy Sheriff Forensic Chemist has been reclassified by Civil Service as a civilian position upon the incumbent vacating, and

WHEREAS, we have been notified that one Deputy Sheriff Forensic Chemist will be retiring in April 2021, and

WHEREAS, with this retirement there is a need for a civilian position (Forensic Scientist I (Biology)), and

WHEREAS, the Sheriff's Office wishes to abolish one Deputy Sheriff Forensic Chemist, and

WHEREAS, due to the highly technical nature of the forensic laboratory positions the ability to attract qualified candidates within Niagara County may be limited, now, therefore, be it

RESOLVED, that the Deputy Sheriff Forensic Chemist position (#374) at a rate of \$39.32 per hour be abolished effective April 4, 2021, and be it further

RESOLVED, that one Forensic Scientist I (Biology) (40 hours per week) position be created and filled in job group 12, step 1 at a rate of \$30.11 per hour effective April 4, 2021, and be it further

RESOLVED, that the Niagara County Sheriff's Office be granted a one-time residency waiver to fill the Forensic Scientist I (Biology) position if the most qualified candidate resides outside of Niagara County, and be it further

RESOLVED, that the following line item transfers be effectuated:

FROM:

A.17.3110.000.71010.00	Positions	\$48,176
	(D.S. Forensic Chemist #374)	

TO:

A.17.3110.000.71010.00	Positions	\$48,176
	(Forensic Scientist I (Biology)-#XXXX)	

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CSS-016-21**

From: Community Safety & Security and Administration Committees.

Dated: February 16, 2021

**ACCEPTANCE OF THE THIRD UPSTATE QUALITY IMPROVEMENT  
AND CASELOAD REDUCTION 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 \$253,510 for the period of July 1, 2020 through June 30, 2023, and

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

WHEREAS, the grant is being awarded to continue funding the part-time Assistant Public Defender, under the Second Caseload Reduction Grant, who represents adults in Lockport and Niagara Falls Family Courts, and

WHEREAS, funding is also being awarded to fund a portion of the Assistant Public Defender that serves in the City of North Tonawanda, now, therefore, be it

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

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CSS-017-21**

From: Community Safety & Security and Administration Committees.

Dated: February 16, 2021

**NIAGARA COUNTY PUBLIC DEFENDER'S OFFICE  
ACCEPT OFFICE OF INDIGENT LEGAL SERVICES (OILS)  
DISTRIBUTION #11 (C110029) GRANT**

WHEREAS, the Niagara County Public Defender's Office has received an award from the New York State Office of Indigent Legal Services (OILS) in the amount of \$658,578 for the period of January 1, 2021, through December 31, 2023, and

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

WHEREAS, the Public Defender's Office will use these funds for the Appellate Assistant Public Defender salary and fringe benefits, a Family Court Assistant Public Defender salary and fringe benefits, a Court Assistant salary and fringe benefits and a portion of the Information Technology fees for the Public Defender's Office, and

WHEREAS, funding from the New York State Office of Indigent Legal Services for the above items 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, now, therefore, be it

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

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CSS-018-21**

From: Community Safety & Security and Administration Committees.

Dated: February 16, 2021

**AID TO DEFENSE PROGRAM RENEWAL 2019-2020  
PUBLIC DEFENDER**

WHEREAS, the Niagara County Public Defender's Office has been awarded renewed funding from the New York State Division of Criminal Justice Services under the Aid to Defense Program for the purpose of continuing aid in the defense of repeat violent and serious felony offenders in Niagara County, and

WHEREAS, funding has been awarded in the amount of \$7,990 for the period October 1, 2020 through March 31, 2021 with no matching funds requirement, and

WHEREAS, the funds have been appropriated in the Niagara County Public Defender's 2021 budget, now, therefore, be it

RESOLVED, that the County of Niagara does hereby accept the renewal of this grant, 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. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CSS-019-21**

From: Community Safety & Security and Administration Committees.

Dated: February 16, 2021

**2021 BUDGET MODIFICATION - FIRE COORDINATOR'S OFFICE**

**ACCEPT PAYMENT FOR TECHNICAL RESCUE TEAM (TRT) INCIDENT ON OCTOBER 16, 2020**

WHEREAS, the County Haz-Mat team responded to an incident on October 16, 2020 and some supplies used at the scene are not reusable, and

WHEREAS, the Fire Coordinator's Office invoiced and received payment for the replacement of these supplies from the responsible party in the amount of \$186, and

WHEREAS, the Fire Coordinator's Office needs to replenish the supplies used by the Technical Rescue Team, at no cost to the County, now, therefore, be it

RESOLVED, that the following 2021 budget modification be effectuated:

**INCREASE REVENUE:**

A.19.3410.000 42690.05	Other Compensation for Loss TRT Reimbursements	\$ 186.00
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**INCREASE APPROPRIATION:**

A.19.3410.000 74800.16	Safety Equip Under 500	\$ 186.00
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Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CSS-020-21**

From: Community Safety & Security and Administration Committees.

Dated: February 16, 2021

**2021 BUDGET MODIFICATIONS FOR EMERGENCY SERVICES**

WHEREAS, the Emergency Services Office provides services to protect the safety of the citizens of Niagara County, and

WHEREAS, the COVID-19 pandemic response has required modifications to the budget to help support vaccination operations and any other needs relating to COVID-19 RESPONSE, now, therefore, be it

RESOLVED, that the remaining funds for the 2020 Budget Modification for the COVID-19 pandemic response (approved #CSS-020-20) be re-appropriated into the 2021 budget, and be it further

RESOLVED, that the following 2021 budget modification be effectuated effective immediately:

**INCREASE APPROPRIATED FUND BALANCE:**

A.40599.00	Appropriated Fund Balance	\$31,497.46
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**INCREASE APPROPRIATION:**

A.19.3640.000 74800.10	Misc. Equipment Under \$500	\$31,497.46
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Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CSS-021-21**

From: Community Safety &amp; Security and Administration Committees.

Dated: February 16, 2021

**2021 BUDGET MODIFICATIONS TO HOMELAND SECURITY**

WHEREAS, Homeland Security funds were not fully expended in 2020, now, therefore, be it

RESOLVED, that the remaining funds for 2018 State Homeland Security Program (approved #CSS-064-18) and 2019 State Homeland Security Program (approved #CSS-072-19), be re-appropriated into the 2021 budget, and be it further

RESOLVED, that the remaining funds for 2020 Assistance to Firefighters – COVID-19 Supplemental grant (approved #CSS-040-20), 2019 Emergency Management Preparedness Grant (approved #CSS-075-19) and 2020 Emergency Management Performance Grant COVID-19 Supplemental (EMPG-S) grant (approved #CSS-041-20), be re-appropriated into the 2021 budget and county contributions be re-appropriated from the Fund Balance, and be it further

RESOLVED, that the following 2021 budget modification be effectuated effective immediately:

**INCREASE REVENUE: \*\*SHSP18\*\***

A.19.3645.000 44305.02	Civil Defense Homeland Security	\$ 96,843.34
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**INCREASE APPROPRIATION: \*\*SHSP18\*\***

A.19.3645.000 72100.15	M&E-Communications Equip	75,000.00
A.19.3645.000 74250.01	Office Supplies	1,120.76
A.19.3645.000 74750.10	HazMat Inventory	10,000.00
A.19.3645.000 74800.10	Misc. Equipment <\$500	10,722.58

**INCREASE REVENUE: \*\*SHSP19\*\***

A.19.3645.000 44305.02	Civil Defense Homeland Security	272,645.75
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**INCREASE APPROPRIATION: \*\*SHSP19\*\***

A.19.3645.000 72100.05	M&E Computer Equipment	13,770.00
A.19.3645.000 72100.15	M&E-Communications Equip	47,055.00
A.19.3645.000 74250.01	Office Supplies	8,000.00
A.19.3645.000 74300.01	Travel, Conference	4,132.50
A.19.3645.000 74375.04	Communications Leased Lines	15,000.00
A.19.3645.000 74400.09	Misc. Expense Payments	3,881.44
A.19.3645.000 74500.01	Contractual Exp.	32,725.59
A.19.3645.000 74500.02	Cont Expense-Maint Cont	50,384.00
A.19.3645.000 74750.02	General Supplies	\$ 33,250.00
A.19.3645.000 74800.01	Communication Supplies/Svc	56,447.22
A.19.3645.000 74800.10	Misc. Equipment <\$500	8,000.00

**INCREASE REVENUE: \*\*AFG20-S\*\***

A.19.3645.000 44089.06	Federal Aid, Coronavirus	67,244.63
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**INCREASE APPROPRIATION: \*\* AFG20-S\*\***

A.19.3645.000 74750.11	Medical/Lab/Clinic Supplies	67,244.63
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**INCREASE APPROPRIATION FUND BALANCE - ASSIGNED: \*\*EMPG19\*\***

A.40599.00	Appropriated Fund Balance	28,890.68
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INCREASE REVENUE: \*\* EMPG19\*\*

A.19.3645.000 44305.02	Civil Defense HS	28,890.69
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INCREASE APPROPRIATION: \*\* EMPG19\*\*

A.19.3645.000 72100.14	M&E-Misc. Equipment	17,905.00
A.19.3645.000 72100.15	M&E-Communications Equip	33,890.01
A.19.3645.000 74300.01	Travel, Conference	5,700.00
A.19.3645.000 74800.10	Misc. Equipment <\$500	286.36

INCREASE APPROPRIATION FUND BALANCE - ASSIGNED: \*\*EMPG20-S\*\*

A.40599.00	Appropriated Fund Balance	3,514.27
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INCREASE REVENUE: \*\*EMPG20-S\*\*

A.19.3645.000 44089.06	Federal Aid, Coronavirus	3,514.27
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INCREASE APPROPRIATION: \*\*EMPG20-S\*\*

A.19.3645.000 74750.11	Medical/Lab/Clinic Supplies	7,028.54
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Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CSS-022-21**

From: Community Safety & Security and Administration Committees.

Dated: February 16, 2021

**2021 BUDGET MODIFICATION - FIRE COORDINATOR'S OFFICE  
ACCEPT PAYMENT FOR HAZ-MAT INCIDENT ON SEPTEMBER 17, 2020**

WHEREAS, the County Haz-Mat team responded to an incident on September 17, 2020 and some supplies used at the scene are not reusable, and

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

WHEREAS, the Fire Coordinator's Office invoiced and received payment for the replacement of these supplies from the responsible party in the amount of \$3,357.77, and

WHEREAS, the Fire Coordinator's Office needs to replenish the supplies used by the Haz-Mat, at no cost to the County, now, therefore, be it

RESOLVED, that the following 2021 budget modification be effectuated:

INCREASE REVENUE:

A.19.3410.000 42690.02	Other Compensation for Loss Reimbursements	\$ 3,357.77
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INCREASE APPROPRIATION:

A.19.3410.000 74750.10	Supplies, Gen Hazmat Inventory	\$ 3,357.77
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Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. CW-005-21**

From: Committee of the Whole.

Dated: February 16, 2021

**ADOPTION OF IMPLEMENTATION PLAN PER GOVERNOR ANDREW M. CUOMO'S  
EXECUTIVE ORDER #203, NEW YORK STATE POLICE REFORM  
AND REINVENTION COLLABORATIVE**

WHEREAS, Executive Order #203, New York State Police Reform and Reinvention Collaborative, requires all police agencies to perform a comprehensive review of deployments, policies, procedures, and practices, and develop an improvement plan, and

WHEREAS, the Executive Order required that this plan must be offered for public comment to all citizens in the locality, and after consideration of such comments, should be presented to the local legislative body in such political subdivision, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021, and

WHEREAS, on August 4, 2020 the Niagara County Legislature passed a resolution creating the Niagara County Task Force on Police Reform to develop such a plan, as it relates to the Niagara County Sheriff's Office, and

WHEREAS, this Task Force was comprised of stakeholders throughout Niagara County and was asked to develop plan-based policing strategies including but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; workforce diversification; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program, and

WHEREAS, the Task Force held three public meetings to discuss issues and provide opportunities for public input, with such meetings being held on October 5, 2020 in Lockport; October 6, 2020 in Wheatfield; and October 14, 2020 in Niagara Falls, and

WHEREAS, on January 19, 2021 Niagara County Sheriff Michael Filicetti presented the Task Force's reform plan to the Niagara County Legislature, with the presentation being broadcast on Lockport Community Television and streamed on the internet for public viewing, now, therefore, it be

RESOLVED, that the proposed implementation plan, as required by the Governor's Executive Order #203 aforementioned, is hereby adopted, and that a certified copy of this resolution be forwarded to the New York State Budget Director on or before April 1, 2021.

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. ED-006-21**

From: Economic Development and Administration Committees.

Dated: February 16, 2021

**AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NEW YORK STATE  
OFFICE OF COMMUNITY RENEWAL FOR BLOCK GRANT FUNDING  
BRENT INDUSTRIES, LLC**

WHEREAS, Brent Industries LLC (the "Company") plans to expand their operations within Niagara County (County) and to incur the associated building, and purchasing costs (the "Project"), and

WHEREAS, the Company has requested that the County apply for funding on its behalf from the New York State Office of Community Renewal (the "OCR") to finance a portion of the Project costs, and

WHEREAS, the Niagara County Development Corporation (the "NCDC") is assisting in the facilitation of the Project and has requested that the County provide the OCR funding to the NCDC as a grant for the purpose of making a loan or loans to the Company, and

WHEREAS, the Project will result in substantial benefit to Niagara County in the form of new investment and new employment positions, and

WHEREAS, the County has held a public hearing to obtain citizens' views regarding the CDBG program as administered by OCR and the project, now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to submit a grant application on behalf of Niagara County to the OCR to support the Project, and be it further

RESOLVED, that the Chairman is hereby authorized to execute a grant agreement between the County and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with the NCDC for the implementation of the Project and administration of the OCR grant, all such documents to be subject to review and approval by the County Attorney, and be it further

RESOLVED, that the Chairman is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project.

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. ED-007-21**

From: Economic Development and Administration Committees.

Dated: February 16, 2021

**AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NEW YORK STATE  
OFFICE OF COMMUNITY RENEWAL FOR BLOCK GRANT FUNDING  
LOCKS & ERIE CANAL CRUISES**

WHEREAS, Locks & Erie Canal Cruises. (the "Company") was forced to shut down their canal cruise and banquet area located in at 210 Market Street in the City of Lockport, New York for an extended period of time due to State-imposed COVID-19 restrictions, and

WHEREAS, the Company is investing funds in order to resume and increase operations at said location (the "Project"), and

WHEREAS, the Company has requested that Niagara County apply for funding on its behalf from the New York State Office of Community Renewal (the "OCR") to finance a portion of the Project costs, and

WHEREAS, the Niagara County Development Corporation (the "NCDC") is assisting in the facilitation of the Project and has requested that the County provide the OCR funding to the NCDC as a grant for the purpose of making a loan or loans to the Company, and



WHEREAS, the Project will result in substantial benefit to Niagara County in the form of new investment and new employment positions, and

WHEREAS, the County has held a public hearing to obtain citizens' views regarding the CDBG program as administered by OCR and the project, now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to submit a grant application on behalf of Niagara County to the OCR to support the Project, and be it further

RESOLVED, that the Chairman is hereby authorized to execute a grant agreement between the County and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with the NCDC for the implementation of the Project and administration of the OCR grant, all such documents to be subject to review and approval by the County Attorney, and be it further

RESOLVED, that the Chairman is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project.

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. ED-008-21**

From: Economic Development and Administration Committees.

Dated: February 16, 2021

**AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NEW YORK STATE  
OFFICE OF COMMUNITY RENEWAL FOR BLOCK GRANT FUNDING  
ULTIMATE PHYSIQUE, INC.**

WHEREAS, Ultimate Physique, Inc. (the "Company") was forced to shut down their health and fitness center located in the former Washington Hunt School building at 50 Rogers Avenue in the City of Lockport, New York for an extended period of time due to State-imposed COVID-19 restrictions, and

WHEREAS, the Company is investing funds in order to resume and increase operations at said location (the "Project"), and

WHEREAS, the Company has requested that Niagara County apply for funding on its behalf from the New York State Office of Community Renewal (the "OCR") to finance a portion of the Project costs, and

WHEREAS, the Niagara County Development Corporation (the "NCDC") is assisting in the facilitation of the Project and has requested that the County provide the OCR funding to the NCDC as a grant for the purpose of making a loan or loans to the Company, and

WHEREAS, the Project will result in substantial benefit to Niagara County in the form of new investment and new employment positions, and

WHEREAS, the County has held a public hearing to obtain citizens' views regarding the CDBG program as administered by OCR and the project, now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to submit a grant application on behalf of Niagara County to the OCR to support the Project, and be it further

RESOLVED, that the Chairman is hereby authorized to execute a grant agreement between the County and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with

the NCDC for the implementation of the Project and administration of the OCR grant, all such documents to be subject to review and approval by the County Attorney, and be it further

RESOLVED, that the Chairman is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project.

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. ED-009-21**

From: Economic Development and Administration Committees.

Dated: February 16, 2021

**FIXING DATE AND NOTICE FOR THE PUBLIC HEARING  
CONSOLIDATED FUNDING APPLICATION FOR MICRO-ENTERPRISE GRANT FUNDS**

WHEREAS, the County Legislature wishes to assess the advisability of submitting a Consolidated Funding Application (CFA) to the New York State Office of Community Renewal (the "OCR") for a micro enterprise grant that will support small businesses throughout Niagara County, and

WHEREAS, Niagara County is required to hold a public hearing to provide information to the public and to consider citizens' views on proposed activities and regarding community needs prior to submitting an application for Community Development Block Grant (CDBG) funding, now, therefore, be it

RESOLVED, that the Niagara County Legislature shall conduct a public hearing whereat all interested parties shall be heard regarding the CDBG microenterprise program, the County's community needs, and the proposed funding application for CDBG Funds at the Legislative Chambers, Courthouse, Lockport, New York on the 23rd day of March, 2021 at 5:45 p.m., and be it further

RESOLVED, that the Clerk of the Legislature, at least eight days in advance of such hearing, shall post a notice upon the bulletin boards in the Courthouse at Lockport, and the Civic building at Niagara Falls, and shall publish such notice once in the Lockport Union Sun & Journal, and the Niagara Gazette; such notice shall contain the title of the application to be submitted for CDBG funds, and be it further

RESOLVED, that copies of proposed application will be available for review by any interested party with the Clerk of the Niagara County Legislature.

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. IF-008-21**

From: Infrastructure & Facilities and Administration Committees.

Dated: February 16, 2021

**ABOLISH TWO CLEANER POSITIONS  
CREATE AND FILL TWO CLEANER/LABORER POSITIONS**

WHEREAS, due to personnel vacancies within the Buildings and Grounds Division of the Public Works Department, the department has reviewed its operational needs for maintaining the various office buildings throughout Niagara County, and

WHEREAS, after studying the services we provide and evaluating all options it has been determined that it would be in the best interest of the department, as well as the taxpayers, to abolish two (2) Cleaner position and to create and fill two (2) Cleaner/Laborer positions, and

WHEREAS, funding for this newly created position will be from the mentioned abolished positions, and a currently vacant Building Maintenance Mechanic position, now, therefore, be it

RESOLVED, that Position No. 13373 and 13377, Cleaner, be abolished, effective February 20, 2021, and be it further

RESOLVED, that the two (2) positions of Cleaner/Laborer, AFSCME, Grade 42, Step 1, at an annual salary of \$28,060, be created and filled, effective February 21, 2021, and be it further

RESOLVED, that the following budget modification be made:

FROM:

A.15.1620.000.71010.01	Positions (Cleaner-Pos. #13373)	\$20,748
A.15.1620.000.71010.01	Positions (Cleaner-Pos. #13377)	\$17,000
A.15.1620.000.71010.01	Positions (General Repair Person- Position #13388)	\$11,784

TO:

A.15.1620.000.71010 .01	Positions (Cleaner/Laborer – Pos. #xxxxxx)	\$24,766
A.15.1620.000.71010.01	Positions (Cleaner/Laborer – Pos. #xxxx)	\$24,766

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

#### **Resolution No. IF-009-21**

From: Infrastructure & Facilities Administration Committees.

Dated: February 16, 2021

### **REHABILITATION OF BRIDGE DECKS AND MEMBRANCE INSTALLATION ON THE QUAKER ROAD BRIDGE OVER THE EAST BRANCH OF EIGHTEEN MILE CREEK AND ORANGEPORT ROAD BRIDGE OVER THE EAST BRANCH OF EIGHTEEN MILE CREEK - FINAL PAYMENT**

WHEREAS, an agreement has been entered into for consultant services for the Rehabilitation of Bridge Decks and Membrane Installation on the Quaker Road Bridge over the East Branch of Eighteen Mile Creek and Orangeport Road Bridge over the East Branch of Eighteen Mile Creek Project to CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, in the amount of \$17,000, and

WHEREAS, Resolution No. IF-087-20, dated August 4, 2020, authorized Amendment No. 1 to increase the contract in the amount of \$2,700 for part-time inspection services, for a revised contract amount of \$19,700, and

WHEREAS, the contract has been completed to specifications for the contract amount of \$19,700, 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 final payment is authorized to be processed to CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, for a final contract amount of \$19,700, 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. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. IF-010-21**

From: Infrastructure & Facilities Administration Committees.

Dated: February 16, 2021

**BRIDGE PAINTING OF ROBINSON ROAD  
CONSULTANT AMENDMENT NO. 4-FINAL**

WHEREAS, Resolution No. IF-139-18, dated November 20, 2018, selected Greenman-Pedersen Inc., 4950 Genesee Street, Suite 100, Buffalo, NY 14225, to assist the County with the Bridge Painting of Robinson Road Project, for a price not to exceed \$45,000, and

WHEREAS, Resolution No. IF-114-19, dated October 15, 2019, increased the contract to allow for the design of structural steel repairs for the bridge in the amount of \$14,282, for a revised contract amount of \$59,282, and

WHEREAS, Resolution No. IF-025-20, dated February 18, 2020, increased the contract to allow for construction administration and construction inspection in the amount of \$29,990.84, for a revised contract amount of \$89,272.84, and

WHEREAS, Resolution No. IF-105-20, dated September 15, 2020, increased the contract for additional construction inspection due to the decision to paint the entire bridge and additional steel design due to unforeseen steel deterioration once the paint was removed, in the amount of \$45,583.92, for a revised contract amount of \$134,856.76, and

WHEREAS, it is necessary to decrease the contract by \$641.88, as the project is now complete, for a revised contract amount of \$134,214.88, 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 consultant services contract with Greenman-Pedersen Inc., 4950 Genesee Street, Suite 165, Buffalo, NY 14225, for the Bridge Painting of Robinson Road Project, be decreased by \$641.88, for a revised contract amount of \$134,214.88, 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. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. IF-011-21**

From: Infrastructure & Facilities Administration Committees.

Dated: February 16, 2021

**RAPIDS ROAD REHABILITATION-RAYMOND ROAD TO  
TONAWANDA CREEK BRIDGE - FEDERAL AID LOCAL PROJECT  
AGREEMENT AND CONSULTANT AWARD**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Rapids Road Rehabilitation-Raymond Road to Tonawanda Creek Bridge Project, and

WHEREAS, the Rapids Road Rehabilitation-Raymond Road to Tonawanda Creek Bridge Project, Town of Lockport, Niagara County, (the "Project"), is eligible for funding under Title 23 US Code, as amended, that

calls for the apportionment of the costs of such program to be borne at the ratio of 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 the Preliminary Engineering Design Phases I-VI and Right-of-Way Incidentals phases of the 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 Legislature of the County of Niagara hereby approves the above-subject project, and be it further

RESOLVED, that the following budget modification be effectuated:

**INCREASE ANTICIPATED REVENUE:**

H708.15.5112.000 44597.01	Federal Aid Capital Const Hwy	\$480,000
H708.15.5112.000 43501.00	Consol Highway Aid Revenue	\$120,000

**INCREASE ANTICIPATED APPROPRIATIONS:**

H708.15.5112.000 72600.01	Infrastructure-Roads	\$600,000
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and be it further

RESOLVED, that the sum of \$600,000 is hereby appropriated in account H708.15.5112.000 72600.01 and made available to cover the cost of participation in the above phases of the project, and be it further

RESOLVED, that the consultant services for the Rapids Road Rehabilitation-Raymond Road to Tonawanda Creek Bridge Project be awarded to Erdman, Anthony & Associates, Inc., 8608 Main Street, Buffalo, NY 14221, for a contract amount not to exceed \$595,000.

Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. IF-012-21**

From: Infrastructure & Facilities Administration Committees.

Dated: February 16, 2021

**BUDGET MODIFICATON  
STAMP WATER SUPPLY - WATER DISTRICT**

WHEREAS, the Niagara County Water District (NCWD) entered into an agreement with the Genesee County Economic Development Center (GCEDC), Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC (Wendel) and Seaman Norris LLP on May 5, 2019, for engineering and planning requirements to make a STAMP 6 MGD water supply infrastructure project ready to incorporate into bid documents, and

WHEREAS, the GCEDC has received funding commitments from New York State, and

WHEREAS, the NCWD will incur expenses for professional services provided by its professional consultants relative to the Project and requires reimbursement for all expenses related to the Project prior to paying its professional consultants, and

WHEREAS, the Niagara County Water District Administrative Board authorized the Administrative Director to enter into a First Amendment to the Agreement for the professional services in regards to the STAMP Water Supply Project Electrical Service Upgrade which is estimated to be \$171,500.00 including engineering and legal costs, and

WHEREAS, there will be no cost to the Water District, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

**INCREASE REVENUE:**

H703.31.8397.000.41289.02	Other General Gov. Income-Misc.	\$171,500
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**INCREASE APPROPRIATION:**

H703.31.8397.000.72600.03	Water –Stamp Water Supply	\$171,500
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Moved by Bradt, seconded by Virtuoso.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. IL-001-21**

From: Legislators Anthony J. Nemi and Owen T. Steed.

Dated: February 16, 2021

**ADVOCATING THE STATE OF NEW YORK CONSIDER CHANGES TO CIVIL SERVICE TO  
PROMOTE DIVERSITY IN THE WORKFORCE**

WHEREAS, last year, the Niagara County Legislature formed an Ad Hoc Committee on Minority Hiring to look at ways the county can diversify its workforce, and

WHEREAS, the Ad Hoc Committee discussed various factors that may contribute to low workforce diversity representation, including concerns about the state's current Civil Service laws and examination process, and

WHEREAS, while the Ad Hoc Committee fully recognizes that New York's Civil Service system has its roots in federal law passed in 1883, followed by the State adopting its own Civil Service law later that year, to create a system where public sector hiring is based on merit, these rules may have the unintentional impact of limiting workforce diversity, and

WHEREAS, the Ad Hoc Committee specifically raised concerns about the "Rule of Three" that governs hiring from a Civil Service list that, at times, makes it difficult for an employer to consider factors outside the test itself including skills, abilities, and other competencies that may not be measured by existing examinations, now, therefore, it be

RESOLVED, that the Niagara County Legislature requests the State of New Your State study the current Civil Service system, including the "Rule of Three," and if in their study they find barriers that have held back higher rates of diverse employment, the State make the necessary changes to improve the system, and be it further

RESOLVED, that the copies of this resolution be sent to Governor Andrew M. Cuomo; New York State Senate Majority Leader Andrea Stewart-Cousins; New York State Assembly Speaker Carl Heastie; Senate Minority Leader Robert Ort; the Western New York delegation to the New York State Legislature; Assemblymember Peter Abbate, Chairman of the Government Employee Committee; Assemblymember Fred Thiele, Chairman of the Local Government Committee; Senator Andres Gounardes, Chairman of the Senate Civil Service and Pension Committee.

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

Carried.

Moved by Nemi, seconded by Steed.  
Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. IL-002-21**

From: Legislators Jesse P. Gooch, Irene M. Myers, Davis E. Godfrey and Dennis F. Virtuoso.  
Dated: February 16, 2021

**PROVIDING A DISCOUNT AT THE NIAGARA COUNTY GOLF COURSE FOR THOSE ENROLLED  
IN THE "THANK A VET" PROGRAM**

WHEREAS, the Niagara County Veterans Service Agency created the "Thank A Vet" program as a way to help recognize the women and men who honorably served in the United States military, and

WHEREAS, any veteran who was honorably discharged from our military may sign up for the "Thank a Vet" program, receive a photo identification card from that Niagara County Clerk's office, and then be eligible for discounts at numerous participating merchants in Niagara County, and

WHEREAS, the Niagara County Legislature sets the rates at the Niagara County Golf Course and has an interest in attracting more golfers to utilize the course, and

WHEREAS, the Niagara County Golf Course currently is not a participating merchant in the "Thank A Vet" program, now, therefore, be it

RESOLVED, that the Niagara County Legislature directs the Niagara County Parks Department to include the Niagara County Golf Course in the "Thank A Vet" discount program and develop an appropriate discount offer on greens fees and potentially other golf course offerings as deemed appropriate and be it further

RESOLVED, that such a discount be included in the 2021 fee schedule for the Niagara County Golf Course.  
Moved by Gooch, seconded by Myers, to implement the portion of Rule 15 that pertains to voting on a resolution as opposed to referring it to committee.  
Carried.

Moved by Gooch, seconded by Meyers.  
Adopted. 15 Ayes, 0 Noes, 0 Absent.

**Resolution No. IL-003-21**

From: Legislators Dennis F. Virtuoso, Owen T. Steed, Mark J. Grozio and Christopher A. Robins.  
Dated: February 16, 2021

**NIAGARA COUNTY SHERIFF'S OFFICE  
INTER-MUNICIPAL PATROL VEHICLE AGREEMENT**

WHEREAS, Niagara County currently possesses a 2011 Chevrolet Caprice and a 2014 Chevrolet Caprice previously used by the Niagara County Sheriff's Office with odometer readings of approximately 48,284 and 56,464 which are no longer needed for County use and which the County wishes to declare as surplus property, and

WHEREAS, the City of Niagara Falls has need of vehicles matching the above description for use by the Niagara Falls Police Department in the performance of their law enforcement duties, and

WHEREAS, the Inter-Municipal Agreement between the County of Niagara and the City of Niagara Falls has been drafted by the County Attorney's Office which details the terms of a transfer of the aforementioned 2011 Chevrolet Caprice and 2014 Chevrolet Caprice, and be it further

RESOLVED, that the County of Niagara declares the 2011 Chevrolet Caprice and 2014 Chevrolet Caprice to be surplus property and authorizes an agreement with the City of Niagara Falls to transfer the ownership of the 2011 Chevrolet Caprice and 2014 Chevrolet Caprice, 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 agreement with the City of Niagara Falls.

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

Carried.

Moved by Virtuoso, seconded by Steed.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

#### **APPOINTMENTS:**

	<u><b>Appt.</b></u>	<u><b>Expires</b></u>
<u><b>AGRICULTURE AND FARMLAND PROTECTION BOARD:</b></u>		
<u><b>Farming Sector</b></u>		
Thomas Staples 7366 West Somerset Rd., Appleton 14008	02/16/21	12/31/24
Robin Ross 4746 Townline Rd. Lockport 14094	02/16/21	12/31/24
<u><b>Agri-Land Preservation</b></u>		
Gerald Farnham 4923 Saunders Settlement Rd., Lockport 14094	02/16/21	12/31/24
<u><b>Cooperative Extension</b></u>		
Justin Rogers, Cornell Cooperative Extension 4487 Lake Ave., Lockport 14094	02/16/21	12/31/24
<u><b>EMERGENCY MEDICAL SERVICES COUNCIL:</b></u>		
<u><b>HEALTH and ENVIRONMENTAL SERVICES</b></u>		
Alternate: Albert Cheverie, NYS DOH	02/16/21	12/31/21
<u><b>WORKFORCE DEVELOPMENT BOARD:</b></u>		
Jennifer Jackson, Manager NYS Department of Labor 1001 Eleventh Street Niagara Falls, 14301	02/16/21	
John Scherrer, Business Manager IBEW Electrical Workers Local 237 8803 Niagara Falls Blvd. Niagara Falls, NY 14304	02/16/21	
Bob Palka, CEO Jacob's Ladder 6292 Walmore Road Niagara Falls, NY 14304	02/16/21	
Tom Seaman, Esq., Seaman Norris LLP 744 Davison Road Lockport, 14094	02/16/21	
Lindsay Collins, Vice President Collins Accounting 5913 Beattie Avenue, Lockport NY 14094	02/16/21	
Moved by Bradt, seconded by Virtuoso.		
Adopted. 15 Ayes, 0 Noes, 0 Absent.		

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



The Chairman declared the Board adjourned at 6:51 p.m., subject to the call of the Clerk.

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

*Alysa T. Moran*

Alysa T. Moran, Clerk