

A public hearing was held pursuant to ED-019-24, adopted by the Legislature on October 15, 2024, for the purpose of hearing public comments to Consider Inclusion of Viable Agricultural Land into Niagara County's Agricultural District. Legislator Andres opened the hearing at 5:50 p.m. and closed it at approximately 6:15 p.m.

## **OFFICIAL RECORD**

Lockport, New York  
November 12, 2024

The meeting was called to order by Chairman Wydysh at 6:19 p.m.

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

Chairman thanked all the brave men and woman who dedicate themselves to serving our country.

Chairman welcomed the new interns.

Chairman Wydysh called Legislator Gooch and Commissioner of Social Services, Meghan Lutz to the lectern to read a proclamation declaring the month of November, 2024 as Adoption Awareness Month in Niagara County.

No citizens spoke on the Agenda.

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

### **Resolution No. AD-026-24**

From: Administration Committee.

Dated: November 12, 2024

## **SET PUBLIC HEARING FOR ASSESSMENT TAX ROLL FOR THE NIAGARA COUNTY WATER DISTRICT**

WHEREAS, the Niagara County Water District has submitted an assessment tax roll through the County Manager of the County of Niagara to the Niagara County Legislature, and

WHEREAS, pursuant to Section 271 of the County Law, a public hearing must be held, now, therefore, be it

RESOLVED, that a public hearing be held in the Niagara County Courthouse, Lockport, New York at 5:10 p.m. on the 3rd day of December 2024, to review the assessment tax roll for the Niagara County Water District, and be it further

RESOLVED, that the Clerk of the Niagara County Legislature is hereby authorized to publish notice of same in the Union Sun & Journal and the Niagara Gazette.

Moved by Hill, seconded by Robins.

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

### **Resolution No. AD-027-24**

From: Administration Committee.

Dated: November 12, 2024

**SET PUBLIC HEARING FOR ASSESSMENT TAX ROLL FOR  
THE NIAGARA COUNTY REFUSE DISTRICT**

WHEREAS, the Niagara County Refuse District has submitted an assessment tax roll through the County Manager of the County of Niagara to the Niagara County Legislature, and

WHEREAS, pursuant to Section 271 of the County Law, a public hearing must be held, now, therefore, be it

RESOLVED, that a public hearing be held in the Niagara County Courthouse, Lockport, New York at 5:20 p.m. on the 3rd day of December 2024, to review the assessment tax roll for the Niagara County Refuse District, and be it further

RESOLVED, that the Clerk of the Niagara County Legislature is hereby authorized to publish notice of same in the Union Sun & Journal and the Niagara Gazette.

Moved by Hill, seconded by Robins.

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

**Resolution No. AD-028-24**

From: Administration Committee.

Dated: November 12, 2024

**SET PUBLIC HEARING FOR ASSESSMENT TAX ROLL FOR  
THE NIAGARA COUNTY SEWER DISTRICT**

WHEREAS, the Niagara County Sewer District #1 has submitted an assessment tax roll through the County Manager of the County of Niagara to the Niagara County Legislature, and

WHEREAS, pursuant to Section 271 of the County Law, a public hearing must be held, now, therefore, be it

RESOLVED, that a public hearing be held in the Niagara County Courthouse, Lockport, New York at 5:30 p.m. on the 3rd day of December 2024, to review the assessment tax roll for the Niagara County Sewer District #1, and be it further

RESOLVED, that the Clerk of the Niagara County Legislature is hereby authorized to publish notice of same in the Union Sun & Journal and the Niagara Gazette.

Moved by Hill, seconded by Robins.

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

**Resolution No. AD-029-24**

From: Administration Committee.

Dated: November 12, 2024

**SET PUBLIC HEARING FOR THE TENTATIVE BUDGET FOR  
THE YEAR 2025**

WHEREAS, the County Manager of the County of Niagara has submitted a tentative budget to the Niagara County Legislature, and

WHEREAS, pursuant to Section 359 of the County Law, a public hearing must be held, now, therefore, be it

RESOLVED, that a public hearing be held in the Niagara County Courthouse, Lockport, New York at 5:40 p.m. on the 3rd day of December 2024, to review the tentative budget for the year 2025, and be it further

RESOLVED, that the maximum salaries that may be fixed and payable during said fiscal year 2025 to members of the Legislature and the Chairman thereof, respectively, remain at the 2024 salary level and are specified as follows:

MEMBERS OF THE LEGISLATURE:	\$24,075 Annually
MAJORITY LEADER, MINORITY LEADER:	\$24,575 Annually
CHAIRMAN OF THE LEGISLATURE:	\$27,075 Annually

and be it further

RESOLVED, that the Clerk of the Niagara County Legislature is hereby authorized to publish notice of same in the Union Sun & Journal and the Niagara Gazette.

Moved by Hill, seconded by Robins.

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

**Resolution No. AD-030-24**

From: Administration Committee.

Dated: November 12, 2024

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

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

WHEREAS, the current Agreement dated January 1, 2023 for Cybersecurity between the Niagara County Board of Elections and NTS expires December 31, 2027, and

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

WHEREAS, in consideration of the mutual covenants and agreements herein, the parties agree as follows, now, therefore, be it

RESOLVED, that the Chairman of the Niagara County Legislature and Commissioners of the Niagara County Board of Elections are hereby authorized to execute this agreement on behalf of the County of Niagara, pursuant to the Niagara County Contract Policy, and subject to final approval of the County Attorney.

Moved by Hill, seconded by Robins.

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

**Resolution No. AD-031-24**

From: Administration Committee.

Dated: November 12, 2024

**NIAGARA COUNTY BOARD OF ELECTIONS  
BUDGET MODIFICATION – 2024 GENERAL ELECTION GRANT ACCEPTANCE**

WHEREAS, the Niagara County Board of Elections Office has been awarded a grant in the amount of \$60,157.83 for the period of April 1, 2024 through March 31, 2025 from the New York State Board of Elections for 2024 General Election and the various accompanying services and/or accessories required, and

WHEREAS, the grant will allow the Niagara County Board of Elections Office to hire additional election inspectors, and polling site security along with an additional early voting site, and

WHEREAS, the 2024 budget will need to be modified to allow for the spending of this grant, now, therefore, be it

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

RESOLVED, that the 2024 budget be modified as follows:

**INCREASE REVENUE:**

A.14.1450.00043089.09	State Aid, Other Election Program Revenue	\$60,157.83
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**INCREASE APPROPRIATIONS:**

A.14.1450.000 74750.03	Supplies, General Election Supplies/Materials	\$60,157.83
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Moved by Hill, seconded by Robins.

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

**Resolution No. AD-032-24**

From: Administration Committee.

Dated: November 12, 2024

**NIAGARA COUNTY BOARD OF ELECTIONS  
BUDGET MODIFICATION – ELECTRONIC POLL BOOK GRANT ACCEPTANCE**

WHEREAS, the Niagara County Board of Elections Office has been awarded a grant in the amount of \$171,237.94 for the period of April 1, 2024 through March 31, 2025 from the New York State Board of Elections for Electronic Poll Book and the various accompanying services and/or accessories required, and

WHEREAS, the grant will allow the Niagara County Board of Elections Office to purchase Electronic poll books, on demand ballot printers, thermal receipt prints, along with other additional supplies, and

WHEREAS, the 2024 budget will need to be modified to allow for the spending of this grant, now, therefore, be it

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

RESOLVED, that the 2024 budget be modified as follows:

**INCREASE REVENUE:**

A.14.1450.00043089.09	State Aid, Other Election Program Revenue	\$171,237.94
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**INCREASE APPROPRIATIONS:**

A.14.1450.000 74750.03	Supplies, General Election Supplies/Materials	\$171,237.94
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Moved by Hill, seconded by Robins.

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

**Resolution No. AD-033-24**

From: Administration Committee.

Dated: November 12, 2024

**NIAGARA COUNTY BOARD OF ELECTIONS  
BUDGET MODIFICATION – BALLOT BY MAIL GRANT ACCEPTANCE**

WHEREAS, the Niagara County Board of Elections Office has been awarded a grant in the amount of \$91,077.03 for the period of April 1, 2024 through March 31, 2025 from the New York State Board of Elections for Ballot by Mail and the various accompanying services and/or accessories required, and

WHEREAS, the grant will allow the Niagara County Board of Elections Office to purchase postage and mailing supplies including temporary workers, and

WHEREAS, the 2024 budget will need to be modified to allow for the spending of this grant, now, therefore, be it

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

RESOLVED, that the 2024 budget be modified as follows:

**INCREASE REVENUE:**

A.14.1450.00043089.09	State Aid, Other Election Program Revenue	\$91,077.03
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**INCREASE APPROPRIATIONS:**

A.14.1450.000 74750.03	Supplies, General Election Supplies/Materials	\$91,077.03
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Moved by Hill, seconded by Robins.

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

**Resolution No. AD-034-24**

From: Administration Committee.

Dated: November 12, 2024

**LEASE AGREEMENT FOR NIAGARA COUNTY BOARD OF ELECTIONS STORAGE**

WHEREAS, on October 28, 2014 the Niagara County Legislature adopted Resolution AD-018-14 authorizing a lease agreement with Clear Opportunities, LLC for five(5) years with an option to renew for five (5) additional years for the storage of voting machines in property located at 1961 Transit Road, Town of Newfane, New York, and

WHEREAS, on or about March 25, 2021 property located at 1961 Transit Road, Newfane, NY 14094 was transferred and otherwise sold to Castello Newfane, LLC, and

WHEREAS, on April 1, 2021 an Assignment of Leases agreement was made between Clear Opportunity Properties, LLC and Castello Newfane, LLC, and

WHEREAS, on June 15, 2021 the Niagara County Legislature adopted Resolution CW-008-21 approved the assignment of the leases between Clear Opportunity Properties, LLC and Castello Newfane, LLC, and

WHEREAS, the Board of Elections, has determined that property located at 1961 Transit Road, Newfane, NY 14094 is aptly suited to house the necessary voting machines, now, therefore, be it

RESOLVED, that the County Manager, County Attorney and Risk Management recommends a lease agreement be entered into with Castello Newfane, LLC, for a five (5) year term with additional option for one(1) year

annual renewals subject to Legislative approval with an option to terminate by either party upon 120 days prior notice, and be it further

RESOLVED, that said lease shall include the requirement of Castello Newfane, LLC to complete the replacement of the roof, which is the section over the Board of Election's storage location within the first year of the lease, and be it further

RESOLVED, that there shall be no increase in rent from the current lease cost (\$9,480 per month) throughout the five year term to the County, and be it further

RESOLVED, that prior to the execution of the lease agreement, the County Attorney will review 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 Legislature be, and hereby is, authorized to execute the lease agreement.

Moved by Hill, seconded by Robins.

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

**Resolution No. AD-035-24**

From: Administration Committee.

Dated: November 12, 2024

**PROPERTY & CASUALTY/GENERAL LIABILITY CLAIM COVERAGE**

WHEREAS, the County of Niagara self-insures its Property & Casualty/General Liability coverage, and

WHEREAS, The Internal Service Fund for Property & Casualty/General Liability Insurance Reserve P&C/GL Insurance Reserve is fully funded in the annual County Budget and is separate from the General Fund, and

WHEREAS, there have been increased litigation costs in excess of the 2024 Fund budget forecast, and

WHEREAS, the current cash available in the General Insurance Fund is not sufficient to cover the full amount of the projected costs remaining in the 4<sup>th</sup> quarter of 2024, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, directed to transfer funds from the General Fund balance to the Property and Casualty Insurance Reserve, and be it further

RESOLVED, the following budget modification be effectuated:

**INCREASE APPROPRIATED FUND BALANCE:**

A 40599.00	Appropriated General Fund Balance	\$500,000.00
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**INCREASE APPROPRIATIONS:**

A.07.9901.000 79010.00	Interfund Transfer – to P&C / GL Insurance Reserve	\$500,000.00
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Moved by Hill, seconded by Robins.

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

**Resolution No. AD-036-24**

From: Administration Committee.

Dated: November 12, 2024

**RESOLUTION TO AUTHORIZE THE COUNTY ATTORNEY TO USE FUNDS  
FROM THE COMMITTED FUND BALANCE FOR ENVIRONMENTAL LITIGATION MATTERS**

WHEREAS, by resolution AD-029-19, any unspent funds in account A.11.19030.110 74350.01 were set aside as a committed fund balance (A.11.1930.110 40599.01) and to be used for future litigation concerning the toxic hazardous waste facility Chemical Waste Management, and

WHEREAS, the County Attorney's special litigation (Environmental) line A.11.1930.110 74350.01 is almost depleted due to the cost of the defense of the CWM Environmental matters, and therefore it is necessary to use the Committed Fund balance set aside to pay for this Environmental Litigation matters concerning CWM Chemical Services LLC to pay for legal services for the remainder of the year (2024), now, therefore, be it

RESOLVED, that the following 2024 budget modification be effectuated to fund such services:

**INCREASE COMMITTED FUND BALANCE:**

A.11.1930.110 40599.01	Committed Fund Balance	\$84,922.86
	Expert Legal Services	
	Environmental Matters	

**INCREASE APPROPRIATIONS:**

A.11.1930.110 74350.01	Contractual Expenses	\$84,922.86
	Special Litigations	

Moved by Hill, seconded by Robins.

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

**Resolution No. CS-061-24**

From: Community Services and Administration Committees.

Dated: November 12, 2024

**SUPPORT OF SUNY NIAGARA (NIAGARA COUNTY COMMUNITY COLLEGE)  
CAPITAL FUNDING REQUEST TO NEW YORK STATE  
WELLNESS AND MENTAL HEALTH CENTER INVESTMENTS**

WHEREAS, the County of Niagara, and SUNY Niagara (Niagara County Community College) has consistently recognized the importance of SUNY Niagara as an invaluable asset to Niagara County, and

WHEREAS, the Administration of SUNY Niagara has identified several areas of required renovations and construction of a new Wellness and Mental Health Center, and

WHEREAS, the proposed capital funding total of \$450,000, which includes but not limited to, renovations to space located in the G-Building to create a combined Wellness and Mental Health Center for support of our Students and

WHEREAS, the NCCC Foundation is providing funding in the amount of \$225,000 as the local sponsor share in support of this funding submission to SUNY, now, therefore, be it

RESOLVED, that the County of Niagara, as the sponsor of the college, does hereby support the proposed capital funding for a new Wellness and Mental Health Center; and be it further

RESOLVED, that the County of Niagara is requesting SUNY to provide a 50% match of the total capital amount of \$450,000; the amount requested from SUNY is \$225,000.

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

**Resolution No. CS-062-24**

From: Community Services and Administration Committees.

Dated: November 12, 2024

**2024 MENTAL HEALTH BUDGET MODIFICATION – CONTRACT STATE AID COLA**

WHEREAS, the New York State Office of Mental Health (OMH) has approved additional State Aid COLA to be paid in the calendar year of 2024 for Living Opportunities of DePaul for 3 Rehabilitative and Tenancy Supported Housing Beds, 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 Living Opportunities of DePaul 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.21.4322.423.43490.14	Supported Housing (DePaul)	\$ 3,600
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**INCREASE APPROPRIATIONS:**

CM.21.4322.423.74500.01	Supported Housing (DePaul)	\$ 3,600
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Moved by Hill, seconded by Robins.

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

**Resolution No. CS-063-24**

From: Community Services and Administration Committees.

Dated: November 12, 2024

**MH – 2024 BUDGET MODIFICATION – ONE-TIME FUNDING FOR DALE ASSOCIATION**

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

WHEREAS, the Dale Association requested one-time year-end funding to assist with the expense of completing the migration of data from their previous Electronic Health Record (EHR) into their new Electronic Health Record, and the Niagara County Department of Mental Health has available 2024 State Aid funding to cover this need, now, therefore, be it

RESOLVED that the following budget modification be effectuated to the 2024 County budget:

**DECREASE REVENUE:**

A.21.4310.000.43490.05	Mental Health Reinvestment Programs	\$ 19,547
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**DECREASE APPROPRIATION:**

A.21.4310.000.74500.01	Contractual Expenses	\$ 19,547
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INCREASE REVENUE:

CM.21.4322.415.43490.05	Dale Association	\$ 19,547
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INCREASE APPROPRIATION:

CM.21.4322.415.74550.06	Dale Association	\$ 19,547
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Moved by Hill, seconded by Robins.

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

**Resolution No. CS-064-24**

From: Community Services and Administration Committees.

Dated: November 12, 2024

**NIAGARA COUNTY DEPARTMENT OF MENTAL HEALTH & SUBSTANCE ABUSE SVCS -  
ABOLISH PART TIME LICENSED CLINICIAN POSITION/ CREATE AND FILL PART-TIME  
CRISIS SERVICES PHONE AIDE POSITION/ BUDGET MODIFICATION**

WHEREAS, the Niagara County Department of Mental Health & Substance Abuse Services (NCDMH) is committed to providing exceptional treatment and integrated care services to Niagara County residents in need, and

WHEREAS, NCDMH currently has a vacant Part Time Licensed Clinician position, and

WHEREAS, it is necessary to abolish the Part Time Licensed Clinician position, and create a Part Time Crisis Services Phone Aide position, and

WHEREAS, Crisis Services is currently very short-handed, and creating a part time position would provide flexibility and additional coverage, and

WHEREAS, NCDMH is committed to and has demonstrated operating in a responsible fiscal manner, and

WHEREAS, this change will result in an overall cost savings to the Department; now, therefore, be it

RESOLVED, that one Part Time Licensed Clinician (vacant as of February 18, 2024), Grade 11, Step 3, position number MHD300100.13828, salary range \$31,040 - \$33,752, and be it further

RESOLVED, that one Part Time Crisis Services Phone Aide, Grade 5, Step 1, position number, MHD300100.XXXXX, salary range \$18,570 - \$20,717, be created within the Niagara County Department of Mental Health, and filled effective November 12, 2024, and be it further

RESOLVED, that the following transfer of position funds in the 2024 budget be effectuated:

DECREASE REVENUE:

A.21.4310.000.41620.00	Mental Health Fees Revenue	\$ 6,514
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INCREASE REVENUE:

A.21.4310.000.44490.00	OMH 988 Block Grant Funding	\$ 3,163
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INCREASE APPROPRIATIONS:

A.21.4310.000.71010.XXXXX	Positions	\$ 2,571
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A.21.4310.000.71070.00	Shift Differential Expense	\$ 40
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A.21.4310.000.78100.00	Retirement Expense	\$ 283
A.21.4310.000.78200.00	FICA	\$ 200
A.21.4310.000.78300.00	Worker's Comp	\$ 56
A.21.4310.000.78700.00	NYS Disability Expense	\$ 13

DECREASE APPROPRIATIONS:

A.21.4310.000.71010.00.03694	Positions	\$ 4,298
A.21.4310.000.78100.00	Retirement Expense	\$ 466
A.21.4310.000.78200.00	FICA	\$ 329
A.21.4310.000.78300.00	Worker's Comp	\$ 93
A.21.4310.000.78400.01	Insurance, Hospital/Medical	\$ 1,315
A.21.4310.000.78700.00	NYS Disability Expense	\$ 13

Moved by Hill, seconded by Robins.

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

**Resolution No. CS-065-24**

From: Community Services and Administration Committees.

Dated: November 12, 2024

**LEASE AGREEMENT FOR NIAGARA COUNTY INACTIVE  
RECORDS MANAGEMENT PROGRAM**

WHEREAS, the Niagara county Clerk serves as the Records Management Officer (RMO) for over 40 County departments pursuant to Article 57-A of the Arts and Cultural Affairs Law, and Resolution AD-035-96 “Adoption of a Local Law Providing For The Creation of a Records Management Program in the County of Niagara”, and

WHEREAS, on October 2, 2012 Niagara County entered into a lease agreement with Clear Opportunity Properties, LLC regarding the usage of approximately 28,800 sq. ft. in a building located at 1961 Transit Road in the Town of Newfane, County of Niagara, State of New York for Records storage, and

WHEREAS, on or about March 25, 2021 property located at 1961 Transit Road, Newfane, NY 14094 was transferred and otherwise sold to Castello Newfane, LLC, and

WHEREAS, on April 1, 2021 an Assignment of Leases agreement was made between Clear Opportunity Properties, LLC and Castello Newfane, LLC, and

WHEREAS, aforementioned agreement states that all rental payments owed pursuant to said Lease Agreements to be made to Castello Newfane, LLC, and

WHEREAS, the County Clerk, serving as the Records Management Officer for the County of Niagara, has determined that property located at 1961 Transit Road, Newfane, NY 14094 is aptly suited to house all Niagara County inactive records, now, therefore, be it

RESOLVED, that the County Manager, County Attorney and Risk Management recommends a lease agreement be entered into with Castello Newfane, LLC, for a five (5) year term with additional option for one(1) year annual renewals subject to Legislative approval with an option to terminate by either party upon 120 days prior notice, and be it further

RESOLVED, that the cost of the lease will not increase throughout the duration of the agreement, and be it further

RESOLVED, that prior to the execution of the lease agreement, the County Attorney will review 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 Legislature be, and hereby is, authorized to execute the lease agreement.

Moved by Hill, seconded by Robins.

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

**Resolution No. CS-066-24**

From: Community Services and Administration Committees.

Dated: November 12, 2024

**AWARD OF CONTRACT – CONSULTANT TO ASSESS INTEGRATED RECORDS MANAGEMENT SYSTEM FOR NIAGARA COUNTY CLERK'S OFFICE**

WHEREAS, the Niagara county Clerk's office is currently in a month-to-month contract with its electronic records management software provider, and

WHEREAS, the Niagara County Clerk's Office is in need of a new, long-term contract with a suitable records management software provider, and

WHEREAS, the Niagara County Clerk's office wishes to engage the services of a consultant to assess the integrated records management system, and

WHEREAS, a request for proposal (RFP#204-04) for Consultant to Asses Integrated Records Management System for Niagara County Clerk's Office was issued and publicly opened by the Purchasing Department on July 11,2024, and

WHEREAS, after conducting an evaluation of all proposals, it is the desire of the County to award the RFP to KHIT Consulting LLC, and

WHEREAS, funding is available in the 2024 budget, now, therefore be it

RESOLVED, that the County will enter into a nine-week contractual agreement with KHIT Consulting, LLC in an amount not to exceed \$48,000 to provide consulting services to the Niagara County Clerk's Office, and be it further

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

Moved by Hill, seconded by Robins.

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

**Resolution No. CSS-114-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
ACCEPT DOMESTIC TERRORISM PREVENTION GRANT**

WHEREAS, the New York State Division of Homeland Security and Emergency Services (DHSES) has notified the Niagara County Sheriff's Office that it has been awarded \$172,413 in funds for the performance

period September 1, 2024 through August 31, 2026 under the FY2023 DHSES Domestic Terrorism Prevention Grant Program, and

WHEREAS, New York State is allocating \$172,413 to all New York State Counties and New York City in state grant funding for a second time, and

WHEREAS, the purpose of the grant is to prevent targeted violence and domestic terrorism through the utilization of Threat Assessment and Management (TAM) teams and the development of comprehensive Domestic Terrorism Plans, and

WHEREAS, the Sheriff's Office will add the funds to the 2025 Budget by resolution in January, but the grant needs to be accepted, now, therefore, be it

RESOLVED, that following the County Attorney's review, the FY2023 DHSES Domestic Terrorism Prevention Grant may be executed pursuant to the Niagara County Contract Policy

Moved by Hill, seconded by Robins.

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

**Resolution No. CSS-115-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

**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, 2024 through September 30, 2025 in the amount of \$25,065, and

WHEREAS, this grant is a continuation of an existing program and is full 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, and

WHEREAS, the grant funds will be added to the 2025 Budget by resolution in January but the grant needs to be accepted, 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 Hill, seconded by Robins.

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

**Resolution No. CSS-116-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
AGREEMENT WITH VILLAGE OF MIDDLEPORT FOR COMMUNICATIONS TOWER**

WHEREAS, the Niagara County Sheriff's Office is required to maintain, for public safety purposes, a fully functioning Land Mobile Radio (LMR) System, and

WHEREAS, the Sheriff's Office has identified a need to place additional LMR equipment to support and expand the existing LMR System within the Town of Royalton, and

WHEREAS, land has been identified as parcel SBL 99.00-1-77, Town of Royalton, that would be suitable to meet the needs to support expanding the current LMR System in Niagara County, and

WHEREAS, the Village of Middleport has agreed to allow either the lease of this property or property transfer to be utilized as a site for a new LMR radio tower and shelter, now, therefore, be it

RESOLVED, that the above described lease or property transfer between the County of Niagara and the Village of Middleport is hereby approved, contingent upon approval by the County Attorney's Office, and the Chairman of the Legislature is hereby authorized to execute the same.

Moved by Hill, seconded by Robins.

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

**Resolution No. CSS-117-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION – BOARD OF ELECTIONS SECURITY**

WHEREAS, the Niagara County Board of Elections has grant funds to ensure elections security in Niagara County, and

WHEREAS, the grant funds will be used by law enforcement agencies in Niagara County to provide a law enforcement presence at Niagara County polling sites, and

WHEREAS, the Niagara County Sheriff's Office needs to modify the 2024 budget in order to utilize these funds, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

**INCREASE ESTIMATED REVENUE:**

A.17.3110.000 41289.08	Other Income Reimbursement, Other Depts	\$23,000
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**INCREASE APPROPRIATIONS:**

A.17.3110.000 71050.00	Overtime Expense	\$23,000
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Moved by Hill, seconded by Robins.

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

**Resolution No. CSS-118-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION – SHSP 2023 HOMELAND SECURITY GRANT**

WHEREAS, the Niagara County Legislature passed Resolution CSS-114-23 on October 17, 2023 to accept the SHSP 2023 grant through the New York State Department of Homeland Security for the period for 9/1/23 to 8/31/26, and

WHEREAS, the SHSP 2023 grant includes funds for Operational Overtime for counter terrorism patrol during elections, and

WHEREAS, the SHSP 2023 operational overtime and fringe funds need to be added to the Sheriff's Office 2024 budget in order to be utilized for the current elections, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.17.3645.000 44305.02	Civil Defense Homeland Security	\$13,551
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INCREASE APPROPRIATIONS:

A.17.3645.000 71050.00	Overtime Expense	\$ 10,658
A.17.3645.000 78100.00	Retirement Expense	1,848
A.17.3645.000 78200.00	FICA Expense	815
A.17.3645.000 78300.00	Workers Comp Expense	230

Moved by Hill, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent — Bradt.

**Resolution No. CSS-119-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
INSTALLATION OF STATIONARY LICENSE PLATE READERS**

WHEREAS, the Niagara County Legislature passed Resolution #CSS-024-23 on 02/21/2023 to standardize the purchase of stationary license plate readers (LPRs) from Flock Safety, and

WHEREAS, Niagara County and the Niagara County Sheriff's Office are proposing to install License Plate Reader equipment for Law Enforcement purposes only within State ROW, on or along Route numbers; 18, 18F, 31, 31E, 61, 62, 77, 78, 93, 104, 148, 182, 265, 269, 270, 271, 324, 384, 425, 429, LaSalle Expressway, Niagara Scenic Parkway, I-190, and multiple locations, exact locations to be provided later, located in the County of Niagara, and

WHEREAS, Niagara County and the Niagara County Sheriff's Office are desirous to have such above-mentioned equipment installed within the geographical jurisdiction of the County, and

WHEREAS, Niagara County and the Niagara County Sheriff's Office will meet all State and County requirements during the above-mentioned project, and

WHEREAS, Niagara County and the Niagara County Sheriff's Office reserves the rights to monitor and inspect the above-mentioned project conducted within the State and County jurisdiction, and

WHEREAS, the Niagara County Sheriff's Office will execute the above-mentioned project, as shown on the plans/maps and other documents related to the above-mentioned project, now, therefore, be it

RESOLVED, that Niagara County, by means of this Resolution, and upon NYSDOT approval, grants permission to the Niagara County Sheriff's Office to conduct the above-mentioned project within State Right-Of-Way (ROW) and within the State and County jurisdiction, and be it further

RESOLVED, that the Niagara County Sheriff's Office shall maintain or cause to be maintained the installed equipment at the project location(s) and shall cover any expenses that may arise from the executing of the above-mentioned project, and be it further

RESOLVED, that Michael Filicetti, Niagara County Sheriff has the authority to sign, with the concurrence of the County's Legal Counsel and by the County Legislature, any and all documentation that may be necessary as a result of the above-mentioned project as it relates to the County of Niagara, and be it further

RESOLVED, that the Niagara County Clerk's Office is hereby directed to electronically transmit signed, sealed, notarized, stamped, and certified copy of the foregoing resolution to the Niagara County Sheriff's Office for processing of and inclusion to Law Enforcement Equipment (LEE) Application and Agreement with NYSDOT.

Moved by Hill, seconded by Robins.

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

**Resolution No. CSS-120-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
LABELLA CONSULTANT CONTRACT JAIL REMODEL CHANGE ORDER NO. 1**

WHEREAS, the Niagara County Legislature passed Resolution #CSS-104-23 on 10/17/2023 to award LaBella Associates, P.C. the contract for design services for the Niagara County Sheriff's Office Jail Remodel in the amount of \$2,926,000, and

WHEREAS, the Niagara County Sheriff's Office would like to add to the scope of this contract to include the SEQRA process, abatement design for regulated building materials, wetland investigation, delineation and mitigation and Pump Station upgrade, and

WHEREAS, LaBella Associates, P.C. has provided a proposal for the requested services in the Jail Remodel Project in the amount of \$68,000, and

WHEREAS, the proposal will be funded through the existing Capital Project H780 Jail Remodel/Replacement, 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 LaBella Associates P.C. Consultant Contract for the Jail Remodel/Replacement Project Change Order No. 1 for an amount not to exceed \$68,000 may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

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

**Resolution No. CSS-121-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
SOLE SOURCE OVERHEAD DOOR FOR PERIMETER GATES REPAIR**

WHEREAS, Niagara County had Capital Project H632 in 2016 which was closed in 2019 to install Perimeter Fence Enclosure with Rolling Gates at the Niagara County Sheriff's Office, and

WHEREAS, the rolling gates were installed by Overhead Door, and

WHEREAS, the Overhead Door installed rolling gates need Overhead Door parts for any repairs, and

WHEREAS, the Niagara County Sheriff's Office needs replacement of a 60" partial grille with stainless-steel bottom bar with ASO wireless sensing edge on one of the gates, and

WHEREAS, the Overhead Door has provided a quote of \$19,989 for the replacement and labor, and

WHEREAS, the necessary parts are only available through Overhead Door, now, therefore, be it

RESOLVED, that for reasons of efficiency and economy, pursuant to General Municipal Law 103(5), there is a need for sole source purchase for the Niagara County Sheriff's Office in the purchase of repairs to the Niagara County Sheriff's Office Perimeter Enclosure rolling gates, and be it further

RESOLVED, that it is hereby determined that Overhead Door is the sole manufacturer of replacement parts for the Overhead Door rolling gates at the Sheriff's Office and that the Sheriff's Office is hereby authorized to purchase rolling gates' replacement parts and repair from Overhead Door 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 Hill, seconded by Robins.

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

**Resolution No. CSS-122-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
SOLE SOURCE STANDARDIZATION MOTOROLA PUBLIC SAFETY RADIOS**

WHEREAS, the Niagara County Sheriff's Office maintains an interoperable emergency communications system in Niagara County which is used by Law Enforcement and Emergency Services Agencies throughout Niagara County, and

WHEREAS, the Niagara County Communications System consists of Motorola Solutions Inc. Communications Equipment which has primarily been purchased using New York State OGS Contract, and

WHEREAS, it is critical to continue to use communications equipment which is compatible with the existing communications network, and

WHEREAS, the Niagara County Sheriff's Office has secured grant funding of approximately \$1.5 million for the purchase of communications equipment including portable public safety radios, and

WHEREAS, the New York State OGS Contract has been delayed for all communications equipment, and



WHEREAS, the Motorola portable radios that the Niagara County Sheriff's Office is proposing to purchase to replace outdated Motorola radios has proprietary safety features like SmartConnect which provides seamless roaming between P25 and Broadband systems to extend the range of communications, and

WHEREAS, Motorola Solutions Inc., is the sole manufacturer of Motorola public safety radios and is also the sole distributor of public safety radios to New York State agencies, now, therefore, be it

RESOLVED, that for reasons of efficiency and economy, pursuant to General Municipal Law 103(5), there is a need for sole source purchase and standardization for the Niagara County Sheriff's Office in the purchase of Motorola public safety portable radios, and be it further

RESOLVED, that it is hereby determined that Motorola Solutions Inc., is the sole manufacturer of Motorola public safety portable radios and the sole distributor to New York State customers and that the Sheriff's Office is hereby authorized to purchase the Motorola public safety radios from Motorola Solutions 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 Hill, seconded by Robins.

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

#### **Resolution No. CSS-123-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

### **ACCEPTANCE OF GUN INVOLVED VIOLENCE ELIMINATION INITIATIVE GRANT**

WHEREAS, in 2014 the Division of Criminal Justice Services initiated a gun violence eradication initiative to target the rising incidents of gun involved violence across the State of New York and has implemented a statewide comprehensive strategy that focuses exclusively on reducing shootings and homicides by promoting integrated, evidence based strategies, and

WHEREAS, the Niagara County District Attorney's Office, the Niagara County Sheriff's Office and the Niagara County Probation Department, in conjunction with the Niagara Falls Police Department, applied for the renewal of funding under the 2024-2025 GIVE Initiative, and

WHEREAS, The Niagara County District Attorney's Office has received notification that funding has been awarded in the amounts of \$328,826, for the period of July 1, 2024 through June 30, 2025, with no required match from Niagara County, and

WHEREAS, the District Attorney's Office has designated these funds to offset the salary and benefits expenses of Assistant District Attorney Position #13291, Assistant District Attorney position #13649 and Paralegal II position # 13920. Paralegal II was created and will remain coterminous with the grant funding, and

WHEREAS, revenue and appropriation figures for said program were calculated and are contained within the District Attorney's Office Department budget for fiscal year 2025, now, therefore, be it

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

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

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

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

**Resolution No. CSS-124-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

**PROBATION ACCEPT STATE AID BLOCK GRANT SFY 2024-2025**

WHEREAS, the Niagara County Probation Department has been notified by the New York State Division of Criminal Justice Services that the Probation State Aid Block Grant has been renewed for the SFY 2024-2025, and

WHEREAS, the Grant is being renewed in the amount of \$524,829 and said funds are used to offset our expenses for the Juvenile Risk Intervention Services Coordination program, as well as other probation services and have been budgeted in the 2024 and 2025 budget, and

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

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

Moved by Hill, seconded by Robins.

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

**Resolution No. CSS-125-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

**SATELLITE TRACKING OF PEOPLE (STOP) CONTRACT EXTENSION**

WHEREAS, the Niagara County Probation Department has been using equipment and monitoring services of Satellite Tracking of People, LLC since June 2013 for the electronic monitoring of offenders, and

WHEREAS, the current contract with Satellite Tracking of People LLC expired May 31, 2024, and the Niagara County Probation Department wishes to extend the current contract through May 31, 2027 under the same terms as the previous contract, and

WHEREAS, Satellite Tracking of People is an approved contractor with the New York State Office of General Services Procurement Services, and therefore Niagara County Probation Department is receiving the lowest price available in New York State, \$3.10 per unit per day, and

WHEREAS, the cost associated with electronic monitoring is covered by grant funding, and

WHEREAS, the costs associated with electronic monitoring of offenders is included in the Probation Department's 2024 Budget, and proposed 2025 budget, now, therefore, be it

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

RESOLVED, that the Niagara County Legislature does hereby permit extension of the contract between the Niagara County Probation Department and Satellite Tracking of People, LLC, and the contract extension may

be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

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

**Resolution No. CSS-126-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

**2024 BUDGET MODIFICATION - FIRE COORDINATOR'S OFFICE  
ACCEPT PAYMENT FOR A HAZ-MAT INCIDENT**

WHEREAS, the County Haz-Mat team responded to an incident which resulted in depleted supplies that cannot be reused, 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 of \$618.32 in October 2024 for the tractor trailer incident that took place on September 17, 2024, and

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

RESOLVED, that the following 2024 budget modification be effectuated:

**INCREASE REVENUE:**

A.19.3410.000 42690.04	Other Compensation for Loss	\$ 618.32
	Reimbursements	

**INCREASE APPROPRIATION:**

A.19.3410.000 74750.10	Supplies, Gen Hazmat Inventory	\$ 618.32
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Moved by Hill, seconded by Robins.

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

**Resolution No. CSS-127-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

**2024 BUDGET MODIFICATION - ACCEPT PAYMENTS FOR EMS OVERTIME**

WHEREAS, the County Ambulance Services has an obligation to provide emergency medical response with two fully staffed ambulances on a daily basis from 0500-1800 hours to the Niagara County community, and

WHEREAS, the Office of Emergency Services was contacted by the Niagara County Fairgrounds and Niagara Celtic Heritage Festival requesting an ambulance for emergency medical response standby during their events, and

WHEREAS, the County Ambulance Service used overtime to staff an extra ambulance outside normal operations to assist with these events, and

WHEREAS, the County Ambulance Service invoiced the overtime cost that resulted from staffing the additional ambulance for these events and received the payments totaling \$2,340.75 in October 2024, and

WHEREAS, the County Ambulance Service will replenish the overtime charges, at no cost to the County, now, therefore, be it

RESOLVED, that the following 2024 budget modification be effectuated:

INCREASE REVENUE:

A.19.4540.000 41601.05	Ambulance Fees, Outside Agencies	\$ 2,340.75
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INCREASE APPROPRIATION:

A.19.4540.000 71050.00	Overtime Expense	\$ 2,340.75
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Moved by Hill, seconded by Robins.

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

**Resolution No. CSS-128-24**

From: Community Safety & Security and Administration Committees.

Dated: November 12, 2024

**EMERGENCY SERVICES  
INTER-MUNICIPAL TRAILER TRANSFER AGREEMENT**

WHEREAS, Niagara County Department of Emergency Services currently possesses a 2004 Wells Cargo trailer (Fleet # 50249-04), previously used for the HazMat team which the county wishes to declare as surplus property, and

WHEREAS, the City of Lockport Fire Department has a need for a trailer matching the above description, and

WHEREAS, an Inter-Municipal Agreement between the County of Niagara and the City of Lockport Fire Department has been drafted by the County Attorney's Office for a transfer of aforementioned 2004 Wells Cargo trailer, now, therefore, be it

RESOLVED, that the County of Niagara declares the 2004 Wells Cargo trailer to be surplus property and authorizes an agreement with the City of Lockport Fire Department to transfer ownership of the 2004 Wells Cargo trailer, and be it further

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

Moved by Hill, seconded by Robins.

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

**Resolution No. CW-014-24**

From: Committee of the Whole.

Dated: November 12, 2024

**2024 STANDARD WORK DAY AND REPORTING RESOLUTION  
FOR ELECTED AND APPOINTED OFFICIALS**

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

## Elected Officials

Title	Standard Work Day	Name	Social Security Number	Registration Number	Tier 1	Current Term Begin & End Dates	Record Activities Results	Not Submitted
Coroner	6	Joseph Mantione				01/01/22-12/31/25	39.11	
Coroner	6	Gary Strassburg				01/01/22-12/31/25	22.70	
Coroner	6	Laura Sweeney-Goodlander				01/01/22-12/31/25	20.20	
Legislator	6	Richard Andres				01/01/24-12/31/25	22.00	
Legislator	6	Randy Bradt				01/01/24-12/31/25	22.00	
Legislator	6	Shawn A. Foti				01/01/24-12/31/25	7.90	
Legislator	6	Jesse Gooch				01/01/24-12/31/25	23.50	
Legislator	6	Michael Hill				01/01/24-12/31/25	10.40	
Legislator	6	Christopher J. McKimmie				01/01/24-12/31/25	23.00	
Legislator	6	Irene Myers				01/01/24-12/31/25	22.31	
Legislator	6	Christopher Robins				01/01/24-12/31/25	21.23	
Legislator	6	Carla L. Speranza				01/01/24-12/31/25	6.30	
Legislator	6	Christopher Voccio				01/01/24-12/31/25	6.13	
Legislator	6	Rebecca Wydysh				01/01/24-12/31/25	22.00	
Treasurer	6	Kyle R. Andrews				01/01/23-12/31/26	30.7	

## Appointed Officials

Title	Standard Work Day	Name	Social Security Number	Registration Number	Tier 1	Current Term Begin & End Dates	Record Activities Results	Not Submitted
Assigned Counsel and Administrator and Conflict Attorney	6	Kathleen Kugler				01/01/24-12/31/25	24.70	
Asst. Conflict Attorney	6	Rodney A. Giove				01/01/24-12/31/25	22.06	
Asst. Conflict Attorney	6	Mario J. Gregori Jr.				01/01/24-12/31/25	23.10	
Asst. Conflict Attorney	6	Jessica J. Hapeman				01/01/24-12/31/25	22.97	
Asst. Conflict Attorney	6	David Mansour				01/01/24-12/31/25	20.95	
Asst. Conflict Attorney	6	Lori M. Shawver				01/01/24-12/31/25	19.40	
Asst. Conflict Attorney	6	Amy Marie Taylor				01/01/24-12/31/25	23.53	
Asst. County Attorney	6	Katherine Alexander				01/01/24-12/31/25	23.51	
Asst. County Attorney	6	David Koplas				01/01/24-12/31/25	22.00	
Asst. County Attorney	6	Gary Lisowski				01/01/24-12/31/25	21.84	
Asst. County Attorney	6	Bradley D. Marble				01/01/24-12/31/25	22.78	
Asst. County Attorney	6	John Sansone				01/01/24-12/31/25	21.66	
Public Defender	6	Nicholas Robinson				01/01/24-12/31/25	22.60	
Asst. Public Defender	6	Alfonso Bax				01/01/24-12/31/25	21.92	
Asst. Public Defender	6	Michele Bergevin				01/01/24-12/31/25	2.20	
Asst. Public Defender	6	Theresa Prezioso				01/01/24-12/31/25	10.90	
Asst. Public Defender	6	Michael G. Putzak				01/01/24-12/31/25	21.00	
Asst. Public Defender	6	Joseph F. Townsend				01/01/24-12/31/25	31.00	
Asst. Public Defender	6	Edward A. Zebulske III				01/01/24-12/31/25	11.00	

Moved by Hill, seconded by Robins.

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

### **Resolution No. ED-020-24**

From: Economic Development Committee.

Dated: November 12, 2024

## **FIXING DATE AND NOTICE FOR THE PUBLIC HEARING FOR MT ALTIMETER, LLC COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

WHEREAS, the County Legislature wishes to assess the advisability of submitting a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (the “OCR”) for a grant to support the development of a cold storage and micro-fulfillment facility by MT Altimeter, LLC at 6410 Inducon Corporate Drive, in the Town of Wheatfield, New York, and

WHEREAS, Niagara County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the plan proposal prior to submitting an application for CDBG funding, now, therefore, be it

RESOLVED, that the County Legislature hereby calls for a public hearing whereat all interested parties shall be heard regarding the CDBG program, the County's community development and economic development programs, and the proposed funding application, and such public hearing will be held on December 10, 2024, at 5:45 P.M. at the Niagara County Courthouse, First Floor, 175 Hawley Street, Lockport, New York; and be it further

RESOLVED, that the Clerk of the Legislature at least eight (8) days in advance of such hearing, shall post a notice of 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.

Moved by Andres, 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 Andres, seconded by Myers.

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

#### **Resolution No. IF-180-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

### **RESOLUTION FOR FUNDING OF INFORMATION TECHNOLOGY INFRASTRUCTURE FOR RELOCATION OF MENTAL HEALTH AND PUBLIC HEALTH OFFICES**

WHEREAS, Information technology equipment will provide access to telecommunications and information systems accessed from the new clinic and office locations for the Mental Health and Public Health Departments, and

WHEREAS, funds are available through the American Rescue Plan Act to cover the cost of the equipment, now, therefore, be it

RESOLVED, that Niagara County will utilize funds from the American Rescue Plan Act to fund the information technology equipment, and be it further

RESOLVED, that the following budget modification be effectuated:

#### **INCREASE REVENUE:**

A.21.4310.000 44490.00	Mental Health Revenue	\$ 75,000.00
A.16.1680.000 44089.07	ARPA State/Local Rec Fund	\$ 85,600.00

#### **INCREASE APPROPRIATION:**

A.21.4310.000 72100.05	Computer Equipment	\$ 75,000.00
A.16.1680.000 72100.05	Computer Equipment	\$ 85,600.00

Moved by Hill, seconded by Robins.

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

#### **Resolution No. IF-181-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

## AWARD OF CONTRACT AND FUNDING – DATA CABLING PROJECT

WHEREAS, the Information Technology Department has prepared specifications and the Niagara County Purchasing Department has advertised for bids for Data Cabling in new office locations for the Mental Health and Public Health departments.

WHEREAS, funds are available through the American Rescue Plan Act to cover the cost of the Data Cabling, and

WHEREAS, the bids were publicly opened and read by our Purchasing Department on October 29th, 2024 and

WHEREAS, the Purchasing Department and Information Technology Department examined the bid proposals and the resulting lowest bid is:

Working Knowledge	\$68,786.00
435 Lawrence Bell Dr., Suite 3	
Buffalo, NY 14221	

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 for the Data Cabling Project be awarded to the lowest responsible bidder, Working Knowledge, and not to exceed \$68,786.00, and be it further

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

RESOLVED, that Niagara County will utilize funds from the American Rescue Plan Act to fund the data cabling, and be it further

RESOLVED, that the following budget modification be effectuated:

### INCREASE REVENUE:

A.21.4310.000 44490.00	Mental Health Revenue	\$27,177.00
A.16.1680.000 44089.07	ARPA State/Local Rec. Fund	\$41,609.00

### INCREASE APPROPRIATION

A.21.4310.000 74750.02	General Supplies/Materials	\$27,177.00
A.16.1680.000 74750.02	General Supplies/Materials	\$41,609.00

Moved by Hill, seconded by Robins.

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

### Resolution No. IF-182-24

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

## NIAGARA COUNTY REFUSE DISPOSAL DISTRICT LOCKPORT LANDFILLS FOR COMMUNITY SOLAR DEVELOPMENT – ACCEPTANCE OF FUNDS

WHEREAS, Resolution IF-112-24, dated June 18, 2024, authorized a contract with BQ Energy Development LLC, for the development and lease of up to 15 acres for the construction and operation of a solar energy system for 35 years with two mutually agreed upon 50 year extensions at \$1,375/acre with and annual lease escalator of 2.0%, and

WHEREAS, the lease proposes that BQ Energy Development, LLC will pay the County a Site Lease Option fee of \$10,00 per year for exclusive rights to develop the solar projects for a period of 3 years, with two 1 year extensions, and

WHEREAS, BQ Energy Development LLC has paid the first payment for the period of September 2024 through September 2025, now, therefore, be it

RESOLVED, that the payment of \$10,000 for the Solar Energy Development for Niagara County Refuse Disposal District Landfills from BQ Energy Development LLC, 400 Market Industrial Park, STE 32, Wappingers Falls, NY 12590, for development of a Community Distributed Generation (CDG) project at the Niagara County Refuse Disposal District Lockport Landfill site be accepted, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE ANTICIPATED APPROPRIATIONS:

EL.30.8161.000 42410.00	Rental of Real Property	\$10,000
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INCREASE EXPENSE APPROPRIATIONS:

EL.30.8161.000 74650.07	Professional Engineering Services	\$10,000
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Moved by Hill, seconded by Robins.

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

**Resolution No. IF-183-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**NIAGARA COUNTY SOLID WASTE – CLEAN ENERGY COMMUNITIES GRANT  
ACCEPTANCE OF FUNDS**

WHEREAS, New York State Energy Research and Development Authority has provided a grant to Niagara County for meeting certain criteria for the Clean Energy Communities Grant Program, and

WHEREAS, the Phase I award is twenty thousand dollars, (\$20,000), and

WHEREAS, these funds will be used to help pay for the install of electric charging units at three (3) park locations, and to provide landscape/grounds maintenance battery powered equipment, and

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

RESOLVED, that the following budget modification be effectuated:

INCREASE ANTICIPATED APPROPRIATIONS:

A.15.8160.000 43989.05	Other Home & Community Service Climate Conscious	\$20,000
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INCREASE EXPENSE APPROPRIATIONS:

A.15.8160.000 72100.20	Buildings and Grounds Equipment	\$ 2,000
A.15.8160.000 74500.01	Contractual Expenses	\$13,573
A.15.8160.000 74800.10	Misc. Equipment Under \$500	\$ 4,427

and be it further



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

Moved by Hill, seconded by Robins.

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

**Resolution No. IF-184-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**NIAGARA COUNTY GOLF COURSE EASEMENT FOR  
NEW YORK STATE ELECTRIC AND GAS CORPORATION**

WHEREAS, the County of Niagara owns property located on Davison Road, commonly known as the Niagara County Golf Course, within the County of Niagara, and

WHEREAS, the County Golf Course requires an upgrade in electric service for the proposed new locker room renovations and improvements to the restaurant, and

WHEREAS, New York State Electric and Gas Corporation ("NYSEG") requires an easement to effectively install the rights for guying facilities and service extensions outside the stated easement width within the Golf Course property, and

WHEREAS, the proposed 30 foot wide easement, would be commencing at a point in the boundary of the Park, as more fully described in said easement, 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 Niagara County Legislature grant to New York State Electric and Gas a 30 foot wide easement along Davison, and be it further

RESOLVED, that, following the County Attorney's review, the Easement with New York State Electric and Gas Corporation. for the Niagara County Golf Course Electric service upgrade, may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

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

**Resolution No. IF-185-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**APPROVAL OF LEASE EXTENSION BETWEEN THE COUNTY OF NIAGARA  
AND GROFF'S CAFÉ ON THE GREEN, LLC**

WHEREAS, Resolution No. IF-136-20, dated December 1, 2020, approved the lease with Groff's Café on the Green, LLC for the operation of the golf course concession, for two (2) years, beginning January 1, 2021, and

WHEREAS, Resolution No. IF-129-22, dated October 18, 2022, authorized the first two-year contract extension for the period of January 1, 2023 through December 31, 2024, and

WHEREAS, the County and Groff's Café on the Green, LLC wish to enter into the last lease extension, which will be for a period of two (2) years, commencing on January 1, 2025 and ending on December 31, 2026, and

WHEREAS, the rent due for 2025 will be \$17,100 and in 2026 will be \$17,600, plus utilities and \$1,460 for storage space for each year, 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 proposed terms and conditions of the lease agreement, attached as part of this resolution, for the Niagara County Golf Course Concession Lease, in the amount of \$17,100 for 2025 and \$17,600 for 2026, plus utilities and \$1,460 for storage for each year, and be it further

RESOLVED, that following the County Attorney's review, the Lease Extension for Groff's Café on the Green, LLC may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

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

**Resolution No. IF-186-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**AWARD OF CONTRACT – HUNT STREET BRIDGE OVER BERGHOLZ CREEK**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Hunt Street Bridge over Bergholz Creek Project, and

WHEREAS, funds are available in account number H729.15.5197.000 72600.02, Bridges, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on September 26, 2024 as tabulated below:

- |    |  |              |
|----|--|--------------|
| 1. | Edbauer Construction<br>2790 Clinton Street<br>West Seneca, NY 14224                     | \$876,497.80 |
| 2. | Concrete Applied Technologies Corp. d/b/a CATCO<br>1266 Townline Road<br>Alden, NY 14004 | \$914,494.27 |
| 3. | Oakgrove Construction<br>6900 Seneca Street, P.O. Box 103<br>Elma, NY 14059              | \$925,658.00 |

and

WHEREAS, the Infrastructure & Facilities Committee has examined the 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 the contract for the Hunt Street Bridge over Bergholz Creek Project, be awarded to the lowest responsible bidder, Edbauer Construction, 2790 Clinton Street, West Seneca, NY 14224, in the amount of \$876,497.80, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement for the Hunt Street Bridge over Bergholz Creek Project may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

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

**Resolution No. IF-187-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**AWARD OF CONTRACT – HESS ROAD CULVERT NO. 24-24**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Hess Road Culvert No. 24-24 Project, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on October 10, 2024 as tabulated below:

- |   |                |
|---|----------------|
| 1. Edbauer Construction<br>2790 Clinton Street<br>West Seneca, NY 14224                     | \$1,292,434.25 |
| 2. Concrete Applied Technologies Corp. d/b/a CATCO<br>1266 Townline Road<br>Alden, NY 14004 | \$1,425,413.27 |
| 3. Mark Cerrone Inc.<br>2368 Maryland Avenue<br>Niagara Falls, NY 14305                     | \$1,629,070.10 |
| 4. PM Pavement, Inc.<br>8905 Lapp Road<br>Clarence Center, NY 14032                         | \$1,728,521.10 |
| 5. Pinto Construction Services<br>132 Dingens Street<br>Buffalo, NY 14206                   | \$1,983,775.00 |

and

WHEREAS, the Infrastructure & Facilities Committee has examined the bid, and

WHEREAS, the project for the Carmen Road Bridge over Johnson Creek is substantially complete and funds can be moved for the Hess Road Culvert No. 24-24 Project, and

WHEREAS, there are funds in another Hess Road Culvert project available to be used for the Hess Road Culvert No. 24-24 Project, and

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

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

DECREASE REVENUE:

H621.15.5197.000 45031.10	Transfers from Capital Reserves	\$200,000.00
H775.15.5197.000 45031.00	Transfers from Operating	\$ 33,460.78
H775.15.5197.000 45031.10	Transfers from Capital Reserves	\$412,692.07

DECREASE APPROPRIATIONS:

H775.15.5197.000 72600.02	Hess Road Culvert	\$446,152.85
H621.15.5197.000 72600.02	Infrastructure Bridges	\$200,000.00

INCREASE REVENUE:

H742.15.5197.000 45031.00	Transfers from Operating	\$ 33,460.78
H742.15.5197.000 45031.10	Transfers from Capital Reserves	\$612,692.07

INCREASE APPROPRIATIONS:

H742.15.5197.000 72600.02	Hess Road Culvert	\$646,152.85
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and be it further

RESOLVED, that the contract for the Hess Road Culvert No. 24-24 Project, be awarded to the lowest responsible bidder, Edbauer Construction, 2790 Clinton Street, West Seneca, NY 14224, in the amount of \$1,292,434.25, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement for the Hess Road Culvert No. 24-24 Project may be executed pursuant to the Niagara County Contract Policy, and be it further

RESOLVED, that account H775 be closed.

Moved by Hill, seconded by Robins.

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

**Resolution No. IF-188-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**AWARD OF CONTRACT – RECREATIONAL FACILITIES AT KRULL AND OPPENHEIM PARKS**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Recreational Facilities at Krull and Oppenheim Parks Project, and

WHEREAS, funds are available in account numbers H748.15.7110.000 72400.00, Krull Park Land Improvements, and H771.15.7110.000 72400.00, Oppenheim Park Land Improvements, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on October 3, 2024 as tabulated below:

	<u>CONTRACTOR</u>	<u>APPARENT BASE BID</u>	<u>ALTERNATE 1</u>
1.	Scott Lawn Yard Inc. 3305 Haseley Drive Niagara Falls, NY 14304	\$270,900	\$ 79,600
2.	American Paving & Excavating 5880 Thompson Road	\$303,700	\$ 86,870

Clarence Center, NY 14032

- |    |   |           |           |
|----|---|-----------|-----------|
| 3. | Northeast Diversification<br>2 Cadby Industrial Park<br>Lancaster, NY 14086 | \$317,760 | \$ 83,100 |
| 4. | Louis Del Prince & Sons, Inc.<br>580 Cayuga Road<br>Cheektowaga, NY 14225   | \$379,000 | \$ 94,800 |
| 5. | Anastasi Trucking & Paving Co.<br>4430 Walden Avenue<br>Lancaster, NY 14086 | \$404,382 | \$103,539 |

and

WHEREAS, the Infrastructure & Facilities Committee has examined the 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 the contract for the Recreational Facilities at Krull and Oppenheim Parks Project be awarded to the lowest responsible bidder, Scott Lawn Yard Inc., 3305 Haseley Drive, Niagara Falls, NY 14304, in the amount of \$350,500, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement for the Recreational Facilities at Krull and Oppenheim Parks Project may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

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

#### **Resolution No. IF-189-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

### **AWARD OF CONTRACT – GOLF COURSE SITE IMPROVEMENTS LOCKER ROOM MODIFICATIONS - GENERAL CONSTRUCTION CONTRACT**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Golf Course Site Improvements – Locker Room Modifications - General Construction Project, and

WHEREAS, funds are available in account number H770.15.7110.000 72200.01, Golf Course Building Improvements, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on September 19, 2024 as tabulated below:

- |    |   |                                    |
|----|---|------------------------------------|
| 1. | Sicoli Construction Services<br>4800 Hyde Park Blvd.<br>Niagara Falls, NY 14305 | \$393,600<br>non-responsive bidder |
| 2. | Cavlee Development<br>5983 South Transit Road                                   | \$405,000                          |

Lockport, NY 14094

- |    |  |           |
|----|--|-----------|
| 3. | Essential Construction Services<br>1941 Harlem Road<br>Buffalo, NY 14212           | \$409,800 |
| 4. | Huber Construction<br>136 Taylor Drive<br>Depew, NY 14043                          | \$426,000 |
| 5. | Willett Builders, Inc.<br>180 Genesee Street<br>Corfu, NY 14036                    | \$427,000 |
| 6. | Rodriguez Construction<br>683 Northland Avenue<br>Buffalo, NY 14211                | \$448,000 |
| 7. | Picone Construction Corp.<br>10995 Main Street<br>Clarence, NY 14031               | \$455,000 |
| 8. | The Peyton Barlow Co., Inc.<br>360 Delaware Avenue, Suite 300<br>Buffalo, NY 14202 | \$479,900 |

and

WHEREAS, the Infrastructure & Facilities Committee has examined the 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 the contract for the Golf Course Site Improvements – Locker Room Modifications - General Construction Project, be awarded to the lowest responsible bidder, Cavlee Development, 5983 South Transit Road, Lockport, NY 14094, in the amount of \$405,000, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement for the Golf Course Site Improvements – Locker Room Modifications - General Construction Project may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

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

**Resolution No. IF-190-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**AWARD OF CONTRACT – GOLF COURSE SITE IMPROVEMENTS  
LOCKER ROOM MODIFICATIONS - ELECTRICAL CONSTRUCTION CONTRACT**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Golf Course Site Improvements – Locker Room Modifications - Electrical Construction Project, and

WHEREAS, funds are available in account number H770.15.7110.000 72200.01, Golf Course Building Improvements, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on September 19, 2024 as tabulated below:

- |    |   |           |
|----|---|-----------|
| 1. | CIR Electric<br>2517 Long Road<br>Grand Island, NY 14072      | \$124,200 |
| 2. | Ferguson Electric<br>333 Ellicott Street<br>Buffalo, NY 14203 | \$155,900 |

and

WHEREAS, the Infrastructure & Facilities Committee has examined the 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 the contract for the Golf Course Site Improvements – Locker Room Modifications - Electrical Construction Project be awarded to the lowest responsible bidder, CIR Electric, 2517 Long Road, Grand Island, NY 14072, in the amount of \$124,200, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement for the Golf Course Site Improvements – Locker Room Modifications - Electrical Construction Project, may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

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

#### **Resolution No. IF-191-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

### **AWARD OF CONTRACT – GOLF COURSE SITE IMPROVEMENTS LOCKER ROOM MODIFICATIONS - PLUMBING CONSTRUCTION CONTRACT**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Golf Course Site Improvements – Locker Room Modifications - Plumbing Construction Project, and

WHEREAS, funds are available in account number H770.15.7110.000 72200.01, Golf Course Building Improvements, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on September 19, 2024 as tabulated below:

- |    |   |           |
|----|---|-----------|
| 1. | MKS Plumbing Corp.<br>19 Ransier Drive<br>West Seneca, NY 14224 | \$162,000 |
| 2. | Willett Builders, Inc.<br>180 Genesee Street<br>Corfu, NY 14036 | \$220,000 |
| 3. | Camtech<br>4715 Hyde Park Blvd.<br>Niagara Falls, NY 14305      | \$273,000 |
| 4. | Mollenberg-Betz Inc.<br>300 Scott Street<br>Buffalo, NY 14204   | \$273,700 |

and

WHEREAS, the Infrastructure & Facilities Committee has examined the 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 the contract for the Golf Course Site Improvements – Locker Room Modifications - Plumbing Construction Project be awarded to the lowest responsible bidder, MKS Plumbing Corp., 19 Ransier Drive, West Seneca, NY 14224, in the amount of \$162,000, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement for the Golf Course Site Improvements – Locker Room Modifications - Plumbing Construction Project may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

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

**Resolution No. IF-192-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**AWARD OF CONTRACT – GOLF COURSE SITE IMPROVEMENTS  
LOCKER ROOM MODIFICATIONS - MECHANICAL CONSTRUCTION CONTRACT**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Golf Course Site Improvements – Locker Room Modifications - Mechanical Construction Project, and

WHEREAS, additional funds are required to make this final award for the Golf Course Site Improvements, and

WHEREAS, funds are available in account number H783.15.7110.000 72400.00, Land Improvements, Burmaster Park, to transfer to the Golf Course Site Improvements project, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on September 19, 2024 as tabulated below:



- |    |   |           |
|----|---|-----------|
| 1. | Parise Mechanical<br>1106 Sheridan Drive<br>Tonawanda, NY 14150           | \$122,000 |
| 2. | Greater Niagara Mechanical<br>7311 Ward Road<br>North Tonawanda, NY 14120 | \$141,600 |
| 3. | Quackenbush Co., Inc.<br>495 Kennedy Road<br>Buffalo, NY 14227            | \$144,595 |
| 4. | Mollenberg-Betz Inc.<br>300 Scott Street<br>Buffalo, NY 14204             | \$218,000 |

and

WHEREAS, the Infrastructure & Facilities Committee has examined the 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 the following budget modification be effectuated:

DECREASE ANTICIPATED REVENUE:

H783.15.7110.000 44089.07	Other ARPA State/Local Funds	\$35,000
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DECREASE APPROPRIATIONS:

H783.15.7110.000 72400.00	Land Improvement Expense	\$35,000
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INCREASE ANTICIPATED REVENUE:

H770.15.7110.000 44089.07	Other ARPA State/Local Funds	\$35,000
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INCREASE APPROPRIATIONS:

H770.15.7110.000 72200.00	Building Improvements Expense	\$35,000
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and be it further

RESOLVED, that the contract for the Golf Course Site Improvements – Locker Room Modifications - Mechanical Construction Project be awarded to the lowest responsible bidder, Parise Mechanical, 1106 Sheridan Drive, Tonawanda, NY 14150, in the amount of \$122,000, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement for the Golf Course Site Improvements – Locker Room Modifications - Mechanical Construction Project, may be executed pursuant to the Niagara County Contract Policy.

Moved by Hill, seconded by Robins.

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

**Resolution No. IF-193-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

## AWARD OF CONTRACT – HARTLAND ROAD BRIDGE OVER GOLDEN HILL CREEK

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Hartland Road Bridge over Golden Hill Creek Project, and

WHEREAS, funds are available in account number H740.15.5197.000 72600.02, Bridges, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on October 31, 2024 as tabulated below:

- |    |  |                |
|----|--|----------------|
| 1. | Hunting Valley Construction<br>825 Rein Road<br>Cheektowaga, NY 14225                    | \$ 827,607.50  |
| 2. | Malvestuto Construction<br>2043 Cayuga Drive Ext.<br>Niagara Falls, NY 14304             | \$ 883,176.56  |
| 3. | Oakgrove Construction<br>6900 Seneca Street, P.O. Box 103<br>Elma, NY 14059              | \$ 906,999.00  |
| 4. | Concrete Applied Technologies Corp. d/b/a CATCO<br>1266 Townline Road<br>Alden, NY 14004 | \$ 912,886.58  |
| 5. | Keeler Construction Co. Inc.<br>13519 W. Lee Road<br>Albion, NY 14411                    | \$ 918,664.00  |
| 6. | Edbauer Construction<br>2790 Clinton Street<br>West Seneca, NY 14224                     | \$1,055,373.55 |
| 7. | Mark Cerrone Inc.<br>2368 Maryland Avenue<br>Niagara Falls, NY 14305                     | \$1,149,745.00 |

and

WHEREAS, the Infrastructure & Facilities Committee has examined the 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 the contract for the Hartland Road Bridge over Golden Hill Creek Project be awarded to the lowest responsible bidder, Hunting Valley Construction, 825 Rein Road, Cheektowaga, NY 14225, in the amount of \$827,607.50, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement for the Hartland Road Bridge over Golden Hill Creek Project may be executed pursuant to the Niagara County Contract Policy.

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

**Resolution No. IF-194-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**HARTLAND ROAD BRIDGE OVER GOLDEN HILL CREEK  
CONSULTANT AMENDMENT NO. 3**

WHEREAS, Resolution No. IF-073-22, dated May 3, 2022, authorized the contract for consultant services for the Hartland Road Bridge over Golden Hill Creek Project to Greenman Pedersen Inc., 4950 Genesee Street, Suite 100, Buffalo, NY 14225, for a contract amount not to exceed \$95,888, and

WHEREAS, Resolution No. IF-069-24, dated March 19, 2024, amended the contract for final design services in the amount of \$90,230, for a revised contract amount of \$186,118, and

WHEREAS, Resolution No. IF-173-24, dated October 15, 2024, amended the contract to add construction administration and construction inspection services in the amount of \$134,098, for a revised contract amount of \$320,216, and

WHEREAS, it is necessary to amend the contract completion date to December 31, 2026, at no additional cost to the County, 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 Amendment No. 3 to amend the contract completion date to December 31, 2026 for the Hartland Road Bridge over Golden Hill Creek Project, for the contract amount of \$320,216, to Greenman Pedersen Inc., 4950 Genesee Street, Suite 100, Buffalo, NY 14225, be approved, 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 Hill, seconded by Robins.

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

**Resolution No. IF-195-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**ROYALTON CENTER ROAD BRIDGE OVER MUD CREEK BRIDGE REPLACEMENT  
CONSULTANT AMENDMENT NO. 3**

WHEREAS, Resolution No. IF-100-23, dated June 20, 2023, awarded the contract for consultant services for the Royalton Center Road Bridge over Mud Creek Bridge Replacement Project to Greenman-Pedersen Inc., 4950 Genesee Street, Suite 100, Cheektowaga, NY 14225, for a contract amount not to exceed \$135,362, and

WHEREAS, Resolution No. IF-016-24, dated January 23, 2024, increased the contract in the amount of \$1,000 for the preparation of a Bridge New York application for this bridge, for a revised contract amount of \$136,362, and

WHEREAS, Resolution No. IF-119-24, dated June 18, 2024, extended the contract completion date to September 30, 2024, and

WHEREAS, it is necessary to extend the contract completion date again to December 31, 2026, 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 Greenman-Pedersen Inc., 4950 Genesee Street, Suite 100, Cheektowaga, NY 14225, be extended to December 31, 2026, at no additional cost to the County, 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 Hill, seconded by Robins.

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

**Resolution No. IF-196-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**CULVERT LININGS 2024  
CHANGE ORDER NO. 1 - FINAL**

WHEREAS, Resolution No. IF-108-24, dated May 14, 2024, awarded the contract for the Culvert Linings 2024 Project to Precision Trenchless, LLC, 1710 Erie Blvd., Schenectady, NY 12308, for a contract amount not to exceed \$182,616, and

WHEREAS, it is necessary to reduce the contract in the amount of \$493, as the project is now complete, for a revised contract amount of \$182,123, and

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

RESOLVED, that Change Order No. 1-Final to decrease the contract by \$493 for the Culvert Linings 2024 Project, for a revised contract amount of \$182,123, to Precision Trenchless, LLC, 1710 Erie Blvd., Schenectady, NY 12308, be approved, and be it further

RESOLVED, that final payment be made to Precision Trenchless, LLC 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 Hill, seconded by Robins.

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

**Resolution No. IF-197-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**COURT HOUSE HVAC IMPROVEMENTS – PHASE II  
GENERAL CONSTRUCTION CONTRACT – CHANGE ORDER NO. 4-FINAL CORRECTED**

WHEREAS, Resolution No. IF-051-23, dated March 21, 2023, awarded the contract for the Court House HVAC Improvements – Phase II General Construction Project to D.R. Chamberlain Corp., 50 Simons Street, Lockport, NY 14094, for a contract amount not to exceed \$925,735, and

WHEREAS, Resolution No. IF-134-23, dated September 19, 2023, authorized Change Order No. 1 to the contract in the amount of \$35,157 for general construction work associated with the addition of electric heat coils in various locations, for a revised amount of \$960,892, and

WHEREAS, Resolution No. IF-152-23, dated October 17, 2023, authorized Change Order No. 2 to the contract to extend the contract completion date to February 28, 2024, due to the extra electric heat coil work added by Change Order No. 1, at no additional cost to the County, and

WHEREAS, Resolution No. IF-105-24, dated May 14, 2024, authorized Change Order No. 3 to the contract to extend the contract completion date to December 31, 2024, at no additional cost to the County, and

WHEREAS, Resolution No. IF-151-24 dated September 17, 2024, authorized final payment and reduced the contract by an incorrect amount, so the amount needs to be corrected, and

WHEREAS, the project is now complete and it is necessary to reduce the contract by \$58,648.91, for a revised contract sum of \$902,243.09, 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. 4-Final be approved to decrease the contract by \$58,648.91 and authorize final payment for the Courthouse HVAC Improvements - Phase II, General Construction, for a revised contract amount of \$902,243.09 to D.R. Chamberlain, 50 Simonds Street, Lockport, NY 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 Hill, seconded by Robins.

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

#### **Resolution No. IF-198-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

### **COURTHOUSE HVAC IMPROVEMENTS - PHASE II MECHANICAL CONTRACT - FINAL PAYMENT**

WHEREAS, Resolution No. CW-005-23, dated January 17, 2023, awarded the contract for the Courthouse HVAC Improvements - Phase II Mechanical Project to Greater Niagara Mechanical, 7311 Ward Road, North Tonawanda, NY 14120, for a contract amount not to exceed \$1,772,500, and

WHEREAS, Resolution No. IF-133-23, dated September 19, 2023, authorized Change Order No. 1 to the contract in the amount of \$75,651 for mechanical work associated with the addition of electric heat coils in various locations, for a revised contract amount of \$1,848,151, and

WHEREAS, Resolution No. IF-153-23, dated October 17, 2023, authorized Change Order No. 2 to the contract to extend the contract completion date to February 28, 2024, due to the extra electric heat coil work added by Change Order No. 1, at no additional cost to the County, and

WHEREAS, Resolution No. IF-106-24, dated May 14, 2024, authorized Change Order No. 3 to the contract to extend the completion date to December 31, 2024, at no additional cost to the County, and

WHEREAS, Resolution No. IF-146-24, dated September 17, 2024, authorized Change Order No. 4 to the contract in the amount of \$24,617 to provide and install two (2) electric duct coil heaters, including removing and reinstalling ceiling associated with the coil installation, for a revised contract amount of \$1,872,768, and

WHEREAS, the contract has been completed to specifications and addenda in the amount of \$1,872,768, 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 be made to Greater Niagara Mechanical, 7311 Ward Road, North Tonawanda, NY 14120, for the Courthouse HVAC Improvements - Phase II Mechanical Project as soon as practicable.

Moved by Hill, seconded by Robins.

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

#### **Resolution No. IF-199-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

### **ROYALTON RAVINE PAVILION – CHANGE ORDER NO. 1**

WHEREAS, Resolution No. IF-086-24, dated April 23, 2024, awarded the contract for the Royalton Ravine Pavilion Project to Titan Development, 8534 Seaman Road, Gasport, NY 14067, for a contract amount not to exceed \$266,903, and

WHEREAS, it is necessary to extend the contract completion date to May 1, 2025, at no additional cost to the County, 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 to extend the contract to May 1, 2025 for Titan Development, 8534 Seaman Road, Gasport, NY 14067, at no cost to the County, be approved, 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 Hill, seconded by Robins.

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

#### **Resolution No. IF-200-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

### **PUBLIC SAFETY ROOF AND ROOF TOP UNIT REPLACEMENTS – CHANGE ORDER NO. 2**

WHEREAS, Resolution No. IF-115-24, dated June 18, 2024, awarded the contract for the Public Safety Roof and Rooftop Unit Replacements Project to Grove Roofing, 131 Reading Street, Buffalo, NY 14220, for a contract amount not to exceed \$593,950, and

WHEREAS, Resolution No. IF-122-24, dated June 18, 2024, increased the contract in the amount of \$32,682.82 for additional work to remove the existing lightning protection system and furnish and install a new lightning protection system per plans and specifications, for a revised contract amount of \$626,632.82, and

WHEREAS, it is necessary to extend the contract completion date to March 31, 2025, at no additional cost to the County, 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 to extend the contract to March 31, 2025 for Grove Roofing, 131 Reading Street, Buffalo, NY 14220, at no cost to the County, be approved, 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 Hill, seconded by Robins.

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

#### **Resolution No. IF-201-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

### **PUBLIC SAFETY ROOF AND ROOF TOP UNIT REPLACEMENTS – CHANGE ORDER NO. 1 PARISE MECHANICAL, INC.**

WHEREAS, Resolution No. IF-116-24, dated June 18, 2024, awarded the contract for the Public Safety Roof and Rooftop Unit Replacements Project-Mechanical Construction Bid to Parise Mechanical, Inc., 1106 Sheridan Drive, Tonawanda, NY 14150, for a contract amount not to exceed \$389,000, and

WHEREAS, it is necessary to extend the contract completion date to March 31, 2025, at no additional cost to the County, 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 to extend the contract to March 31, 2025 for Parise Mechanical, Inc., 1106 Sheridan Drive, Tonawanda, NY 14150, at no cost to the County, be approved, 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 Hill, seconded by Robins.

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

#### **Resolution No. IF-202-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

### **SNOW AND ICE AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION 2024-2029**

WHEREAS, the County of Niagara, pursuant of Section 12 of the Highway Law, relating to the control of snow and ice on State highways in towns and incorporated villages, has heretofore entered into an agreement with the State of New York for such purposes, and

WHEREAS, Section 7 of said agreement provides that the Commissioner of Public Works shall furnish the municipality with a suitable map for each term of the agreement, and

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

WHEREAS, it would be in the best interest of Niagara County to execute the agreement, as modified and updated, for 2024-2029, 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 following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the required documents.

Moved by Hill, seconded by Robins.

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

**Resolution No. IF-203-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**DEPARTMENT OF PUBLIC WORKS – HIGHWAY MAINTENANCE BUDGET MODIFICATION**

WHEREAS, the Highway Maintenance Division is responsible for the maintenance and repair for the 283 road miles of County highways, and

WHEREAS, additional funds are required to cover overtime costs for the remainder of 2024, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

**INCREASE ANTICIPATED REVENUE:**

D.15.5110.000 42401.01	Interest and Earnings	\$41,351
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**INCREASE ESTIMATED APPROPRIATION:**

D.15.5110.000.71050.00	Overtime	\$41,351
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Moved by Hill, seconded by Robins.

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

**Resolution No. IF-204-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**RESOLUTION APPROVING ENGAGEMENT OF OUTSIDE AUDITING FIRM FOR  
PROFESSIONAL AUDITING SERVICES TO NIAGARA COUNTY PUBLIC WORKS FOR  
CLOSEOUT REPORTS**



WHEREAS, Niagara County Public Works is required to produce an audited closeout report in accordance with the requirements of the New York State Department of Transportation ( "NYSDOT" ) Local Projects Manual ( "LPM" ) ( Chapter 17 ) and Federal Acquisition Regulation ( " FAR" ) ( 48 CFR 31.2 ) ,and

WHEREAS, Niagara County Public Works has been working with the county auditors Drescher & Malecki LLP in developing the scope and procedures of the closeout report in accordance with State and Federal regulations, and

WHEREAS, it is in the best interest of the County to retain Drescher & Malecki to perform an audited closeout report because of their knowledge and experience in performing these reports, and

WHEREAS, Drescher & Malecki LLP, CPA is experienced in performing government audits and providing consulting services to various government entities within New York State, and

WHEREAS, under Niagara County's Purchasing Guidelines, the Niagara County Legislature and the requisite committee(s) have the discretion to waive the Requests for Proposal for a professional services contract, and

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

RESOLVED, that following the County Attorney's review, the County Manager be, and hereby is, authorized to sign and deliver an engagement agreement engaging Drescher & Malecki LLP., CPAs for auditing services for Niagara County Public Works regarding closeout reports for the New York State Department of Transportation and Federal regulators.

Moved by Hill, seconded by Robins.

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

**Resolution No. IF-205-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: November 12, 2024

**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, and

WHEREAS, the contract was for the beginning of January 1, 2024 to December 31, 2024, and

WHEREAS, it is necessary to extend the contract date from January 1, 2025 to December 31, 2025, at an increased 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, 2025 to December 31, 2025, 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 Hill, seconded by Robins.

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

**Resolution No. IL-156-24**

From: Legislators Rebecca J. Wydysh, Anthony J. Nemi, Irene M. Myers, Christopher Voccio, Jesse P. Gooch, Richard L. Andres, Randy R. Bradt, David E. Godfrey, Christopher J. McKimmie, Richard E. Abbott, Shawn A. Foti, Michael A. Hill, Christopher A. Robins, Jeffrey Elder and Carla L. Speranza.

Dated: November 12, 2024

**A RESOLUTION IN SUPPORT OF NYS ESTABLISHING AN AMMO PURCHASE CARD**

WHEREAS, the Concealed Carry Improvement Act (CCIA) took effect on September 1, 2022 and included various legislation to strengthen gun laws, while also causing undue burden on legal gun owners, and

WHEREAS, beginning September 13, 2023, the New York State Police were trusted with the responsibility to process background checks on firearm, shotgun, rifle, and ammunition transactions across New York -- and the rushed implementation of this system led to delays of weapon and ammunition purchases lasting hours, sometimes days, and for many law-abiding gun owners, outright denial, including members of law enforcement, and

WHEREAS, the burden of a background check for every purchase of ammunition has caused unjust restraint on the 2nd Amendment rights of New York legal gun owners and has made it difficult to operate a legal firearm and ammunition business in the State of New York, and

WHEREAS, other states in the nation, including California, Connecticut, Illinois, Massachusetts, and New Jersey, have similar laws in place for ammunition purchases but offer the convenience and efficient system of utilizing a Firearm Identification Card or Firearms Owners Identification Card, which allows for a resident who possesses such a card to legally purchase both a firearm and/or ammunition without requiring a background check because a background check is required in order to obtain the license, and

WHEREAS, this type of identification card is similar to a NYS Concealed Carry Permit which requires a rigorous background check to obtain and per NYS Penal Law 400.02 “shall be monthly checked by the division of criminal justice services in conjunction with the division of state police against criminal conviction, criminal indictment, mental health, extreme risk protection orders, orders of protection, and all other records as are necessary to determine their continued accuracy”, and

WHEREAS, a background check is required to obtain a NYS Concealed Carry Permit, and NYS Police perform a background check on all pistol permit holders monthly, making the background check for each purchase of ammunition redundant and therefore the use of a state issued pistol permit as an ammunition purchase card will allow the State to meet its need for increased gun safety while allowing law abiding gun owners to have access to ammunition without an unnecessary burden of multiple background checks, and

WHEREAS, this will streamline and expedite the process of purchasing ammunition for hundreds of thousands of NYS residents who have already went to through the process of obtaining a pistol permit and have been thoroughly vetted as law abiding citizens, and this will also alleviate stress on the new NYS NICS system which will allow for more accurate results and a better process overall, now, therefore, be it

RESOLVED, be it resolved, that the Niagara County Legislature calls on the NYS Legislature to pass legislation to allow for NYS Concealed Carry Permits to be used as purchase cards for ammunition across NYS where legal, and to waive the additional ammunition background check for pistol permits holders, and be it further

RESOLVED, the Clerk of the Niagara County Legislature shall send this resolution to Governor Hochul and the Niagara County State Delegation.

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

Carried.

Moved by Foti, seconded by Hill.

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

Chairman announced on November 19<sup>th</sup> there will be a ribbon cutting for the new Law Enforcement Academy at SUNY Niagara.

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

The Chairman declared the Board adjourned at 6:38 p.m., subject to the call of the Clerk.

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

A handwritten signature in cursive script, reading "Alysa T. Tomasino". The signature is written in dark ink and is positioned above the printed name.

Alysa T. Tomasino, Clerk