

OFFICIAL RECORD

Lockport, New York
May 14, 2024

The meeting was called to order by Chairman Wydysh at 6:01 p.m.

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

Chairman Wydysh called Legislator Godfrey and Dr. Clark Godshall to the lectern to present a proclamation on his retirement from the Orleans Niagara BOCES.

Chairman Wydysh called Legislator Voccio and Commissioner of Social Services Meghan Lutz to the lectern to present a Proclamation on declaring May 2024 Foster Parent Appreciation Month. Commissioner Lutz thanked her staff for everything they do.

Chairman Wydysh called Legislator Hill and Director of Emergency Management Jonathan Schultz to the lectern to read a proclamation declaring May 19th – 25th EMS Week in Niagara County.

Chairman Wydysh called Legislator Hill, Sheriff Michael Filicetti and his staff to the lectern to read proclamations declaring May 5th-11th Corrections Officers Week and May 12th -18th Niagara County Police Week in Niagara County.

Chairman Wydysh called Legislator Andres and Commissioner of Economic Development Michael Casale to the lectern to present the 2024 William G. Mayne Jr. Business Community Enhancement Program Awards.

No citizens spoke on the Agenda.

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

Resolution No. AD-014-24

From: Administration Committee.

Dated: May 14, 2024

SUMMER HOURS - 2024

WHEREAS, the County has agreed to a ten-week period for a summer work schedule change, and

WHEREAS, it was agreed that this new schedule will apply only to those departments and employees who are on a Monday through Friday, 9:00 a.m. to 5:00 p.m. schedule, now, therefore, be it

RESOLVED, that effective June 23, 2024 through August 31, 2024 the work schedule of the County employees mentioned above will be 8:30 a.m. to 4:30 p.m. with the following regulations:

1. Any department required by local regulations or law to remain open until 5:00 p.m. may be exempt from this schedule.
2. Each Department Head is authorized to return to the 9:00 a.m. to 5:00 p.m. schedule if the new hours cause operational problems, or if the employees abuse the new work schedule.
3. This agreement is for the ten-week period as stated above and will not be repeated without

4. Public notice of the hours will be posted in all County offices affected.

5. Any deviation from the above must be cleared with the Human Resources Department.

Moved by Bradt, seconded by Robins.

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

Resolution No. AD-015-24

From: Administration Committee.

Dated: May 14, 2024

DISTRIBUTION OF MORTGAGE TAX

WHEREAS, Niagara County has received mortgage tax monies for the period October, 2023 through March, 2024 in the amount of \$2,906,695.91 and

WHEREAS, the Recording Officer has previously distributed \$708,695.07 to the Niagara Frontier Transportation Authority, \$627,561.21 to the State Mortgage Tax Agency, and retained \$130,989.80 for approved county administrative expenses, and

WHEREAS, that Recording Officer has remitted the remaining monies collected to the County Treasurer for distribution to various Niagara County towns, villages and cities, now, therefore, be it

RESOLVED, that the sum of **\$1,439,074.83** reflects mortgage tax monies for the period October 1, 2023 through March 31, 2024 to be distributed, and the same be and hereby is, apportioned as follows among the various towns, villages and cities of the County of Niagara:

TOWNS	Cambria	\$ 42,960.82
	Hartland	18,049.37
	Lewiston	95,836.07
	Lockport	128,045.66
	Newfane	46,718.83
	Niagara	62,216.02
	Pendleton	73,737.70
	Porter	41,776.42
	Royalton	42,209.61
	Somerset	14,213.79
	Wheatfield	255,992.67
	Wilson	24,996.25
VILLAGES	Middleport (Hartland)	\$ 276.54
	Middleport (Royalton)	2,749.09
	Lewiston	11,805.96
	Youngstown	7,835.86
	Barker	1,058.29
	Wilson	2,718.39
CITIES	Lockport	\$ 154,173.56
	Niagara Falls	224,056.14
	North Tonawanda	<u>187,647.79</u>
	TOTAL:	\$1,439,074.83

and be it further

RESOLVED, that the County Treasurer be, and hereby is, directed to pay the various towns, village treasurers, and city treasurers the amounts recorded above and that this document shall be sufficient authorization to the County Treasurer to make the payments in accordance with the above direction.

Moved by Bradt, seconded by Robins.

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

Resolution No. AD-016-24

From: Administration Committee.

Dated: May 14, 2024

**MASIELLO, MARTUCCI AND ASSOCIATES AWARD
TO PROVIDE LOBBYIST AND CONSULTING SERVICES FOR NIAGARA COUNTY**

WHEREAS, Niagara County seeks to retain the services of an experienced lobbyist to work with the County Manager, Legislature and key County staff to address matters that will appear before the New York State Legislature, individual state legislators, the New York Governor, local and county government and other state agencies, specifically relating to and that affect Niagara County and its residents, and

WHEREAS, Niagara County seeks a legislative program rooted in approaches that center the County's values and communities; the County is interested in proposals grounded in who the County is today and that move the County toward a vision of where it needs to be for effective and powerful advocacy alongside its constituency, and

WHEREAS, the County recognizes that our needs are not simultaneously executed projects, but a process in need of skilled relationship builders, creative government relations professionals, and people who seek to make the resources of the County accountable to the communities we serve, and

WHEREAS, Niagara County is home to several sites of strategic importance to the homeland security interests of the United States of America; the County deems securing the safety of its residents its principal responsibility, and

WHEREAS, a request for proposal (RFP #2024-03) for Lobbyist and Consulting Services for Niagara County was issued and publicly opened by the Purchasing Department on February 20, 2024, and

WHEREAS, after conducting an evaluation of all proposals, it is the desire of the County to award the RFP to Masiello, Martucci & Associates, and

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

RESOLVED, that the County enter into a one-year contractual agreement with the option for two (2) one-year extensions with Masiello, Martucci and Associates in an amount not to exceed a fixed monthly fee of \$5,000 to provide lobbyist and consulting services to Niagara County, 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 Bradt, seconded by Robins.

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

Resolution No. AD-017-24

From: Administration Committee.

Dated: May 14, 2024

**ABOLISH ONE FULL-TIME RISK & INSURANCE COORDINATOR POSITION AND
CREATE FULL-TIME PRINCIPAL INSURANCE PROGRAM ASSISTANT POSITION
RISK MANAGEMENT DEPARTMENT**

WHEREAS, the Office of Risk Management seeks to recreate a past Principal Insurance Program Assistant job title and abolish a current Risk & Insurance Coordinator title, and

WHEREAS, Niagara County Civil Service recommends this course as more in line with the department's organizational structure and reporting hierarchy, and

WHEREAS, upon assessing this recommendation and the functions of the Department, primarily its self-funded insurance plan administration role and critical compliance component, the County Manager and Human Resources Director have determined that the position of Principal Insurance Program Assistant should be recreated and the position of Risk & Insurance Coordinator be abolished, now, therefore, be it

RESOLVED, to abolish one full-time Risk & Insurance Coordinator position, Job Group Flat Grade 10 at \$66,699.00 to \$82,294.00 effective May 18, 2024, and be it further

RESOLVED, to recreate a full-time Principal Insurance Program Assistant, Job Group CSEA 12 at \$63,035.00 – \$73,312.00 effective May 19, 2024, and be it further

RESOLVED, that the cost for this position will come from within already budgeted personnel lines within the Risk Management 2024 Budget; therefore, will not incur any additional cost to the County, and be it further

RESOLVED, that a transfer of funds amongst personnel lines be provided to fund this position:
Transfer balance of funds from account A.13.1430.106, Risk & Insurance Coordinator, Position # 13464 to Principal Insurance Program Assistant, Position # xxxxx.

Moved by Bradt, seconded by Robins.

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

Resolution No. CS-029-24

From: Community Services and Administration Committees.

Dated: May 14, 2024

**NIAGARA COUNTY CLERK'S OFFICE – BUDGET MODIFICATION – ABOLISH FULL-TIME
DOCUMENT CLERK POSITION/ CREATE AND FILL FULL-TIME DOCUMENT CLERK &
CASHIER POSITION**

WHEREAS, the Niagara County Clerk serves as the Clerk of Supreme and County Courts as well as register of all land transactions and receiver of filings and recordings of numerous and varied documents, and

WHEREAS, the Niagara County Clerk is committed to providing exceptional customer service to the residents of Niagara County, and

WHEREAS, position changes within the department are necessary to address departmental needs, and

WHEREAS, the position we are seeking to abolish was vacated due to retirement and the department has evaluated the responsibilities of the position which include indexing, verification, issuing and certifying all details of recorded land and filed court documents, issuing certain licenses, accessing highly confidential, non-public records, maintaining confidentiality of those records, and

WHEREAS, the Document Clerk & Cashier title is more appropriate to these job functions, and

WHEREAS, the Document Clerk & Cashier title will effectively allow the cross-training of employees between the three sub-departments of the County Clerk's office which include, Actions and Proceedings, Land Records and General Recording, and

WHEREAS, the Document Clerk & Cashier title has the ability to perform all actions and job duties for all three aforementioned sub-departments of the County Clerk's office allowing for a more cohesive and effective work environment, and

WHEREAS, the current Document Clerk position has been vacant since October, 2023, and

WHEREAS, the remaining funds from the vacant Document Clerk position will be sufficient to cover the rate of pay increase resulting in no additional cost to the County, now, therefore, be it

RESOLVED, that one Document Clerk (vacant as of October 30, 2023), Grade 5, Step 1, position number 133, salary \$22.32/hr - \$24.90/hr, be abolished, and be it further

RESOLVED, that one full-time, Document Clerk & Cashier, Grade 6, Step 1, salary \$23.14/hr - \$26.23/hr, be created within the Niagara County Clerk's Office, and filled.

Moved by Bradt, seconded by Robins.

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

Resolution No. CS-030-24

From: Community Services and Administration Committees.

Dated: May 14, 2024

**NIAGARA COUNTY CLERK'S OFFICE – BUDGET MODIFICATION – ABOLISH FULL-TIME
DOCUMENT CLERK POSITION 4336/ CREATE AND FILL FULL-TIME
DOCUMENT CLERK & CASHIER POSITION**

WHEREAS, the Niagara County Clerk serves as the Clerk of Supreme and County Courts as well as register of all land transactions and receiver of filings and recordings of numerous and varied documents, and

WHEREAS, the Niagara County Clerk is committed to providing exceptional customer service to the residents of Niagara County, and

WHEREAS, position changes within the department are necessary to address departmental needs, and

WHEREAS, the position we are seeking to abolish was vacated due to retirement and the department has evaluated the responsibilities of the position which include indexing, verification, issuing and certifying all details of recorded land and filed court documents, issuing certain licenses, accessing highly confidential, non-public records, maintaining confidentiality of those records, and

WHEREAS, the Document Clerk & Cashier title is more appropriate to these job functions, and

WHEREAS, the Document Clerk & Cashier title will effectively allow the cross-training of employees between the three sub-departments of the County Clerk's office which include, Actions and Proceedings, Land Records and General Recording, and

WHEREAS, the Document Clerk & Cashier title has the ability to perform all actions and job duties for all three aforementioned sub-departments of the County Clerk's office allowing for a more cohesive and effective work environment, and

WHEREAS, the current Document Clerk position has been vacant since April 1, 2024, and

WHEREAS, the remaining funds from the vacant Document Clerk position will be sufficient to cover the rate of pay increase resulting in no additional cost to the County, now, therefore, be it

RESOLVED, that one Document Clerk (vacant as of April 1, 2024), Grade 5, Step 1, position number 4336, salary \$22.32/hr - \$24.90/hr, be abolished, and be it further

RESOLVED, that one full-time, Document Clerk & Cashier, Grade 6, Step 1, salary \$23.14/hr - \$26.23/hr, be created within the Niagara County Clerk's Office, and filled

Moved by Bradt, seconded by Robins.

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

Resolution No. CSS-041-24

From: Community Safety & Security and Administration Committees.

Dated: May 14, 2024

NIAGARA COUNTY SHERIFF'S OFFICE

BUDGET MODIFICATION – ACCEPT FY21 EXPLOSIVE DETECTION CANINE TEAM GRANT

WHEREAS, the Niagara County Sheriff's Office has been notified by the New York State Division of Homeland Security and Emergency Services that it is the recipient of an FY2021 Explosive Detection Canine Team Grant in the amount of \$15,000 for the performance period April 1, 2024 through August 31, 2025, and

WHEREAS, this grant will allow the Sheriff's Office to purchase needed law enforcement equipment including but not limited to advanced environmental monitoring system for the K9 vehicle, K9 activity tracking system, operational and training equipment as well as training opportunities, and

WHEREAS, the 2024 budget needs to be revised in order expend the grant funds, now, therefore, be it

RESOLVED, that following the County Attorney review, the New York State Division of Homeland Security and Emergency Services FY21 Explosive Detection Canine Team Grant may be executed pursuant to the Niagara County Contract Policy, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.17.3645.000 44305.02	Civil Defense Homeland Security	\$ 15,000
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INCREASE APPROPRIATIONS:

A.17.3645.000 72100.05	Computer Equipment	\$ 547
A.17.3645.000 72100.21	Law Enforcement Equipment	3,443
A.17.3110.000 74600.03	Training and Education	6,000
A.17.3645.000 74750.05	Law Enforcement Supplies	5,010

Moved by Bradt, seconded by Robins.

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

Resolution No. CSS-042-24

From: Community Safety & Security and Administration Committees.

Dated: May 14, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – ACCEPT FY24 COPS TECHNOLOGY PROGRAM GRANT**

WHEREAS, the Niagara County Sheriff's Office has been notified by the Department of Justice, Office of Community Oriented Policing Services (COPS) that it is the recipient of a FY 2024 COPS Technology Program Grant in the amount of \$963,000, and

WHEREAS, this grant is designated for the Niagara County Law Enforcement Portable Radio Replacement technology project, and

WHEREAS, the 2024 budget needs to be revised in order to expend the grant funds, now, therefore, be it

RESOLVED, that following the County Attorney review, the Department of Justice, Office of Community Oriented Policing Services (COPS) FY 2024 COPS Technology Program Grant may be executed pursuant to the Niagara County Contract Policy, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.17.3645.000 44305.02	Civil Defense Homeland Security	\$ 963,000
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INCREASE APPROPRIATIONS:

A.17.3645.000 72100.15	Communications Equipment	\$ 963,000
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Moved by Bradt, seconded by Robins.

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

Resolution No. CSS-043-24

From: Community Safety & Security and Administration Committees.

Dated: May 14, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION - UPGRADE CLERICAL I POSITION**

WHEREAS, the Niagara County Sheriff's Office has a Property Evidence Room which is responsible for holding all evidence related to investigations, pending cases and all Firearms surrenders, and

WHEREAS, the Property Room procedures and processes for handling evidence are part of the Sheriff's Office Accreditation Standards and are subject to review by the Attorney General, and

WHEREAS, the Sheriff's Office has analyzed the responsibilities and duties of the employee who is responsible for the handling of evidence, inventory records and chain of custody according to the Accreditation standards and have determined that the level of complexity and responsibility of the position is more appropriate to a Clerical III position than a Clerical I position, now, therefore, be it

RESOLVED, that a Clerical III position be created and filled in the 2024 Budget at CSEA Job Group 6 Step 5 at \$25.60/hour effective June 9, 2024, and be it further

RESOLVED, that Clerical I position #435 be abolished as of June 9, 2024, and be it further

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.17.3110.000 71010.00	Position Expense	
	Clerical I Position #435	\$23,562
	Deputy Sheriff Position #6236	3,475

INCREASE APPROPRIATIONS:

A.17.3110.000 71010.00	Position Expense	\$26,432
	Clerical III (#NEW)	
A.17.3110.000 78100.00	Retirement Expense	324
A.17.3110.000 78200.00	FICA Expense	220
A.17.3110.000 78300.00	Workers Compensation Expense	61

Moved by Bradt, seconded by Robins.

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

Resolution No. CSS-044-24

From: Community Safety & Security and Administration Committees.

Dated: May 14, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE
CREATE AND FILL FORENSIC SCIENTIST I (CHEMISTRY/CONTROLLED SUBSTANCE)**

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

WHEREAS, the Sheriff's Office has identified the need for a Forensic Scientist I (Chemistry/ Controlled Substance) position to address the extremely high caseload in seized drug analysis, and

WHEREAS, the Forensic Scientist I (Chemistry/Controlled Substance) position would be created following Civil Service guidelines, and

WHEREAS, the Niagara County Legislature passed Resolution AD-014-23 on May 16, 2023, which waives the residency requirement for all Forensic Job Classifications within the Sheriff's Office due to the highly technical nature of the forensic laboratory positions, now, therefore, be it

RESOLVED, that a Forensic Scientist I (Chemistry /Controlled Substance) position be created and filled in the 2024 Budget at CSEA Job Group 12 Step 1 \$34.37/hour, and be it further

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.17.3110.000 71010.00	Position Expense	
	Position #13846	\$20,000
	Position # 369	\$20,816

INCREASE APPROPRIATIONS:

A.17.3110.000 71010.00	Position Expense	\$39,870
	Forensic Scientist I (Chemistry) (#NEW)	
A.17.3110.000 78400.05	HRA Employer Contribution	\$ 500
A.17.3110.000 78800.00	FLEX 125 Expense	\$ 446

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

Resolution No. CSS-045-24

From: Community Safety & Security and Administration Committees.

Dated: May 14, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE
EXTENSION OF FORENSIC FIREARMS CONSULTANT AGREEMENT**

WHEREAS, the County of Niagara entered into a Consulting Agreement with Mark Shaw as a consultant for forensic firearms testing and examinations for the Niagara County Sheriff's Office Forensic Laboratory, and

WHEREAS, the current agreement is dated May 1, 2017 and has a term of two (2) years from that date with the option of extending the agreement by an amendment, and

WHEREAS, the Sheriff's Office wishes to extend the agreement with Mark Shaw for a sixth one year extension period due to a turnover in staffing which necessitated hiring a new Firearms Consultant who has to complete training, and

WHEREAS, the contract has had the same rate of \$60 per hour since 2017 which needs to be increased to \$75 per hour as of May 1, 2024, and

WHEREAS, the funds for the Firearms consultant are currently in the 2024 budget, now, therefore be it

RESOLVED, that the Niagara County Legislature has determined that the services to be provided by the consultant requires a high degree of specialized skill constituting "professional services" and hereby waives any requirement that additional proposals be obtained or solicited, and be it further

RESOLVED, that the County Attorney will draft an amendment for a one year extension, and be it further

RESOLVED, that the Forensic Firearms Consultant Agreement extension with Mark Shaw may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

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

Resolution No. CSS-046-24

From: Community Safety & Security and Administration Committees.

Dated: May 14, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE
PRIME CARE MEDICAL OF NEW YORK, INC FIRST AMENDMENT**

WHEREAS, on January 19, 2021 the Niagara County Legislature approved in Resolution CSS-011-21 for the Niagara County Sheriff's Office to enter into a contract with Prime Care Medical of New York, Inc, Personalcare Registered Professional Nursing P.C., Professional Care Medical Practice P.C., and Professional Care Dental Services PC to continue to provide medical care for the incarcerated individuals at the Niagara County Correctional Facility, and

WHEREAS, the Agreement dated August 15, 2021 is in effect through August 14, 2024 and may be renewed thereafter under like terms for two (2) additional one (1) year terms, each renewal subject to agreement by the parties, and

WHEREAS, the Niagara County Sheriff's Office and Prime Care Medical of New York, Inc, Personalcare Registered Professional Nursing P.C., Professional Care Medical Practice P.C., and Professional Care Dental Services PC wish to exercise the first one (1) year extension of the current agreement for the provision of medical care for incarcerated individuals in the Niagara County Correctional Facility, now, therefore, be it

RESOLVED, that following the County Attorney's review, Niagara County's agreement with Prime Care Medical of New York, Inc, Personalcare Registered Professional Nursing P.C., Professional Care Medical Practice P.C., and Professional Care Dental Services PC be extended until August 14, 2025 and be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

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

Resolution No. CSS-047-24

From: Community Safety & Security and Administration Committees.

Dated: May 14, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE
PURCHASE OF VIDEO SURVEILLANCE SOLUTION FOR COMMUNICATION TOWERS**

WHEREAS, Niagara County has multiple communication towers throughout Niagara County which are essential for emergency radio communication for all first responder agencies in Niagara County, and

WHEREAS, the Niagara County Sheriff's Office has a FY18 Statewide Interoperable Communications Target Grant through the New York State Department of Homeland Security and Emergency Services which has funded the construction of three new Communication Towers and a FY21 Statewide Interoperable Communications Formula Grant, and

WHEREAS, the Niagara County Sheriff's Office has identified a need to have increased accessibility to the physical towers through the use of a Video Surveillance Solution utilizing IP cameras which would connect the towers to the Sheriff's Office Communications Center, and

WHEREAS, there are funds in the FY18 Statewide Interoperable Communications Target Grant and FY21 Statewide Interoperable Communications Formula Grant to fund this project of purchase and installation of the Video Surveillance System, and

WHEREAS, the Sheriff's Office has obtained a quote of \$56,322.77 for the project from CDW Government Inc. which includes an acceptable piggyback contract of COBB County/OMNIA with the exception of four items on market prices totaling \$4,015.20 which have a second quote that is higher, now, therefore, be it

RESOLVED, that following the County Attorney's review, a contract between Niagara County and CDW Government Inc for this purchase may be executed pursuant to the Niagara County Contract Policy

Moved by Bradt, seconded by Robins.

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

Resolution No. CSS-048-24

From: Community Safety & Security and Administration Committees.

Dated: May 14, 2024

**ADOPTION OF A LOCAL LAW TO CREATE EXCEPTIONS TO THE RESIDENCY
REQUIREMENT FOR ASSISTANT DISTRICT ATTORNEYS**

WHEREAS, the Community Safety & Security Committee and the Administration Committee presents in writing the following proposed Local Law:

To create exceptions to the residency requirement for assistant district attorneys, which will supersede the residency requirement contained in the Public Officers Law for Assistant District Attorneys

WHEREAS, a public hearing was held on the 14th day of May, 2024 at 5:45 p.m. in the Legislative Chambers, Courthouse, Lockport, New York, on said Local Law, and

WHEREAS, no one appeared to speak on said Local Law, and

WHEREAS, no amendment(s) was (were) made to said Local Law, now, therefore, be it

RESOLVED, that a Local Law of the County of Niagara, New York, To Create Exceptions to the Residency Requirement for Assistant District Attorneys be enacted by the County Legislature of the County of Niagara, New York, as follows:

Section 1. Preface: It is the strong desire of the Niagara County community to install Niagara County residents in the position of Assistant District Attorney of Niagara County. It is a strong belief of Niagara County that Niagara County residents are knowledgeable about and concerned with the affairs of Niagara County.

Section 2. Purpose: It is the purpose of this Local Law to confirm the commitment of Niagara County to hire residents who have the necessary qualifications and skills to meet the requirements of the position of Assistant District Attorney of Niagara County. This law will permit Niagara County to make an exception to the residency requirement of the Public Officers Law for the hiring of Assistant District Attorneys.

Section 3. Authority: An assistant district attorney is a local public officer. Those holding that office are, therefore, subject to the provisions of section 3 of the Public Officers Law, which requires residency in the county within which their functions are exercised. Section 10(1)(ii)(a)(1) of the Municipal Home Rule Law, empowers a county to adopt local laws that are not inconsistent with the constitution or any general law, including the residency of its officers and employees. The County of Niagara can supersede Section 3 of the Public Officer's Law with respect to the office of Assistant District Attorney, in that section 3 has become a special rather than a general law due to the exemption of the counties of Essex, Fulton, Madison, Montgomery, Putnam, Schuyler, Wyoming, and Yates, in that it does not by its terms, apply alike to the office of district attorney in every county.

Section 4. Authorization: The District Attorney is hereby authorized to make exceptions to the residency requirement to Assistant District Attorneys from outside Niagara County.

Section 5. Effect: This Local Law shall take effect upon filing in the Office of the Secretary of State pursuant to the provisions of Article 3 section 27 of the Municipal Home Rule Law.

Moved by Godfrey, seconded by Robins.

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

Resolution No. CSS-049-24

From: Community Safety & Security and Administration Committees.

Dated: May 14, 2024

**ABOLISH TWO PARALEGAL I POSITIONS/CREATE & FILL
TWO PARALEGAL II POSITIONS - DISTRICT ATTORNEY**

WHEREAS, the two (2) CSEA Paralegal I positions will be abolished, and

WHEREAS, the two (2) CSEA Paralegal II positions will be created in their place, and

WHEREAS, the District Attorney has the funds available in the 2024 operating budget, now, therefore be it

RESOLVED, that effective May 28, 2024 the positions of Paralegal I (Position #13848 & 13883), CSEA Grade 7 Step I at \$44,275 be abolished, and be it further

RESOLVED, that effective May 28, 2024 the positions of Paralegal II, CSEA Grade 8 Step I at \$46,520 per year, be created and filled.

Moved by Bradt, seconded by Robins.

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

Resolution No. CSS-050-24

From: Community Safety & Security and Administration Committees.

Dated: May 14, 2024

DISTRICT ATTORNEY CRIMES AGAINST REVENUE PROGRAM GRANT ACCEPTANCE

WHEREAS, The Niagara County District Attorney's Office has been notified by the New York State Division of Criminal Justice Services that the Crimes Against Revenue Program grant has been renewed for the calendar year 2024, and

WHEREAS, funding has been awarded in the amount of \$68,810 for the period January 1, 2024 through December 31, 2024, and

WHEREAS, basic revenue and appropriation figures for said program were calculated and are contained within the District Attorney's operating budget for the 2024 budget year, and

WHEREAS, the program will continue to fund one full time Assistant District Attorney, Position #10969, ATT IV, Step 5, \$117,404.00 annually, with fringe benefits which shall remain coterminous with grant funding, now, therefore, be it

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

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

Moved by Bradt, seconded by Robins.

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

Resolution No. CSS-051-24

From: Community Safety & Security and Administration Committees.

Dated: May 14, 2024

**NIAGARA COUNTY EMERGENCY SERVICES
AWARD OF CONTRACT FOR RFP 2024-23 ON-SITE RADIO SERVICES FOR NIAGARA COUNTY
EMERGENCY SERVICES**

WHEREAS, the Niagara County Purchasing Department issued RFP # 2024-23, On-Site Radio Services for Niagara County Emergency Services (NCES), and

WHEREAS, these services will provide the County with expertise for the Motorola P25 System as installed in Niagara County, programming Motorola APX series radios and Motorola XTL/XTS series radios as needed, vehicle installation and troubleshooting for the office of NCES, and

WHEREAS, only one bid response was received from Western New York Radio Services (WNYRS) in the amount of \$107,600.00 for a two-year period, and

WHEREAS, the WNYRS proposal has been reviewed and has been found to be comprehensive and meets the needs of the NCES office, and

WHEREAS, funds are available in the 2024 budget (A.19.3460) for the Contract Year-1 in the amount of \$50,000.00, now, therefore, be it

RESOLVED, the RFP 2024-23 On-Site Radio Services for Niagara County Emergency Services be awarded to Western New York Radio Services 12384 Wheeler Road Medina, NY 14103 for a two-year term in the amount of \$107,600.00, and be it further

RESOLVED, that following the County Attorney's review, the On-Site Radio Services for Niagara County Emergency Services contract with Western New York Radio Services may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

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

Resolution No. CSS-052-24

From: Community Safety & Security and Administration Committees.

Dated: May 14, 2024

**2024 BUDGET MODIFICATION - FIRE COORDINATOR'S OFFICE
ACCEPT PAYMENT FOR MULTIPLE HAZ-MAT INCIDENTS**

WHEREAS, the County Haz-Mat team responded to four separate incidents 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 payments in April 2024 for the below listed Haz-Mat incidents:

1. Oil leak at residential site (January 2024)	\$ 1,534.00	check received 4/05/24
2. Tractor Trailer rollover/spill (February 2024)	\$ 1,097.64	check received 4/09/24
3. Anhydrous Ammonia Spill (June 2022)	\$12,937.50	check received 4/12/24
4. Oil tank spill in basement (March 2024)	\$ 209.49	check received 4/26/24

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
Reimbursements

\$ 15,778.63

INCREASE APPROPRIATION:

A.19.3410.000 74750.10

Supplies, Gen Hazmat Inventory

\$ 15,778.63

Moved by Bradt, seconded by Robins.

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

Resolution No. CW-009-24

From: Committee of the Whole.

Dated: May 14, 2024

**SETTLEMENT OF ARTICLE 7 ASSESSMENT CHALLENGE AND PILOT PAYMENTS
SOMERSET OPERATING COMPANY**

WHEREAS, Somerset Operating Company, LLC, owns a number of properties in the Town of Somerset, School District of Barker, including Generating Plant (SBL #8.00-1-1./A), Generating Plant (SBL #8.00-1-1./B), 7725 Lake Road (SBL #8.00-1-1./C), Lake Road (SBL #8.00-1-1.2, no location listed (SBL #8.00-1-1.11), Lake Road (8.00-1-1.12), Lake Road (8.00-1-28) and Lake Road (8.00-1-38), and

WHEREAS, Somerset previously operated a 675 megawatt coal-fired power plant on the Properties until March 2020 when the Plant was closed due to New York State regulations which sought to transition to clean energy sources, and

WHEREAS, during the course of its operation, Somerset entered into a PILOT agreement with the Niagara County IDA for some of its parcels, which became delinquent, and

WHEREAS, Somerset filed Article 7 matters in Niagara County Supreme Court in 2021, 2022 and 2023 challenging the parcel assessment valuations for a number of their properties, claiming that they were overvalued by the Town, and

WHEREAS, due to the large amount of environmental concerns on this unique property, as well as the impact of the state regulations on the value of the parcel, the Town of Somerset, Barker Central School District and Niagara County have negotiated with Somerset Operating Company to settle the outstanding issues in order to both resolve the past issues while ensuring the proper assessment on the parcels, and

WHEREAS, Somerset Operating Company has agreed to settle the outstanding PILOT payments with Niagara County in the amount of \$851,964.30 in six payments, and

WHEREAS, the Town, School District and County have agreed to resolve the underlying tax and assessment matters to avoid the costs of both litigation as well as environmental remediation, resulting in the following amounts paid to the County:

From Somerset Operating Company:

2020/2021: \$358,474.86

2022: \$155,662.06

2023: \$386,973.83

2024: \$497,415.77

From Town of Somerset

\$69,972.85

From Barker School District
\$215,372.85

now, therefore, be it

RESOLVED, that the Niagara County Legislature authorizes the settlement of the above noted matters, and

RESOLVED, that the Niagara County Legislature authorizes the signature of the final settlement agreement subject to final approval of language and review by the County Attorney.

Moved by Bradt, seconded by Robins.

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

Resolution No. ED-008-24

From: Economic Development and Administration Committees.

Dated: May 14, 2024

**FIXING DATE AND NOTICE FOR THE SECOND PUBLIC HEARING
FOR PEMM LLC dba QUICKLEES TRAVEL CENTER
COMMUNITY DEVELOPMENT BLOCK GRANT**

WHEREAS, the County Legislature wishes to hear public comments relating to the recently completed Community Development Block Grant (“CDBG”) project supporting the grant funding provided to PEMM LLC dba Quicklees Travel Center at 6021 Porter Road, within the Town of Niagara, New York, and

WHEREAS, the CDBG program is administered by the New York State Office of Community Renewal (“OCR”), and provides resources to eligible local governments for housing, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefitting low/moderate income persons, and

WHEREAS, OCR requires grant recipients to hold a public hearing to provide information to the public and to consider citizen comments regarding CDBG funded projects to help make determinations for the future use of CDBG funds, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby calls for a Public Hearing whereat all interested parties shall be heard, and be it further

RESOLVED, that the Public Hearing shall be held at the Legislative Chambers, Courthouse, Lockport, New York on the 18th day of June, 2024, at 5:50 p.m., and be it further

RESOLVED, that the Clerk of the Legislature at least eight days notice of such hearing shall post a notice upon the County Legislature website, 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 Bradt, seconded by Robins.

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

Resolution No. IF-089-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**SECURITY INFORMATION MANAGEMENT
CAPITAL PROJECT BUDGET MODIFICATION**

WHEREAS, the County applied for grant funds from the US Department of Homeland Security (DHS) Federal Funding (Administered by NY State Division of Homeland Security and Emergency Services (DHSES)) to enhance and sustain Niagara County's cyber security posture as well as ensure that their information systems are secure and protected from cyber incidents, and

WHEREAS, the County has successfully secured funds from federal funding under the FY2021 Cyber Security Grant Program, DHSES E-Grant Project ID CY201-1056-E00, in the amount of \$50,000, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.16.3645.000.44305.02	Civil Defense, Homeland Security	\$50,000.00
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INCREASE APPROPRIATIONS:

A.16.3645.000.74500.02	Contractual Expenses/Maintenance Service Contracts	\$50,000.00
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Moved by Bradt, seconded by Robins.

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

Resolution No. IF-090-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**CREATE AND FILL INFORMATION TECHNOLOGY COMPUTER TECHNICIAN II
HEALTH SPECIALIST POSITION – FULL-TIME**

WHEREAS, the IT department has reviewed its operational needs for a Computer Technician II Health Specialist to support the Department of Mental Health & Substance Abuse Services as necessary, and

WHEREAS, after reviewing the services the IT department provides and evaluating options, it has been determined that it would be in the best interest of the department, as well as the taxpayers of the County of Niagara, to create and fill one (1), full-time Computer Technician II Health Specialist in an effort to provide necessary support for information systems and personnel in the Department of Mental Health & Substance Abuse Services,

WHEREAS, the funding for this newly created position will be from the Department of Mental Health for the remainder of 2024 and from the IT Department's Budget for 2025 and beyond, now, therefore, be it

RESOLVED, that one (1) position of Computer Technician II Health Specialist dedicated to the Department of Mental Health & Substance Abuse Services, CSEA, Group 10, Step 1, at an annual rate of \$53,617, be created and filled, effective May 26, 2024, and be if further

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.21.4310.000 71010.00	Position Expense – (Position #13294)	\$46,273
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INCREASE APPROPRIATIONS:

A.21.4310.000 74675.07	Services, Central Information Technology Services	\$46,273
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INCREASE REVENUE:

A.16.1680.000 41289.04	Other Gen Gov Income Information Technology Fees	\$46,273
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INCREASE APPROPRIATIONS:

A.16.1680.000 71010.00	Positions Expense	\$30,933
A.16.1680.000 78100.00	Retirement Expense	3,496
A.16.1680.000 78200.00	FICA Expense	2,367
A.16.1680.000 78300.00	Workers' Comp Expense	669
A.16.1680.000 78400.01	Insurance, Health Active Hospital/Medical	7,892
A.16.1680.000 78400.05	Insurance, Health HRA Employer Contr.	425
A.16.1680.000 78700.00	NYS Disability Expense	45
A.16.1680.000 78800.00	Flex 125 Employer Contribution Expense	446

Moved by Bradt, seconded by Robins.

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

Resolution No. IF-091-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**ACCEPT US DEPARTMENT OF ENERGY – ENERGY EFFICIENCY COMMUNITY BLOCK
GRANT AND AWARD OF CONTRACT - ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE)
LEVEL 2 CHARGING STATIONS FOR NIAGARA COUNTY**

WHEREAS, Niagara County has applied for a grant to assist with the installation of electric vehicle charging stations at several locations across the county, and

WHEREAS, Niagara County has been award a grant from the US Department of Energy – Energy Efficiency Community Block Grant in the amount of \$80,400, and

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for request for proposals for the Electric Vehicle Supply Equipment Level 2 Charging Stations, and

WHEREAS, funds have been budgeted in A.15.8160.802.74500.01, and

WHEREAS, the Division of Environment and Solid Waste reviewed and scored each response, 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:

A.15.8160.802 43989.03	Other Home & Community Service NYSDEC	\$56,000
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INCREASE ANTICIPATED REVENUE:

A.15.8160.802 44089.00	Federal Aid Other Revenue	\$80,400
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INCREASE ANTICIPATED EXPENSES:

A.15.8160.802 74500.01	Contractual Expenses	\$24,400
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and be it further

RESOLVED, that the Niagara County Department of Public Works is authorized to accept the Energy Efficiency Community Block Grant in the amount of \$80,400, and be it further

RESOLVED, the contract for the Electric Vehicle Supply Equipment Level 2 Charging Stations be awarded to the highest scoring respondent, INF Associates, LLC, 747 Third Avenue, New York, NY 10017, for a cost not to exceed \$85,000, and be it further

RESOLVED, that following the County Attorney's review, the Agreement for Electric Vehicle Supply Equipment Level 2 Charging Stations may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

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

Resolution No. IF-092-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**AUTHORIZATION FOR NIAGARA COUNTY TO APPLY FOR
A NORTHERN BORDER REGIONAL COMMISSION FOR THE NIAGARA COUNTY
RURAL BRIDGE IMPROVEMENT INITIATIVE**

WHEREAS, the Northern Border Regional Commission provides funds to stimulate economic growth and inspire partnerships that improve and revitalize transportation infrastructure in rural areas, and

WHEREAS, the County of Niagara has applied for a grant in the amount of \$1,000,000 to the Northern Border Regional Commissioner for the Niagara County Rural Bridge Improvement Initiative, and

WHEREAS, the County of Niagara is anticipating to receive this award of \$1,000,000 from the Northern Border Regional Commission for the Niagara County Rural Bridge Improvement Initiative, 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, Rebecca Wydysh, Chair of the Niagara County Legislature is hereby authorized, on behalf of Niagara County to apply for, accept, and expend grant funds from the Northern Borders Regional Commission, and be it further

RESOLVED, the named authorized official has permission to sign all NBRC investment documents that bind the applicant.

Moved by Bradt, seconded by Robins.

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

Resolution No. IF-093-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND THE LAKE O YOGA PROGRAM

WHEREAS, the Lake O Yoga Program has requested that the County of Niagara grant them rights to operate a weekly Yoga exercise program for a period of three months, every Saturday effective June 1, 2024 ending August 31, 2024. In an area situated in a section of Krull Park, and

WHEREAS, this program benefits the residents of Niagara County as a whole, and

WHEREAS, such program is operated on a not-for-profit basis, and

WHEREAS, the event coordinator will provide all insurances required by the Risk Management Office, and agree to cover all extraordinary expenses associated with event, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Lake O Yoga Program, and

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

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and Lake O Yoga Program, as appears on the proposed agreement, is hereby approved in all respects, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the County Legislature be, and hereby is, authorized to execute the License Agreement between the County of Niagara and the Lake O Yoga Program.

Moved by Bradt, seconded by Robins.

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

Resolution No. IF-094-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**COURT HOUSE BOILER REPLACEMENT PROFESSIONAL SERVICES CONTRACT
AMENDMENT NO. 3**

WHEREAS, Resolution No. IF-120-20, dated November 17, 2020, awarded the contract for professional services for the Court House Boiler Replacement Project to LaBella Associates, 300 Pearl Street, Suite 130, Buffalo, NY 14202, for a contract amount not to exceed \$191,442.70, and

WHEREAS, Resolution No. IF-159-22, dated December 6, 2022, authorized Amendment No. 1 for the extension of the contract to March 31, 2024, at no additional cost to the County, and

WHEREAS, Resolution No. IF-069-23, dated April 25, 2023, authorized Amendment No. 2 for the design of adding hot water heating coils to the existing HVAC air handling units, for a fee not to exceed \$10,047, for a revised contract amount of \$201,489.70, and

WHEREAS, it is necessary to extend the contract completion date to December 31, 2024, 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 extend the contract to December 31, 2024 for LaBella Associates, for the Court House Boiler Replacement Project, 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 Bradt, seconded by Robins.

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

Resolution No. IF-095-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**GASPORT ROAD BRIDGE OVER EIGHTEEN MILE CREEK BRIDGE REPLACEMENT
CONSULTANT AMENDMENT NO. 1**

WHEREAS, Resolution No. IF-126-23, dated August 1, 2023, awarded the contract for consultant services for the Gasport Road Bridge over Eighteen Mile Creek Bridge Replacement Project to Mott MacDonald New York Inc., 438 Main Street, Suite 300, Buffalo, NY 14202, for a contract amount not to exceed \$202,520, and

WHEREAS, it is necessary to extend the contract completion date to December 31, 2024, 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 Mott MacDonald New York Inc., 438 Main Street, Suite 300, Buffalo, NY 14202, be extended to December 31, 2024, 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 Bradt, seconded by Robins.

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

Resolution No. IF-096-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**WILSON-BURT ROAD BRIDGE OVER EIGHTEEN MILE CREEK
CONSULTANT AMENDMENT NO. 3**

WHEREAS, Resolution No. IF-114-21, dated November 16, 2021, authorized the contract for consultant services for the Wilson-Burt Road Bridge over Eighteen Mile Creek Project to C & S Engineers, Inc., 499 Col Eileen Collins Blvd., Syracuse, NY 13212, for a contract amount not to exceed \$143,000, and

WHEREAS, Resolution No. IF-003-23, dated January 17, 2023, authorized Amendment No. 1 to the contract for \$95,000 for construction inspection and construction administration, for a revised contract amount of \$238,000, and

WHEREAS, Resolution No. IF-172-23, dated November 14, 2023, awarded the Wilson-Burt Road Bridge over Eighteen Mile Creek Project to Edbauer Construction, 2790 Clinton Street, West Seneca, NY 14224, at a reduced base scope of work because the project budget would not support awarding the full base bid amount of the lowest responsible bidder, and

WHEREAS, Resolution No. IF-179-23, dated December 5, 2023, authorized Amendment No. 2 to reduce the contract by \$41,000, due to the reduced base scope of work, for a revised contract amount of \$197,000, and

WHEREAS, it is necessary to extend the contract completion date to December 31, 2025, 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 extend the contract to December 31, 2025 for C & S Engineers, Inc. for the Wilson-Burt Road Bridge over Eighteen Mile Creek Project 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 Bradt, seconded by Robins.

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

Resolution No. IF-097-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**JOHNSON CREEK ROAD BRIDGE OVER GOLDEN HILL CREEK BRIDGE REPLACEMENT
CONSULTANT AMENDMENT NO. 2**

WHEREAS, Resolution No. IF-102-23, dated June 20, 2023, awarded the contract for consultant services for the Johnson Creek Road Bridge over Golden Hill Creek Bridge Replacement Project to Mott MacDonald New York Inc., 438 Main Street, Suite 300, Buffalo, NY 14202, for a contract amount not to exceed \$197,787, and

WHEREAS, Resolution No. IF-026-24, dated January 23, 2024, increased the contract in the amount of \$3,280 for the preparation of a Bridge New York application for this bridge, for a revised contract amount of \$201,067, and

WHEREAS, it is necessary to extend the contract completion date to December 31, 2024, 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 Mott MacDonald New York Inc., 438 Main Street, Suite 300, Buffalo, NY 14202, be extended to December 31, 2024, 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 Bradt, seconded by Robins.

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

Resolution No. IF-098-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**WILLOW ROAD BRIDGE OVER THE EAST BRANCH OF TWELVE MILE CREEK
CONSULTANT AMENDMENT NO. 2**

WHEREAS, Resolution No. IF-103-23, dated June 20, 2023, awarded the contract for consultant services for the Willow Road Bridge over the East Branch of Twelve Mile Creek Bridge Replacement Project to Mott MacDonald New York Inc., 438 Main Street, Suite 300, Buffalo, NY 14202, for a contract amount not to exceed \$199,524, and

WHEREAS, Resolution No. IF-017-24, dated January 23, 2024, increased the contract in the amount of \$3,280 for the preparation of a Bridge New York application for this bridge, for a revised contract amount of \$202,804, and

WHEREAS, it is necessary to extend the contract completion date to December 31, 2024, 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 Mott MacDonald New York Inc., 438 Main Street, Suite 300, Buffalo, NY 14202, be extended to December 31, 2024, 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 Bradt, seconded by Robins.

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

Resolution No. IF-099-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**RECREATIONAL FACILITIES AT KRULL AND OPPENHEIM PARKS
CONSULTANT AMENDMENT NO. 2**

WHEREAS, Resolution No. IF-149-23, dated October 17, 2023, authorized the contract for consultant services for the Recreational Facilities at Krull and Oppenheim Parks Project to Wendel WD Architecture, Engineering, Surveying, and Landscape Architecture, PC, 237 Main Street, Suite 500, Buffalo, NY 14203, for a contract amount not to exceed \$112,878, and

WHEREAS, Resolution No. IF-071-24 dated March 19, 2024 increased the contract in the amount of \$9,790 for additional professional services, for a revised contract amount of \$122,668, and

WHEREAS, it is necessary to increase the contract in the amount of \$3,000 for additional survey services to extend the survey area around the new pickle ball courts, to include the new parking area north of the courts and the new dog park west of the courts, for a revised contract amount of \$125,668, 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. 2 to increase the contract by \$3,000 for the Recreational Facilities at Krull and Oppenheim Parks Project, for a revised contract amount of \$125,668, to Wendel WD Architecture, Engineering, Surveying, and Landscape Architecture, PC, 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 Bradt, seconded by Robins.

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

Resolution No. IF-100-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**HUNT STREET BRIDGE OVER BERGHOLZ CREEK
CONSULTANT AMENDMENT NO. 2**

WHEREAS, Resolution No. IF-119-21, dated December 14, 2021, authorized the contract for consultant services for the Hunt Street Bridge over Bergholz Creek Project to Watts Engineering and Architecture, 95 Perry Street, Suite 300, Buffalo, NY 14203, for a contract amount not to exceed \$199,963, and

WHEREAS, Resolution No. IF-018-24, dated January 23, 2024, increased the contract in the amount of \$5,900 to perform an assessment for salamander mussels in the creek, for a revised contract amount of \$205,863, and

WHEREAS, it is necessary to extend 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. 2 to extend the contract completion date to December 31, 2026 for Watts Engineering and Architecture for the Hunt Street Bridge over Bergholz Creek Project, at no additional cost to the County, 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 Bradt, seconded by Robins.

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

Resolution No. IF-101-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

REPLACEMENT OF QUAKER ROAD CULVERT OVER MUD CREEK CULVERT NO. 15-9 CONSULTANT AMENDMENT NO. 1

WHEREAS, Resolution No. IF-093-22, dated June 21, 2022, authorized the contract for design and construction administration/inspection of the Quaker Road Culvert No. 15-9 Project to LaBella Associates, 300 Pearl Street, Suite 130, Buffalo, NY 14202, for a contract amount not to exceed \$185,800, and

WHEREAS, it is necessary to extend the contract completion date to April 30, 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 Amendment No. 1 to extend the contract completion date to April 30, 2025 for the Quaker Road Culvert No. 15-9 Project, to LaBella Associates, 300 Pearl Street, Suite 130, Buffalo, NY 14202, 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 Bradt, seconded by Robins.

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

Resolution No. IF-102-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**RAPIDS ROAD REHABILITATION – RAYMOND ROAD TO
TONAWANDA CREEK BRIDGE
CONSULTANT AMENDMENT NO. 1**

WHEREAS, Resolution No. IF-011-21, dated February 16, 2021, authorized the contract for consultant services for the Rapids Road Rehabilitation – Raymond Road to Tonawanda Creek Bridge Project to Erdman, Anthony & Associates, 8608 Main Street, Buffalo, NY 14221, for a contract amount not to exceed \$595,000, and

WHEREAS, it is necessary to extend the contract completion date to December 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 Amendment No. 1 to extend the contract completion date to December 31, 2025 for the Rapids Road Rehabilitation – Raymond Road to Tonawanda Creek Bridge Project, to Erdman, Anthony & Associates, 8608 Main Street, Buffalo, NY 14221, 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 Bradt, seconded by Robins.

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

Resolution No. IF-103-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**BURMASTER PARK NATURAL PLAYGROUND
CONSULTANT AMENDMENT NO. 2**

WHEREAS, Resolution No. IF-151-23, dated October 17, 2023, authorized the contract for conceptual plan consultant services for the Burmaster Park Natural Playground Project to Fisher Associates, 325 Delaware Avenue, Suite 200, Buffalo, NY 14202, for a contract amount not to exceed \$26,000, and

WHEREAS, Resolution No. IF-072-24, dated March 19, 2024, increased the contract in an amount not to exceed \$55,000 for design services, for a revised contract amount of \$81,000, and

WHEREAS, it is necessary to extend 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. 2 to extend the contract completion date to December 31, 2026 for the Burmaster Park Natural Playground Project, to Fisher Associates, 325 Delaware Avenue, Suite 200, Buffalo, NY 14202, 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 Bradt, seconded by Robins.

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

Resolution No. IF-104-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**ANGELO DELSIGNORE CIVIC BUILDING – ROOF REPLACEMENT PROJECT
AMENDMENT NO. 4-FINAL**

WHEREAS, by Resolution No. IF-049-22, dated March 11, 2022, the Legislature awarded the contract for consultant services for the Angelo DelSignore Civic Building Roof Replacement Project to Watts Architects and Engineers, 95 Perry Street, Suite 300, Buffalo, NY 14203 for a contract amount of \$51,850.00, and

WHEREAS, Resolution No. IF-095-22, dated June 21, 2022, approved Amendment No. 1 for additional services for the Stair Penthouse Door Reconfiguration, in the amount of \$2,600, for a revised contract amount of \$54,450.00, and

WHEREAS, Resolution No. IF-023-23, dated February 21, 2023, approved Amendment No. 2 for additional services associated with the review of the cooling tower, for a fee not to exceed \$6,850.00, for a revised contract amount of \$61,300.00, and

WHEREAS, Resolution No. IF-068-23, dated April 25, 2023, approved Amendment No. 3 for a contract time extension to December 31, 2023, at no additional cost to the County, and

WHEREAS, it is necessary to reduce the contract by \$321.43, for a revised contract sum of \$60,978.57, as the project is now complete, 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, Amendment No. 4-Final to decrease the contract by \$321.43 for the Angelo DelSignore Civic Building Roof Replacement Project, for a revised contract amount of \$60,978.57, to Watts Architecture & Engineers, 95 Perry Street, Suite 300, Buffalo, NY 14203, be approved, and be it further

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

Moved by Bradt, seconded by Robins.

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

Resolution No. IF-105-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**COURT HOUSE HVAC IMPROVEMENTS – PHASE II
GENERAL CONSTRUCTION CONTRACT – CHANGE ORDER NO. 3**

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, it is necessary to extend the contract completion date to December 31, 2024, 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. 3 to extend the contract to December 31, 2024 for D.R. Chamberlain, for the Court House HVAC Improvements – Phase II General Construction Project, 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 Bradt, seconded by Robins.

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

Resolution No. IF-106-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**COURT HOUSE HVAC IMPROVEMENTS – PHASE II
MECHANICAL CONTRACT – CHANGE ORDER NO. 3**

WHEREAS, Resolution No. CW-005-23, dated January 17, 2023, awarded the contract for the Court House 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, it is necessary to extend the contract completion date to December 31, 2024, 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. 3 to extend the contract to December 31, 2024 for Greater Niagara Mechanical, for the Court House HVAC Improvements – Phase II Mechanical Project, 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 Bradt, seconded by Robins.

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

Resolution No. IF-107-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

**COURT HOUSE HVAC IMPROVEMENTS – PHASE II
ELECTRICAL CONTRACT – CHANGE ORDER NO. 3**

WHEREAS, Resolution No. CW-004-23, dated January 17, 2023, awarded the contract for the Court House HVAC Improvements – Phase II Electrical Project to CIR Electrical, 2527 Long Road, Grand Island, NY 14072, for a contract amount not to exceed \$160,250, and

WHEREAS, Resolution No. IF-132-23, dated September 19, 2023, authorized Change Order No. 1 to the contract in the amount of \$80,056.10 for electrical work associated with the addition of electric heat coils in various locations, for a revised contract amount of \$240,306.10, and

WHEREAS, Resolution No. IF-154-23, 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, and for additional work to be done for lighting replacement in restrooms and the Court House basement corridor, in the amount of \$7,827.61, for a revised contract amount of \$248,133.71, and

WHEREAS, it is necessary to extend the contract completion date to December 31, 2024, 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. 3 to extend the contract to December 31, 2024 for CIR Electrical, for the Court House HVAC Improvements – Phase II Electrical Project, 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 Bradt, seconded by Robins.

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

Resolution No. IF-108-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

AWARD OF CONTRACT – CULVERT LININGS 2024

WHEREAS, the Department of Public Works would like to rehabilitate the following five (5) culverts: #10-9, Gasport Road north of 5286 Gasport Road; #112-2, Tonawanda Creek Road west of 8002 Tonawanda Creek Road; #91-16, 6669 Charlotteville Road; #6-43, Lockport Road between Bear Ridge and Campbell; and #130-12, East Canal Road, north of 6515 East Canal Road, and

WHEREAS, General Municipal Law Section 103 allows a county of New York State to utilize contractual services of another county of the state that contains the provision allowing said utilization, and

WHEREAS, Onondaga County has entered into an agreement dated January 1, 2024 with Precision Trenchless, LLC for cured in-place pipe lining, and

WHEREAS, the Department of Public Works, Engineering Division has determined that this would be a cost effective way to rehabilitate said culverts, and

WHEREAS, the Infrastructure and Facilities Committee has examined the Onondaga County contract, 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 Culvert Rehabilitation of Five (5) County Culverts be awarded to Precision Trenchless, LLC, 1710 Erie Blvd., Schenectady, NY 12308, in an amount not to exceed \$182,616, and be it further

RESOLVED, that the following budget modification be effectuated so the project may proceed:

INCREASE REVENUE:

H8XX.15.5197.000 43501.00	Consol Hwy Aid Revenue	\$200,000
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INCREASE APPROPRIATIONS:

H8XX.15.5197.000 72600.02	Infrastructure Bridges	\$200,000
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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 Bradt, seconded by Robins.

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

Resolution No. IF-109-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

AWARD CONSULTANT CONTRACT – LOCKPORT ROAD BRIDGE OVER CSX RAILROAD

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Lockport Road Bridge over CSX Railroad 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 modifications be effectuated to allow the project to proceed:

INCREASE APPROPRIATED FUND BALANCE:

A 40599.00	Appropriated Fund Balance	\$200,000
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INCREASE APPROPRIATIONS:

A.07.9950.000 79010.00	Transfers to Capital Projects	\$200,000
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INCREASE ESTIMATED REVENUE:

H800.15.5197.000 45031.00	Interfund Transfers from Operating	\$200,000
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INCREASE APPROPRIATIONS:

H800.15.5197.000 72600.02	Infrastructure Bridges	\$200,000
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and be it further

RESOLVED, that the consultant services contract for the Lockport Road Bridge over CSX Railroad Project be awarded to Popli Design Group, 555 Penbrooke Drive, Penfield, NY 14526, for a contract amount not to exceed \$177,000, and be it further

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

Moved by Bradt, seconded by Robins.

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

Resolution No. IF-110-24

From: Infrastructure & Facilities and Administration Committees.

Dated: May 14, 2024

SECTION 5311 FEDERAL PROGRAMS GRANT APPLICATION AND AGREEMENT

WHEREAS, the County of Niagara is submitting a request for grant of funds to the New York State Department of Transportation (NYDOT), pursuant to Section 5311, Title 49, United States Code, for project(s) to provide public mass transportation described as Connect Niagara, and

WHEREAS, the County of Niagara and the State of New York are entering into an Agreement, which authorizes the undertaking of the project(s) and payment of the federal and state shares for the project(s), 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 Chairman of the Niagara County Legislature is authorized to sign any and all Agreements between the County of Niagara and the State of New York for the above named project(s), and be it further

RESOLVED, that the Chairman of the Niagara County Legislature is authorized to sign any and all Agreements between the County of Niagara and any third party subcontractors necessary to complete the project, and be it further

RESOLVED, that the Chairman of the Niagara County Legislature is authorized to sign any and all Agreements between the County of Niagara and any vendor for the purchase and/or installation of vehicles and/or equipment or facilities, and be it further

RESOLVED, that the County of Niagara certifies through this resolution that the estimated total project cost is committed within A15.1490.00, Dept. of Public Works, Administration Division, annual budget.

Moved by Bradt, seconded by Robins.

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

Resolution No. IL-071-24

From: Legislator Richard E. Abbott and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF THE KENAN CENTER
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Kenan Center was established in 1965, and

WHEREAS, the Kenan Center is a 501(c) (3) nonprofit dedicated to community growth in Lockport through cultural, educational and recreational opportunities, and

WHEREAS, the Kenan Center is concerned about the development of our youth through sports related activities, and

WHEREAS, the Kenan Center will also provide specialized coaching and training for area youth during summer months of July and August, and

WHEREAS the planned event will provide coaching for boys and girls ages 5-12, but the purchase of sports equipment is needed, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Kenan Center by appropriating monies from said Community Partnership as follows:

The Kenan Center	\$2,500.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Gooch.	

Resolution No. IL-072-24

From: Legislator Richard E. Abbott and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF THE LOCKPORT ICE ARENA AND
SPORTS CENTER, CORNERSTONE ICE ARENA THROUGH THE
USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Lockport Ice Arena and Sports Center is a 501 (c) (3) and their mission is to support the youth of the Lockport area, and

WHEREAS, the arena provides sports and support services to families of Niagara County, and

WHEREAS, the arena is providing a day camp for the summer months of July and August for area youth and their families, and

WHEREAS, the day program will require funds to assist in funding the program, and

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Lockport Ice Arena and Sports Center by appropriating monies from said Community Partnership as follows:

The Lockport Ice Arena and Sports Center	\$3,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Gooch.	

Resolution No. IL-073-24

From: Legislators Richard E. Abbott, Carla L. Speranza and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF THE LOCKPORT PUBLIC ARTS COUNCIL
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Lockport Public Arts Council is a 501 (c) (3) and their mission is to support numerous projects in the City of Lockport, and

WHEREAS, one of the projects is the Rivi-Erie Beach located at the Widewaters Marina, and

WHEREAS, the Rivi-Erie Beach is providing a recreational and beach like area during summer months of July and August for area youth and their families, and

WHEREAS, the Rivi-Erie Beach will require funds to assist in funding the program, and

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Lockport Public Arts Council by appropriating monies from said Community Partnership as follows:

Lockport Public Arts Council	\$3,000.00
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Moved by Bradt, seconded by Robins.

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

Resolution No. IL-074-24

From: Legislator David E. Godfrey and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF THE WILSON LEON FESTIVAL
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Celebrate Wilson, a 501(c) (3) non-profit is working in conjunction with the Village/Town of Wilson to host the LEON Festival a celebration of being halfway to Christmas, and

WHEREAS, the 2nd Annual Wilson LEON Festival will be held on June 15, 2024, and

WHEREAS, Celebrate Wilson is requesting funds to help support this event, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the efforts of the LEON Festival by appropriating monies from said Community Partnership Fund as follows:

Celebrate Wilson – LEON Festival	\$500.00
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Moved by Bradt, seconded by Robins.

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

Resolution No. IL-075-24

From: Legislator Christopher Voccio and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF COMMUNITY MISSIONS
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Community Missions is a critical service provider in Niagara Falls, and

WHEREAS, Community Missions operates an adopt-a-family program that ensures every child has a happy holiday season, and

WHEREAS, Community Missions needs assistance to kick off the holiday toy drive, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Community Missions by appropriating monies from said Community Partnership Fund as follows:

Community Missions	\$750.00
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Moved by Bradt, seconded by Robins.

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

Resolution No. IL-076-24

From: Legislator Christopher Voccio and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF ST. JOSEPH OUTREACH
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, St. Joseph's Outreach operates an important food pantry in Niagara Falls, and

WHEREAS, St. Joseph's Outreach provides personal hygiene products to those in need, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports St. Joseph's Outreach by appropriating monies from said Community Partnership Fund as follows:

St. Joseph's Outreach	\$750.00
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Moved by Bradt, seconded by Robins.

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

Resolution No. IL-077-24

From: Legislator Christopher Voccio and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF LIGHTHOUSE WOMEN AND CHILDREN
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Lighthouse Women and Children operates an important human services function in Niagara Falls, and

WHEREAS, Lighthouse Women and Children provides food and engagement services to those in need, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Lighthouse Women and Children by appropriating monies from said Community Partnership Fund as follows:

Lighthouse Women and Children	\$750.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Gooch.	

Resolution No. IL-078-24

From: Legislators Christopher J. McKimmie, Christopher A. Robins, Jeffery Elder, Christopher Voccio and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF NIAGARA FALLS EDUCATION FOUNDATION, INC.
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Falls Education Foundation, Inc., located in the City of Niagara Falls supports the youth of Niagara Falls by aiding the educational goals of graduating students, and

WHEREAS, Niagara Falls Education Foundation, Inc. provides financial assistance and resources to senior high students in need at Niagara Falls High School for further education, and

WHEREAS, Niagara Falls Education Foundation, Inc. continues to recognize accomplishments and promote future success of the students of Niagara Falls High School, and

WHEREAS, through scholarship awards Niagara Falls Education Foundation, Inc. helps the youth of Niagara Falls High School to better themselves by receiving a higher education and building a stronger community, and

WHEREAS, the Niagara County Legislature wishes to support the Niagara Falls Education Foundation, Inc. in their commitment to our local senior students in Niagara Falls, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports The Niagara Falls Education Foundation, Inc. by appropriating monies from said Community Partnership Fund as follows:

Niagara Falls Education Foundation, Inc.	\$5,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Gooch.	

Resolution No. IL-079-24

From: Legislators Shawn A. Foti, Richard E. Abbott, Anthony J. Nemi, Irene M. Myers, Rebecca J. Wydysh, Carla L. Speranza, David E. Godfrey, Michael A. Hill and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF THE NIAGARA CELTIC HERITAGE SOCIETY
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Celtic Heritage Society Inc. is an official not-for-profit society, established in 2001 to help restore, preserve, and promote Celtic culture in Niagara County, and

WHEREAS, the Niagara Celtic Festival is one of the best upscale heritage destinations in Upstate NY, hosting some of the best artists, performers, artisans and vendors from around the world, and

WHEREAS, the festival includes many incredible activities such as; 5 music stages w/40+ performers, 2 event fields, 5 regions to explore, 60+ vendors, Highland games, pipe bands, history groups, story tellers, animals, and events for children, and

WHEREAS, events such as this help to promote cultural heritage and tourism in Niagara County, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Niagara Celtic Heritage Society by appropriating monies from said Community Partnership Program Fund as follows:

Niagara Celtic Heritage Society

\$5,000.00

Moved by Bradt, seconded by Robins.

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

Resolution No. IL-080-24

From: Legislators Shawn A. Foti, Anthony J. Nemi and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF CAMBRIA TROOP 8 EAGLE SCOUT PROJECT
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Nicholas Steiff is a Life Scout from Cambria Troop 8 and is currently working towards the rank of Eagle Scout, and

WHEREAS, one of the Eagle Scout requirements is to plan and execute a service project that benefits the community, and

WHEREAS, Nicholas' project is to build a footbridge on the Lytle Nature Preserve that will connect this property to the Cornell Cooperative Extension property which will allow easier access to the preserve, enhancing their ability to provide more educational classes on the preserve, and

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports Cambria Troop 8 by appropriating monies from said Community Partnership Program Fund as follows:

Cambria Troop 8

\$500.00

Note: Lytle Preserve Access Bridge

Moved by Bradt, seconded by Robins.

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

Resolution No. IL-081-24

From: Legislator Shawn A. Foti and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF ANCHORING HOPE OF NY, INC.
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Anchoring Hope of NY is a 501 not-for-profit dedicated to providing opportunities for those affected by mental illness and/or addiction through the use of unique and unconventional services, and

WHEREAS, on September 21, 2024 Anchoring Hope is hosting a walk & basket raffle at Krull Park in order to raise funds to support their mission and expand services across rural Niagara County, and

WHEREAS, funds from the event will expand access to services such as; Quality of Life Scholarships, Tamperproof medication boxes, emotional support/service animals, treatment not covered by insurance, and many others, and

WHEREAS, the COVID pandemic has caused increased stress and anxiety to our residents, especially those struggling with mental health/addiction issues so it is critically important to support our local organizations who are providing services in our communities to combat these issues, and

WHEREAS, supporting this event will allow Anchoring Hope to continue and expand their mission to improve the quality of life for Niagara County residents, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports Anchoring Hope of NY Inc. by appropriating monies from said Community Partnership Program Fund as follows:

Anchoring Hope of NY

\$500.00

Moved by Bradt, seconded by Robins.

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

Resolution No. IL-082-24

From: Legislator Christopher J. McKimmie, Jeffery Elder, Christopher Voccio, Christopher A. Robins and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF THE NIAGARA BEAUTIFICATION COMMISSION
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Beautification Commission (NBC) was organized on August 29, 1978 to address concerns about beautification in the downtown area of the City of Niagara Falls, NY, and

WHEREAS, the Niagara Beautification Commission is formed for the purpose of promoting the beautification of the Niagara Falls area by mobilizing the volunteer resources of the community's private and public sectors, and

WHEREAS, the Niagara Beautification Commission's mission is to implement visual enhancements beautifying the Niagara Falls community, to educate and promote public awareness, and inspire pride in our community, now, therefore, be it

RESOLVED, that Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-24, and be it further

RESOLVED, that Niagara County supports the Niagara Beautification Commission by appropriating monies from said Community Partnership Fund as follows:

Niagara Beautification Commission	\$2,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Gooch.	

Resolution No. IL-083-24

From: Legislator Christopher J. McKimmie and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF THE ST JOHN DE LASALLE FOOD PANTRY
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the St. John de LaSalle Food Pantry provides vital assistance to members of the community by providing food and personal care items to those in need, and

WHEREAS, the St. John de LaSalle Food Pantry currently provides food and services to approximately 275 families per month, and

WHEREAS, during these challenging times the St. John de LaSalle Food Pantry served more than 6,658 people from 3,260 families in 2023, an increase from 4,928 people from 2,471 families in 2022, and

WHEREAS, the St John de LaSalle food pantry's greatest challenge is keeping their shelves stocked due to the increase of people coming to them for assistance and the increase in food prices, now, therefore, be it

RESOLVED, that Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the St John de LaSalle Food Pantry by appropriating monies from said Community Partnership Fund as follows:

St. John de LaSalle Parish	\$1,800.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Gooch.	

Resolution No. IL-084-24

From: Legislator Christopher J. McKimmie and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF CAYUGA YOUTH ATHLETIC ASSOCIATION INC.
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Cayuga Youth Athletic Association has grown into one of the largest all-volunteer youth sports organizations in Niagara County, and

WHEREAS, the Cayuga Youth Athletic Association has served hundreds of boys and girls ages 4 to 19, from the City of Niagara Falls, and the Towns of Niagara and Lewiston, and

WHEREAS, the Cayuga Youth Athletic Association provides children top notch playing fields with safety being a priority in their player development, and

WHEREAS, the Cayuga Youth Athletic Association intends to continue making capital improvements to their athletic facilities in the City of Niagara Falls, now, therefore, be it

RESOLVED, that Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Cayuga Youth Athletic Association Inc. by appropriating monies from said Community Partnership Fund as follows:

Cayuga Youth Athletic Association Inc.	\$4,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Gooch.	

Resolution No. IL-085-24

From: Legislators Christopher J. McKimmie, Jeffery Elder, Christopher Voccio, Christopher A. Robins and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF THE NIAGARA FALLS LAW ENFORCEMENT FOUNDATION
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Falls Law Enforcement Foundation, exists to support the law enforcement efforts of the Police Officers and Detectives of the City of Niagara Falls Police Department, and

WHEREAS, the Niagara Falls Law Enforcement Foundation, provides funding for police officers to conduct community events, youth outreach and activities, and other community policing initiatives, and

WHEREAS, the Niagara Falls Law Enforcement Foundation, is committed to supplementing funding for activities not included in the operating budget of the City of Niagara Falls Police Department, to enhance law enforcement's relationship with the members of our community, now, therefore, be it

RESOLVED, that Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Niagara Falls Law Enforcement Foundation, by appropriating monies from said Community Partnership Fund as follows:

Niagara Falls Law Enforcement Foundation	\$2,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Gooch.	

Resolution No. IL-086-24

From: Legislator David E. Godfrey and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF THE WILSON CONSERVATION CLUB, INC.
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Wilson Conservation Club was established in 1951 and many generations of hunters and outdoor lovers have enjoyed the camaraderie of fellow sportsmen all year long, and

WHEREAS, conservation clubs are a vital partner in our community and offer our youth lifelong skills and safety training that will benefit them for life, and

WHEREAS, there are approximately 300 members that use the outdoor Firearms range all year long and in the past have allowed law enforcement agencies like; the Niagara County Sheriff's Department and US Customs to use the Firearms range for qualifying, and

WHEREAS, the original 200 yard back stop was built in the early 1983's and over time has become inadequate and do to safety reasons is in need of repairs, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Wilson Conservation Club, Inc. by appropriating monies from said Community Partnership Program Fund as follows:

Wilson Conservation Club, Inc.

\$4,500.00

Moved by Bradt, seconded by Robins.

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

Resolution No. IL-087-24

From: Legislators Richard L. Andres, Randy R. Bradt, Jesse P. Gooch and Economic Development Committee.

Dated: May 14, 2024

**RESOLUTION IN SUPPORT OF CANAL FEST OF THE TONAWANDAS, INC.
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Canal Fest of the Tonawandas has been a mainstay in Niagara County's tourism offerings in the City of North Tonawanda, with thousands of people attending and bringing a significant economic impact to the community, and

WHEREAS, the Canal Fest of the Tonawandas is a very important event for the Twin City and supports many non for profits in the City of North Tonawanda, and

WHEREAS, an event like this can only be successful through full community participation and sponsorship, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-23, and be it further

RESOLVED, that Niagara County supports the Canal Fest of the Tonawandas by appropriating monies from said Community Partnership Program Fund as follows:

Canal Fest of the Tonawandas
Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Gooch.

\$15,000.00

Resolution No. IL-088-24

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, Carla L. Speranza..

Dated: May 14, 2024

**A RESOLUTION URGING THE STATE OF NEW YORK TO ENACT THE RESCUE EMS PACKAGE
OF LEGISLATION TO STRENGTHEN OUR EMERGENCY MEDICAL SERVICES**

WHEREAS, Emergency Medical Service (EMS) is a vital resource, necessary to the health and well-being of communities across New York, and

WHEREAS, as a system that provides a wide range of prehospital medical care to sick or injured people in emergency situations, the difference between a municipality that provides for EMS and one that does not can often make the difference between life and death, and

WHEREAS, despite its vast importance, there is an ongoing EMS crisis in this state, particularly in how it is funded, staffed, and operated, and

WHEREAS, much of this stems from a fundamental misconception about EMS vis-a-vis other critical services like police and fire. This is reflected in New York State law, which fails to recognize the essential nature of EMS, and

WHEREAS, as a result, EMS providers are often undervalued and under-respected for the critical role they play in our communities, and

WHEREAS, the EMS framework in New York includes an array of private, public, or not-for-profit providers that have expanded across the state in a scattered, patchwork approach, leaving many New York residents uncertain whether an EMS provider will be available in their community at the time of need, which is why we need to create greater flexibility for municipalities to facilitate EMS to meet unique local challenges represents a critical next step in the provision of EMS, now, therefore, be it

RESOLVED, that Niagara County urges the New York State Legislature to support the following legislative measures during the 2024 legislative session:

- S.4020-C (Mayer) / A.3392-C (Otis)

This comprehensive legislative package allows special taxing districts to be created to fund EMS services. In addition, this legislation would recognize EMS as an essential service and provide reforms to the Emergency Medical Services Council.

- S.5000 (May) / A.4077 (Lupardo)

This legislation would remove EMS services from the real property tax cap, allowing local municipalities to expand and better support their local EMS services. This measure is of critical importance to counties like Erie, Wayne, Otsego, and Wyoming which have established county-operated EMS systems.

- S.8486-A (Hinchey) / A.9102-A (Kelles)

This legislation authorizes Medicaid reimbursement to emergency medical services (EMS) agencies for providing Treatment in Place (TIP) to a patient at the point of response; as well as Transportation to an Alternate Provider (TAP), getting a patient to the most appropriate health care

setting other than a hospital, such as a mental health clinic, rehabilitation facility or urgent care. This is NOT legislation that will supplement any existing medical services provided by nurses or hospital staff.

- S.6630 (Mannion) / A.6274 (Barrett)

This legislation allows volunteer firefighters and ambulance workers to claim both state income and local property tax credits.

- S.7286 (Martinez) / A.7524 (Thiele) (Part CC, S.8309-A)

This legislation increases the volunteer firefighters' and ambulance workers' personal income tax credit from \$200 to \$800 for eligible individuals and from \$400 to \$1,600 for eligible married joint filers. This legislation also allows volunteer firefighters and ambulance workers to claim both state income and local property tax credits.

- S.3223 (Sanders) / A.9237 (Hevesi)

This bill would create a methodology for ambulance reimbursement under Medicaid that more closely approximates the cost of providing the service. Ambulances are required by law to pick everyone up, including Medicaid patients. It is unfair to require these ambulance companies to accept Medicaid patients and then not fairly reimburse them for the costs of providing services to these patients.

- S.6645 (Comrie) / A.6136 (Eachus)

This legislation requires the Thruway Authority to issue emergency services permits to EMS vehicles as is already done for fire vehicles, which would exempt EMS from being required to pay tolls while transporting patients on the NYS Thruway, and be it further

RESOLVED that Niagara County shall forward copies of this resolution to Governor Kathy C. Hochul, the local delegations to the New York State Legislature, the New York State Association of Counties, and all others deemed necessary and proper.

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

Carried.

Moved by Hill, seconded by Godfrey.

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

APPOINTMENTS:

NCCC BOARD OF TRUSTEES:

Katherine Alexander

1575 Master St., North Tonawanda, 14120

Appt.

06/30/24

Expires

06/30/31

OFFICE FOR THE AGING ADVISORY COMMITTEE:

Patti Weiss

2383 Niagara Rd. Niagara Falls 14304

05/14/24

12/31/26

Tyrone Renouf

7134 Akron Rd. Lockport, 14094

05/14/24

12/31/26

Moved by Myers, second by Bradt.

Approved.

Moved by McKimmie, second by Andres to enter into Executive Session at 7:01 p.m. for discussion on Pending Litigation.

Moved by Andres, second by Carla to adjourn Executive Session at 7:19 p.m.

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

The Chairman declared the Board adjourned at 7:22 pm, subject to the call of the Clerk.

One citizen spoke at this time on the General Welfare of the County.

Alysa T. Tomasino

Alysa T. Tomasino, Clerk