

OFFICIAL RECORD

Lockport, New York
January 21, 2025

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

Clerk Tomasino called the roll. All Legislators were present.

Chairman Wydysh called Legislator Elder to the Lectern to speak on the importance of Dr. Martin Luther King Jr. Day.

No citizens spoke on the Agenda.

Moved by Myers, second by Nemi to pull IF-019-25 from the preferred agenda.
Carried.

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

Resolution No. AD-001-25

From: Administration Committee.

Dated: January 21, 2025

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

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

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

WHEREAS, the County of Niagara has selected to engage in a professional services contract with Enterprise Training Solutions, Inc. which is on State contract through the Office of General Services (OGS), award # 22883 for Group 73016 – e-Learning/Distance Learning Training Services (Statewide) for the time period of January 15, 2025 through January 14, 2028, and

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

WHEREAS, the annual fee for the aforementioned online trainings, and a third training topic (to be determined) of the new contract term shall continue to be \$16,000 each year and

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

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

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. AD-002-25

From: Administration Committee.

Dated: January 21, 2025

**NIAGARA COUNTY REAL PROPERTY TAX SERVICES
EXTENSION OF REAL PROPERTY TAX SERVICES CONSULTANT AGREEMENT**

WHEREAS, the County of Niagara has entered into a Consulting Agreement with a consultant for services of real property appraisal, equalization and assessment, and tax rate apportionment for the Niagara County Real Property Tax Services Department, and

WHEREAS, the current agreement was entered into with John Shoemaker, and

WHEREAS, the current agreement is dated April 1, 2024 and has a term period until December 31, 2024, and

WHEREAS, the County wishes to extend the agreement with John Shoemaker for a one-year extension period, 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 must be obtained or solicited, and be it further

RESOLVED, that County Attorney will draft a contract for a one-year period, and be it further

RESOLVED, that following the County Attorney's review, the contract shall be executed pursuant to the Niagara County Purchasing Policy.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. AD-003-25

From: Administration Committee.

Dated: January 21, 2025

**AUTHORIZATION FOR REAL PROPERTY TAX
REFUNDS/CORRECTIONS – 2025**

WHEREAS, New York State Real Property Tax Law, sections 554 and section 556, provides for an administrative correction of error process that assists property owners in obtaining refunds and/or corrections for real property tax payments or billings, and

WHEREAS, certain clerical errors, unlawful entries and errors in essential fact, as defined in the New York State Real Property Tax Law, are permitted to be corrected by a taxing jurisdiction based upon the recommendation of the Director of Real Property Tax Services, and

WHEREAS, the taxing jurisdiction can delegate, by resolution, on an annual basis, to an official who is empowered to authorize payment of bills without prior audit, the authority to perform the duties of the tax levying body in regard to Real Property Tax Law, Sections 554 and 556, now, therefore, be it

RESOLVED, that the Niagara County Treasurer is hereby, delegated the authority to perform the duties of the tax levying body during 2025 when the Real Property Tax Director's recommended refund and/or correction is twenty five hundred dollars or less, and be it further

RESOLVED, that on or before the fifteenth day of each month, the Niagara County Treasurer shall submit a report to the Niagara County Legislature of the refunds and or corrections processed during the preceding month, containing the name of each recipient, the location of the property, and the amount of the refund.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. AD-004-25

From: Administration Committee.

Dated: January 21, 2025

**AGREEMENT BETWEEN NIAGARA COUNTY AND BRIAN PARISI COPIER SYSTEMS INC.
TO PROVIDE MULTIFUNCTION COPIER SERVICES**

WHEREAS, an invitation for bid (IFB# 2019-02) for Lease of Multifunction Copying, Faxing and Scanning Devices was issued and publicly opened by the Purchasing Department on July 9, 2019, and

WHEREAS, after conducting an evaluation of all proposals, the County awarded Brian Parisi Copiers Systems Inc. as suppliers of the multifunction copier services, and

WHEREAS, the County entered into an agreement with Brian Parisi Copier Systems Inc., for five years, and

WHEREAS, the current agreement will expire February 24, 2025, and

WHEREAS, the IFB# 2019-02 allotted for two one-year extensions, and

WHEREAS, the County desires to extend the contract for the first one-year extension allotted, now, therefore, be it

RESOLVED that the County enter into a one-year extension agreement with Brian Parisi Copier Systems Inc. to provide multifunction copier services, 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. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. AD-005-25

From: Administration Committee.

Dated: January 21, 2025

**RECONNECT PROGRAM GRANT AND SECURITY AGREEMENT FOR
CONGRESSIONALLY DIRECTED SPENDING AWARD THROUGH USDA/RUS
FOR ORLEANS COUNTY BROADBAND INFRASTRUCTURE PROJECT NY 1709-A70**

WHEREAS, Niagara County as principal awardee and Orleans County as co-awardee have been provided congressionally directed spending under the consolidated appropriations act, 2022, public law 107-103(the FY2022 appropriations), and

WHEREAS, to implement the congressionally directed spending an award letter has been issued for the grant designation of project NY 1709 A70, which is for the Orleans County construction of broadband infrastructure, and

WHEREAS, in order for Orleans County to receive the grant award it is required that both the principal awardee, Niagara County, and Orleans County as a second awardee are required to execute the Reconnect Program Grant and Security Agreement in order for Orleans County to receive their award for project NY1709-A70, and

WHEREAS, that due to this requirement of RUS; Orleans County has agreed to and executed an Indemnification and Hold Harmless Agreement, that fully holds Niagara County without liability or cost; which Orleans County fully agrees to indemnify and hold harmless Niagara County from any and all liability, cost or expense that may be involved with the Reconnect Program Grant and Security Agreement that is required to be executed by Niagara County and Orleans County, and

WHEREAS, that without the execution by Niagara County the award under project NY 1709-A70 would not be available to Orleans County to complete and put into effect their rural broadband infrastructure program, now, therefore, be it

RESOLVED, the Reconnect Program Grant and Security Agreement for the project designated NY 1709-A70, and any required documents to implement said agreement may be executed pursuant to the Niagara County Contract Policy after review and approval by the Niagara County Attorney.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CS-001-25

From: Community Services and Administration Committees.

Dated: January 21, 2025

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

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

WHEREAS, the National Association of County and City Health Officials has awarded our Emergency Planning Program Medical Reserve Corps Operational Readiness Award funds to assist in preparedness of local Medical Reserve Corps (MRC) capabilities from 12/1/24 through 9/29/2025, and

WHEREAS the Department of Health requests authorization to accept funds, now, therefore, be it

RESOLVED, the budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.406 44489.24	Other Health MRC	\$ 5,000.00
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INCREASE APPROPRIATIONS:

CM.20.4189.406 74375.01	Advertising & Promotion	\$ 500.00
CM.20.4189.406 74250.03	Printing/duplicating	475.00
CM.20.4189.406 74300.03	Mileage	300.00
CM.20.4189.406 74750.02	Supplies/Materials	3,725.00

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CS-002-25

From: Community Services and Administration Committees.

Dated: January 21, 2025

**BID AWARD FOR PROFESSIONAL ENGINEER
ENVIRONMENTAL DIVISION- DEPARTMENT OF HEALTH**

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

WHEREAS, a Professional Engineer is required to approve sewer, septic, water, and subdivision construction, and

WHEREAS, the Environmental Division of the Department of Health is experiencing the retirement of our last Professional Engineer on staff this month, and

WHEREAS, the position is being held open with no available applicants, and

WHEREAS, the Purchasing Department advertised for bids and publicly opened and read bids on November 21, 2024, and

WHEREAS, the New York State Department of Audit and Control as, in the past, requested the Purchasing Agent to refer the results of the bid to the Niagara County Legislature for its approval, and

WHEREAS, Public Health management has interviewed and considered both bids, and

WHEREAS, funds are available in the 2025 Public Health budget, now, therefore, be it

RESOLVED, that the low bid, as outlined on the attached result sheet, be awarded to LaBella Associates, DPC.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CS-003-25

From: Community Services and Administration Committees.

Dated: January 21, 2025

**ABOLISH ACCOUNT CLERICAL III/CREATE & FILL ACCOUNT CLERICAL IV POSITION-
FISCAL DIVISION- DEPARTMENT OF HEALTH**

WHEREAS, the Fiscal Division of Niagara County Department of Health provides the Public Health Department with essential support services, and

WHEREAS, the duties of Account Clerical III have been reviewed finding Account Clerical IV duties better represents increased required scope of support duties of this position, and

WHEREAS, the minimal increase cost will be offset with a decrease in travel, conference, and

WHEREAS, availability of fiscal support is a priority for division leadership and growing number of complex grants, now, therefore, be it

RESOLVED, that effective February 2, 2025 Account Clerical III (position # 601), CSEA Job Group 6 at \$44,835 per year, be abolished, and be it further

RESOLVED, that effective February 3, 2025 the position of Account Clerical IV, CSEA Job Group 8 at \$48,196 per year, be created and filled, and be it further

RESOLVED, the following budget modification be made:

INCREASE REVENUE:

A.20.4010.000 43401.00	State Aid	\$ 864
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DECREASE APPROPRIATIONS:

A.20.4010.000 74300.01	Travel Conference	\$ 1,536
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INCREASE APPROPRIATIONS:

A.20.4010.000 71010.00	position TBD	\$ 1,966
A.20.4010.000 78200.00	FICA	150
A.20.4010.000 78100.00	Retirement	243
A.20.4010.000 78300.00	Worker's Comp	41

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CS-004-25

From: Community Services and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY EMPLOYMENT & TRAINING DEPARTMENT BUDGET MODIFICATION
ACCEPT \$250,000 RENEWABLE ENERGY TRAINING INITIATIVE (RETI) FUNDING 2025**

WHEREAS, the Niagara County Local Workforce Development Board (NCWDB) has been awarded \$250,000 under the Renewable Energy Training Initiative (RETI), and

WHEREAS, this state funded program is allocated by the New York Power Authority (NYPA) working in cooperation with the New York State Department of Labor's (NYDOL), Office of Just Energy Transition (OJET) to support clean energy and workforce development training, and

WHEREAS, the Niagara County Employment & Training (NCET) Department will manage and administer these training and supportive funds as outlined in the Subrecipient Agreement, now, therefore, be it

RESOLVED, that the NCWDB and NCET are authorized to accept this award, and be it further

RESOLVED, that the 2025 NCET Department Budget be modified as follows:

INCREASE REVENUE:

CD.29.6291.000 43089.xx	State Aid Other, RETI	\$ 250,000
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INCREASE APPROPRIATIONS:

CD.29.6291.000 74500.01	Contractual Expenses	\$ 250,000
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Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-002-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – ACCEPT FY24 STONEGARDEN GRANT**

WHEREAS, the Niagara County Sheriff's Office has been notified by the New York State Department of Homeland Security and Emergency Services that it has been awarded \$107,650 under the FY2024 Operation Stonegarden Program, whose funding is provided by the U.S. Department of Homeland Security and Emergency Services, and

WHEREAS, Operation Stonegarden has been awarded to the Niagara County Sheriff's Office for many years for expenses to assist the County in conducting border centric, intelligence driven operations with the goal of reduction or elimination of threat, risk and vulnerability along our nation's borders, and

WHEREAS, the performance period for the grant is September 1, 2024 through August 31, 2027, and

WHEREAS, the 2025 budget needs to be amended to accept the revenue, now, therefore, be it

RESOLVED, that following the County Attorney's review, the FY24 Operation Stonegarden 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	\$107,650
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INCREASE APPROPRIATIONS:

A.17.3645.000 71050.00	Overtime Expense	\$18,166
A.17.3645.000 72100.21	Law Enforcement Equipment	43,287
A.17.3645.000 74400.09	Payments Other Agencies	42,197
A.17.3645.000 78100.00	Retirement Expense	2,442
A.17.3645.000 78200.00	FICA Expense	1,224
A.17.3645.000 78300.00	Worker's Compensation Expense	334

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-003-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – FY2020 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE LAW
ENFORCEMENT EQUIPMENT GRANT**

WHEREAS, the Niagara County Legislature passed Resolution #CSS-068-24 on 8/6/24 to accept a FY2020 Edward Byrne Memorial Justice Assistance Law Enforcement Equipment Grant through New York State Division of Criminal Justice Services in the amount of \$602,000 for the performance period 7/1/24 – 6/30/25, and

WHEREAS, the grant has a budget modification to add the purchase and upfitting of a patrol vehicle due to actual costs being lower than the original budgeted amounts, and

WHEREAS, the budget modification must be accepted by the County and changes made to enable purchase of the vehicle, now, therefore, be it

RESOLVED, that following the County Attorney's review, the FY2020 Edward Byrne Memorial Justice Assistance Law Enforcement Equipment Grant budget modification may be executed pursuant to the Niagara County Contract Policy, and be it further

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.17.3645.000 72100.05 17GRTJAGLEE20	Computer Equipment	\$ 9,757
A.17.3645.000 72100.15 17GRTJAGLEE20	Communications Equipment	43,233
A.17.3645.000 72100.21 17GRTJAGLEE20	Law Enforcement Equipment	710

INCREASE APPROPRIATIONS:

A.17.3645.000 72100.12 17GRTJAGLEE20	Mach & Equip, Cars	\$45,000
A.17.3645.000 74800.11 17GRTJAGLEE20	Vehicle Maintenance	8,700

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-004-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION - POLICE TRAFFIC SERVICES GRANT**

WHEREAS, the Niagara County Legislature passed Resolution #CSS-115-24 to accept the Police Traffic Services Grant from the Governor's Traffic Safety Committee for the period October 1, 2024 through September 30, 2025 in the amount of \$25,065, and

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

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

WHEREAS, the 2025 Budget needs to be modified in order to utilize these funds, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.17.3110.000 44389.09	Other Public Safety Traffic	\$25,065
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INCREASE APPROPRIATIONS:

A.17.3110.000 71050.00	Overtime Expense	\$25,065
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Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-005-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – SHSP 2024 HOMELAND SECURITY GRANT**

WHEREAS, the Niagara County Emergency Management Office entered into FY24 State Homeland Security Grant Program / SLETPP grant through New York State Department of Homeland Security and Emergency Services which was accepted by the County in November of 2024, and

WHEREAS, the SHSP 2024 grant includes funds for Operational Overtime for counter terrorism patrol of potential targets, and

WHEREAS, the SHSP 2024 operational overtime and fringe funds need to be added to the Sheriff's Office 2025 budget in order to be utilized, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

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

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

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-006-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – STOP DWI FOUNDATION GRANT**

WHEREAS, the New York State STOP-DWI Foundation, Inc. has notified the Niagara County Sheriff's Office of an award of \$35,000 in grant funds available to use for High Visibility Engagement Campaigns this year, and

WHEREAS, the grant funds are utilized for enforcement efforts by multiple law enforcement agencies during peak holidays with the goal of reducing the number of crashes, injuries and deaths on Niagara County roads, and

WHEREAS, the 2025 budget was created with \$28,000 in STOP DWI Foundation funds as was originally communicated, and

WHEREAS, it is necessary to modify the 2025 budget to utilize the additional \$7,000, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.17.3315.000 44389.09	Other Public Safety Traffic	\$7,000
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INCREASE APPROPRIATIONS:

A.17.3315.000 74400.09	Miscellaneous Expenses Payments Other Agencies	\$7,000
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Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-007-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – DCJS LAW ENFORCEMENT EQUIPMENT GRANT**

WHEREAS, the Niagara County Legislature passed Resolution CSS-096-24 on October 15, 2024 to accept the New York State FY2021 Edward Byrne Memorial Justice Assistance Grant in the amount of \$84,800 through the New York State Division of Criminal Justice Services for the period for 10/1/24 to 9/30/25, and

WHEREAS, the grant was accepted after the 2025 budget was created, and

WHEREAS, the New York State FY2021 Edward Byrne Memorial Justice Assistance Grant in the amount of \$84,800 has to be added to the Sheriff's Office 2025 budget in order to utilize the funds, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.17.3645.000 44305.02	Civil Defense Homeland Security	\$84,800
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INCREASE APPROPRIATIONS:

A.17.3645.000 72100.21	Law Enforcement Equipment	\$77,300
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A.17.3645.000 74750.05	Law Enforcement Supplies	7,500
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Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-008-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
CREATE AND FILL BUILDING MAINTENANCE MECHANIC POSITION**

WHEREAS, the Niagara County Sheriff's Office has been notified that a Building Maintenance Mechanic who has been on a medical leave since August 2024 does not anticipate being able to return to work, and

WHEREAS, the extended leave put a large stress on the Niagara County Jail operations due to the high volume of maintenance needs for the aging facility, now, therefore, be it

RESOLVED, that a temporary Building Maintenance Mechanic position be created and filled effective 2/2/2025 at AFSCME Building Maintenance Mechanic Step 1 at an hourly rate of \$22.67/hour, and, be it further

RESOLVED, that the temporary position will be abolished upon the current Building Maintenance Mechanic position vacancy, and, be it further

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.17.3150.000 71010.00	Position Expense Posn # 4492	43,164
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INCREASE APPROPRIATIONS:

A.17.3150.000 71010.00	Position Expense Posn # NEW	43,164
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Moved by Bradt, seconded by Robins.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-009-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
CREATE AND FILL TEMPORARY SHERIFF DISPATCHER POSITION**

WHEREAS, the Niagara County Sheriff's Office has been notified of the extended military leave of a Sheriff Dispatcher who has been on military leave since May 2023 and has orders through September 2025, and

WHEREAS, the extended leave puts a large stress on the Emergency Dispatch operations causing excessive overtime, and

WHEREAS, due to the lengthy military leave that is expected to continue, it is necessary to create a temporary Sheriff Dispatcher position to be funded with savings from the position on military leave, now, therefore, be it

RESOLVED, that a temporary Sheriff Dispatcher position be created and filled effective 2/2/2025 at DSA Dispatcher Step 1 at an hourly rate of \$20.37/hour, and be it further

RESOLVED, that the temporary position will be abolished upon any Sheriff Dispatcher opening or the return of the employee from military leave, and be it further

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.17.3020.000 71010.00	Position Expense Posn # 4406	\$38,785
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INCREASE APPROPRIATIONS:

A.17.3020.000 71010.00	Position Expense Posn # NEW	\$38,785
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Moved by Bradt, seconded by Robins.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-010-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
CREATE AND FILL TWO TEMPORARY CORRECTION OFFICER POSITIONS**

WHEREAS, the Niagara County Sheriff's Office has been notified of the extended military leave of a Correction Officer who has been on military leave since April 2022 and has orders through September 2025, and

WHEREAS, the Niagara County Sheriff's Office has been notified of an employee currently on extended 207C leave who will be retiring and not returning to work, and

WHEREAS, the extended leaves put a large stress on the Niagara County Jail operations causing excessive overtime, and

WHEREAS, due to the lengthy military leave that is expected to continue and the anticipated retirement, it is necessary to create two temporary Correction Officer positions to be funded with savings from the position on military leave, now, therefore, be it

RESOLVED, that two temporary Correction Officer positions be created and filled effective 2/2/2025 at DSA Correction Officer Step 2 at an hourly rate of \$26.02/hour, and be it further

RESOLVED, that the temporary positions will be abolished upon the Correction Officer's retirement or the return of the employee from military leave, and be it further

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.17.3150.000 71010.00	Position Expense	\$57,870
	Posn # 3426	

INCREASE APPROPRIATIONS:

A.17.3150.000 71010.00	Position Expense	\$49,543
	Posn # NEW	
A.17.3150.000 71010.00	Position Expense	8,327
	Posn # NEW	

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-011-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
CREATE AND FILL TWO TEMPORARY DEPUTY SHERIFF POSITIONS**

WHEREAS, the Niagara County Sheriff's Office has been notified of the retirement of a Criminal Investigator and a Deputy Sheriff in March and April of 2025, and

WHEREAS, the next Niagara County Law Enforcement Academy will start in March of 2025 and the following Academy will not start until September of 2025, and

WHEREAS, new Deputy Sheriffs go through a six month Law Enforcement Academy, and then two months of Field Training before they are able to operate on their own, and

WHEREAS, due to the lengthy training needed for a new Deputy Sherriff it is important to start new Deputies in the March Academy in anticipation of these retirements, now, therefore, be it

RESOLVED, that two temporary Deputy Sheriff positions be created and filled effective 3/2/2025 at PBA Deputy Sheriff Step 2 at an hourly rate of \$31.26/hour, and be it further

RESOLVED, that the temporary positions will be abolished upon the Deputy Sheriff vacancies from the retirements, and be it further

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.17.3110.000 71010.00	Position Expense Posn # 10034	\$54,518
A.17.3110.000 71010.00	Position Expense Posn # 362	54,518

INCREASE APPROPRIATIONS:

A.17.3110.000 71010.00	Position Expense Posn # NEW	\$54,518
A.17.3110.000 71010.00	Position Expense Posn # NEW	54,518

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-012-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
EXPENDITURE OF CELLULAR E911 FUNDS FOR OLCOTT COMMUNICATIONS TOWER
POWER PROJECT**

WHEREAS, the Niagara County Legislature passed a Local Law on 11/15/17, which established an E911 surcharge for cellular phones to establish a dedicated revenue to be used for future payments for system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, and enhanced wireless service costs serving Niagara County, and

WHEREAS, such expenditures require the authorization of the Niagara County Legislature, and

WHEREAS, the Niagara County Sheriff's Office and the Niagara County Office of Emergency Services have identified an issue with the current power source for the Olcott Communications Tower, and

WHEREAS, the power to the Olcott Communications Tower is currently on a shared power line from a building that Niagara County currently leases, and

WHEREAS, the Niagara County Sheriff's Office will be pursuing a solution to provide independent power to the Olcott Communications Tower, now, therefore, be it

RESOLVED, that the Niagara County Sheriff's Office and Niagara County Office of Emergency Services be authorized to spend up to \$150,000 in cellular E911 funds for the necessary project to provide power directly to the Olcott Communications Tower, following Purchasing Guidelines

Moved by Bradt, seconded by Robins.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-013-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
FEDERAL EQUITABLE SHARING ANNUAL RECERTIFICATION**

WHEREAS, the United States Department of Justice requires that the Niagara County Sheriff's Office file an annual Federal Equitable Sharing Program Agreement and Certification Report in order to remain eligible to submit requests for federal forfeited property or proceeds, and

WHEREAS, the Agreement is entered into by the United States Department of Justice, the County of Niagara and the Niagara County Sheriff's Office, now, therefore, be it

RESOLVED, that the Niagara County Sheriff's Office be authorized to continue to participate in the Federal Equitable Sharing Program, and be it further

RESOLVED, that following the County Attorney's review, the United States Department of Justice Federal Equitable Sharing Agreement may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-014-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
JAIL HEALTHCARE BUSINESS ASSOCIATE
AND QUALIFIED SERVICE ORGANIZATION AGREEMENT**

WHEREAS, the Niagara County Sheriff's Office utilizes PrimeCare Medical as a third-party contractor to provide medical care for incarcerated individuals, and

WHEREAS, utilizing a third-party provider requires an updated Business Associate Agreement and Qualified Service Organization Agreement ("BAA/QSOA"), and

WHEREAS, the BAA/QSOA specifies the manner in which incarcerated individuals' medical information will be protected and the rights of the County to access and disclose medical information in order to abide by all applicable federal and state laws and regulations that govern the privacy and confidentiality of secure patient health information, now, therefore, be it

RESOLVED, that following the County Attorney's review and approval, the Business Associate Agreement and Qualified Service Organization Agreement may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-015-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
SOLE SOURCE STANDARDIZATION NATIONAL GRID**

WHEREAS, the Niagara County Sheriff's Office is starting a project to provide dedicated power to the Olcott Communications Tower, and

WHEREAS, National Grid is the only utility company which can provide electrical service in the area, and

WHEREAS, the Sheriff's Office engages in other projects with the Communications Towers which require service from the electricity utility company designated for the area in which the tower is located, and

WHEREAS, the Niagara County Sheriff's Office has received an estimate from National Grid for the Olcott Communications Tower to replace an electrical pole, install a riser, overhead ratio transformer, cutout, cutout blade and single-phase underground primary in an amount less than \$20,000, now, therefore, be it

RESOLVED, that for reasons of efficiency and economy, pursuant to General Municipal Law 103(5), there is a need for sole source purchase and standardization for the Niagara County Sheriff's Office in the provision of electrical service to the Olcott Communications Tower and future projects in which National Grid is the power utility company for the area, and be it further

RESOLVED, that it is hereby, determined that National Grid is the sole provider of electrical utility service for the Olcott area and other areas in Niagara County and that the Sheriff's Office is hereby authorized to purchase the electrical service work from National Grid in all areas where National Grid is the sole electrical utility company without the need to solicit for alternate proposals, such purchase to be made in consultation with the Purchasing Department and in accordance with budgetary procedures, and be it further

RESOLVED, that following the County Attorney's review, all orders with National Grid may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-016-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**WAIVER OF RESIDENCY REQUIREMENT
CONFLICT ATTORNEY**

WHEREAS, the Niagara County Conflicts Office & Assigned Counsel has permission to fill presently vacant Conflict Attorney positions under position numbers: 13681; 13814; 13960; 13961; 19364; 13969 and 13970; these are important positions that are required to provide legal representation of indigent persons entitled to public defense who cannot be represented by the Public Defender's Office due to a conflict of interest, and

WHEREAS, due to recent challenges with recruitment efforts of Niagara County residents that are experienced criminal and family Court trial attorneys for these vacant positions of Conflict Attorney, and

WHEREAS, the Conflicts Office & Assigned Counsel has made diligent and sincere efforts to recruit highly qualified candidates for these vacant positions from within Niagara County, including multiple advertisements and postings for an extended period of time, now, therefore, be it

RESOLVED, that a Waiver of Residency from the policy to hire only Niagara County residents be approved to fill these vacant position numbers: 13681; 13814; 13960; 13961; 19364; 13969 and 13970 of Conflict Attorney when the most qualified applicant or only qualified candidates resides outside Niagara County.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-017-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**PROBATION 2024-2025 ACCEPT IGNITION INTERLOCK DEVICE
MONITORING PROGRAM AWARD**

WHEREAS, the New York State Division of Criminal Justice Services has made an award to Niagara County for the Ignition Interlock Device Monitoring Program for term dates October 1, 2024 through September 30, 2025 and,

WHEREAS, the Grant is being renewed in the amount of \$21,220, and said funds are used to offset expenses for monitoring Ignition Interlock Device installation by offenders, and the revenue has been budgeted for in the 2024 and 2025 budgets, and

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

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

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-018-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

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

WHEREAS, Niagara County Department of Emergency Services currently possesses a 2003 Haulmark trailer (Fleet # 50248-03), previously used for the HazMat team which the county wishes to declare as surplus property, and

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

WHEREAS, an Inter-Municipal Agreement between the County of Niagara and the City of Lockport Fire Department has been drafted by the County Attorney's Office for a transfer of aforementioned 2003 Haulmark trailer, new therefore, be it

RESOLVED, that the County of Niagara declares the 2003 Haulmark trailer to be surplus property and authorizes an agreement with the City of Lockport Fire Department to transfer ownership of the 2003 Haulmark trailer, 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. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-019-25

From: Community Safety & Security and Administration Committees.

Dated: January 21, 2025

**2025 BUDGET MODIFICATION - FIRE COORDINATOR'S OFFICE
ACCEPT PAYMENT FOR A HAZ-MAT INCIDENT**

WHEREAS, the County Haz-Mat team responded an incident which resulted in depleted supplies that cannot be reused, and

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

WHEREAS, the Fire Coordinator's Office invoiced and received payment in December 2024 in the amount of \$10,747.76 for the Industrial Methylene spill that HazMat responded to on 9/30/24, and

WHEREAS, the funds were collected and recorded in 2024 and the Fire Coordinator's Office will need to replenish the supplies used by the Haz-Mat team in 2025, now, therefore, be it

RESOLVED, that the following 2025 budget modification be effectuated:

INCREASE APPROPRIATED FUND BALANCE

A 40599.00	Appropriated Fund Balance	\$ 10,747.76
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INCREASE APPROPRIATION:

A.19.3410.000 72100.33	M&E, Hazmat Equipment	\$ 8,800.00
A.19.3410.000 74750.10	Supplies, Gen Hazmat Inventory	1,947.76

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. ED-002-25

From: Economic Development Committee.

Dated: January 21, 2025

**FIXING DATE AND NOTICE FOR THE SECOND PUBLIC HEARING
FOR BRENT INDUSTRIES, LLC 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 Brent Industries, LLC at 9745 Rochester Road, within the Town of Royalton, 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 Niagara County to hold a public hearing to provide information to the public and to consider citizens' comments regarding administration of CDBG funded project to help make determinations for the future use of CDBG funds, now, therefore, be it

RESOLVED, that the Niagara County Legislature shall conduct 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 February, 2025 at 5:50 p.m., and be it further

RESOLVED, that the Clerk of the Legislature, at least eight days in advance of such hearing, shall post a notice on the Niagara County Legislature website, and shall publish such notice once in the Lockport Union Sun & Journal, and the Niagara Gazette.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. ED-003-25

From: Economic Development Committee.

Dated: January 21, 2025

**APPROVAL OF LOW COST POWER BENEFIT TO VIRTUAL POLYMER
COMPOUNDS, LLC UNDER THE AGREEMENT FOR THE SALE & PURCHASE OF
NIAGARA PROJECT POWER & ENERGY (ASPNPPE)**

WHEREAS, the County of Niagara entered into the Host Community Relicensing and Settlement Agreement ("HCRSA") on June 25, 2005, and

WHEREAS, the HCRSA entitles the County of Niagara to 9 megawatts of low cost power allocation (at 70% load) from the New York Power Authority, and

WHEREAS, the County of Niagara has made the use of this low cost power allocation for economic development purposes as the top priority for that allocation, and

WHEREAS, there is presently an Agreement for the Sale and Purchase of Niagara Project Power and Energy ("ASPNPPE") that has been approved by the County of Niagara and NYPA and the Governor of the State of New York, and

WHEREAS, the ASPNPPE specifically provides that the County of Niagara could use its low cost power allocation for economic development purposes, and

WHEREAS, the County of Niagara has taken the necessary actions to fully implement the benefits contained in the HCRSA and the ASPNPPE, and

WHEREAS, the County of Niagara established the Empower Niagara Board by Resolution ED-021-07 to review applications for the use of low cost power for economic development by reviewing applications and to make recommendations to the Legislature of Niagara County, and

WHEREAS, the County of Niagara has previously awarded to Virtual Polymer Compounds, LLC for this same project under resolution ED-002-22, 200 kw (at 70% load factor), which agreement will expire on January 31, 2025 and for which Virtual Polymer Compounds, LLC has met each part of the previous application, and

WHEREAS, the Empower Niagara Board has reviewed the extension request of Virtual Polymer Compounds, LLC for the use of low cost power to allow it to remain competitive in Niagara County and Virtual Polymer Compounds, LLC has met or exceeded each part of the previous application, including an increase in its workforce from 38 to 53 employees, an expansion of production capacity through new equipment and processes that lower costs and improve efficiency, and a significant capital investment which has led to an increase in sales from \$4.8 million in 2021 to \$8 million in 2023, and

WHEREAS, Virtual Polymer Compounds, LLC has implemented several energy efficiency projects, including elimination of two large inefficient air handling/heating units, installation of an energy management system and the conversion to LED lighting throughout the entire complex, and

WHEREAS, Virtual Polymer Compounds, LLC has purchased nearly \$250,000 in services from fifteen Niagara County companies, which has expanded its economic impact to Niagara County, and

WHEREAS, Virtual Polymer Compounds, LLC has met or exceeded all the criteria qualifying its original project for consideration and the Empower Niagara Board is recommending approval of a three-year extension of the agreement, and

WHEREAS, the demand usage of Virtual Polymer Compounds, LLC will remain at 200 kw (at 70% load factor) of low cost power, and

WHEREAS, the approval of the Virtual Polymer Compounds, LLC renewal application will not only maintain economic development in Niagara County, but also assist Virtual Polymer Compounds, LLC to remain competitive in the manufacturing of Primary Plastics, corrosion-free commercial fans, and InterActive Play divisions, which is the primary product lines at the Lockport plant, and

WHEREAS, the Empower Niagara Board recommends the approval of the extension of low cost power allocation of 200kw (at 70% load factor) for a period of three (3) years commencing February 1, 2025 to Virtual Polymer Compounds, LLC, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby approves Virtual Polymer Compounds, LLC request for a three-year extension of low cost power benefits from Niagara County, pursuant to low cost power allocation received through the June 25, 2005 HCRSA and ASPNPPE, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the Empower User Agreement for Low Cost Power with Virtual Polymer Compounds, LLC for an extension of 200 kw (at 70% load factor) of low cost power for an additional three-year period.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. ED-004-25

From: Economic Development Committee.

Dated: January 21, 2025

**APPROVAL OF LOW COST POWER BENEFIT TO
BIG DITCH BREWING COMPANY UNDER AGREEMENT FOR THE
SALE AND PURCHASE OF NIAGARA PROJECT POWER & ENERGY (ASPNPPE)**

WHEREAS, the County of Niagara entered into the Host Community Relicensing and Settlement Agreement (“HCRSA”) on June 25, 2005, and

WHEREAS, the HCRSA entitles the County of Niagara to 9 megawatts of low cost power allocation (at 70% load) from the New York Power Authority, and

WHEREAS, the County of Niagara has made the use of this low cost power allocation for economic development purposes as the top priority for that allocation, and

WHEREAS, there is presently an Agreement for the Sale and Purchase of Niagara Project Power and Energy (“ASPNPPE”) that has been approved by the County of Niagara and NYPA and the Governor of the State of New York, and

WHEREAS, the ASPNPPE specifically provides that the County of Niagara, could use its low cost power allocation for economic development purposes, and

WHEREAS, the County of Niagara has taken the necessary actions to fully implement the benefits contained in the HCRSA and the ASPNPPE, and

WHEREAS, the County of Niagara established the Empower Niagara Board by resolution ED-021-07 to review applications for the use of low cost power for economic development by reviewing applications and to make recommendation to Legislature of Niagara County, and

WHEREAS, the application of Big Ditch Brewing Company, a craft brewery and restaurant, located at the Historic Old Post Office in the City of Lockport, to open in February, 2025, has met and exceeded all the criteria qualifying its project for consideration and the Empower Niagara Board is recommending approval of this application, and

WHEREAS, Big Ditch Brewing Company opened its headquarters in 2014 and a Tap Room in 2015 in the City of Buffalo and has grown to be Western New York’s largest independently owned brewery and one of the 10 largest independently owned breweries in New York State, and

WHEREAS, Big Ditch Brewing Company is investing \$1.2 million to acquire and install machinery and equipment and to redesign the 15,000 square foot space at the Historic Old Post Office, serving as the company’s “Innovation Brewery,” producing small batches of experimental products, which will later be scaled into bigger batches and larger volume products, and

WHEREAS, the application was approved for 248 kw (at 70% load factor) of low cost power, which will allow Big Ditch Brewing Company to operate as craft brewery and restaurant at the Historic Old Post Office in the City of Lockport, serving as the anchor tenant and employing 10 full-time employees, and

WHEREAS, the approval of Big Ditch Brewing Company application for 248 kw (at 70% load factor) of low cost power will not only increase economic development in the City of Lockport and Niagara County, but will also assist Big Ditch Brewing Company to remain competitive in the craft brewery and restaurant business and will have a good economic effect on the community in Niagara County, and

WHEREAS, the Empower Niagara Board will be recommending the approval of the application for low cost power allocation of 248kw (at 70% load factor) for a period of three (3) years commencing February 1, 2025, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby approves the application of Big Ditch Brewing Company for 248kw (at 70% load factor) low cost power benefits from Niagara County, pursuant to low cost power allocation received through the June 25, 2005 HCRSA and ASPNPPE, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute this Empower User Agreement for Low Cost Power with Big Ditch Brewing Company.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. ED-005-25

From: Economic Development and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT
SOLE SOURCE STANDARDIZATION OF ON-AIR AND STREAMING RADIO MARKETING**

WHEREAS, the Niagara County Department of Economic Development (NCDED) is tasked with helping to grow the county's tax base by assisting businesses located in Niagara County and attracting new companies to the region, and

WHEREAS, during the last several years the department has utilized a variety of marketing resources to foster economic development throughout the county, and

WHEREAS, NCDDED has developed a working relationship with Audacy, Inc., and its local business and talk radio station WBEN-AM, and

WHEREAS, Audacy, Inc. offers both on-air and streaming services that reach not only the Western New York area, but also into Southern Ontario, a key demographic for business attraction, and

WHEREAS, through the development of ads and content, NCDDED has been able to promote business opportunities to local companies and those looking to establish a location in Niagara County, and

WHEREAS, through marketing campaign analytics NCDDED has tangible results that there is an increase in engagements with businesses of 15%+ during the times that on-air and streaming marketing was ongoing, now, therefore, be it

RESOLVED, that for reasons of efficiency and economy, pursuant to General Municipal Law 103(5), there is a need for standardization for the Niagara County Department of Economic Development in the purchase of on-air and streaming radio campaigns, and be it further

RESOLVED, that it is hereby determined that Audacy, Inc. is a sole source for on-air and streaming radio marketing, and that the Niagara County Department of Economic Development is hereby authorized to purchase on-air and streaming ad campaigns from Audacy, Inc. without the need to solicit for alternate proposals, such purchase to be made in consultation with Purchasing Department and in accordance with budgetary procedures.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-001-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

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

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

WHEREAS, the Phase II award is one hundred and twenty-five thousand dollars (\$125,000), which was budgeted in the 2025 Budget process, and

WHEREAS, the New York State Climate Act charged the Climate Justice Working with the development of criteria to identify disadvantaged communities to ensure that frontline and otherwise underserved communities benefit from the states transition to cleaner, greener sources of energy, reduced pollution and cleaner air, and economic opportunities, and

WHEREAS, the New York State Research and Development Authority incentivizes communities to locate projects in a New York State Disadvantage Community by offering a 50% grant bonus, and

WHEREAS, these funds will be used to finance electric vehicle charging infrastructure, electric landscaping equipment, and/or purchase two (2) electric vehicles for use in Disadvantaged Communities identified in Niagara County, and

WHEREAS, Niagara County may be eligible for an additional sixty-two thousand five hundred dollars \$62,500, and

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

RESOLVED, that the following budget modification be effectuated:

INCREASE ANTICIPATED REVENUE:

A.15.8160.802 43989.05	Other Home & Community Service Climate Conscious	\$62,500
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INCREASE APPROPRIATIONS:

A.15.8160.802 72100.12	Machinery & Equipment Cars, Vans, Light Trucks	\$62,500
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and it be further,

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

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-002-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

NIAGARA COUNTY SOLID WASTE – CLEAN ENERGY COMMUNITIES GRANT

WHEREAS, Resolution IF-183-24, dated November 12, 2024, accepted grant funds for meeting certain criteria for the Clean Energy Communities Grant Program, in the amount of \$20,000, and

WHEREAS, not all funds were expensed in 2024 and the 2025 Budget needs to be amended to make the grant funds available in the current year, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.15.8160.802 43989.05	Other Home & Community Service	\$3,133.41
	Climate Conscious	

INCREASE APPROPRIATIONS:

A.15.8160.802 74500.01	Contractual Expenses	\$3,133.41
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Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-003-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA
AND SCOUTING AMERICA TROOP 4**

WHEREAS, the Scouting America Troop 4 has requested that the County of Niagara grant them permission to use Burmaster Park on February 7th – 9th, 2025 for the purpose of holding a Winter Campout, and

WHEREAS, this program benefits the residents of Niagara County as a whole, 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 Scouting America Troop 4, and

WHEREAS, prior to the execution of the agreement, the County Attorney will review the 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 the Scouting America Troop 4 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 agreement with Scouting America Troop 4's Winter Campout may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-004-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

NIAGARA COUNTY GOLF COURSE RATES FOR 2025 SEASON

WHEREAS, the Niagara County Public Works Departments, is responsible for the daily operations of the Niagara County Golf Course on Davison Road, and

WHEREAS, it is the goal of the department to keep the rates economical for users of the course, and

WHEREAS, after a review of the current golf rates currently being charged at the Niagara County Golf Course, the department is recommending proposed increases for various fees, as per the rate chart, now, therefore, be it

RESOLVED, that the Infrastructure and Facilities Committee has reviewed the proposed 2025 fee schedule and recommends the implementation of the 2025 Golf Course rates, and be it further

RESOLVED, that the proposed 2025 fee scheduled be implemented as of February 1, 2025.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-005-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

NIAGARA COUNTY PARK RATES FOR 2025 SEASON

WHEREAS, the Niagara County Public Works Departments, is responsible for the daily operations of the Niagara County Parks Department, and

WHEREAS, it is the goal of the department to keep the shelter rates economical for users of the Parks, and

WHEREAS, after a review of the current shelter rates and hall rental rates currently being charged for the various park facilities, the department is recommending proposed increases for various rental rates, as per the 2025 chart, now, therefore, be it

RESOLVED, that the Infrastructure and Facilities Committee has reviewed the proposed 2025 shelter fee schedule and recommends the implementation of the 2025 Park Rental rates, and be it further

RESOLVED, that the proposed 2025 fee scheduled be implemented as of February 1, 2025.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-006-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

**NIAGARA COUNTY PUBLIC WORKS
SOLE SOURCE STANDARDIZATION NYSEG**

WHEREAS, the Niagara County Public Works Department is starting a project to upgrade the electrical power to the Golf Course Facility, and

WHEREAS, NYSEG is the only utility company which can provide electrical service in this area, and

WHEREAS, the Niagara County Public Works Department has received an estimate from NYSEG for the installation of poles at the Golf Course located at 314 Davison Road, Lockport, in an amount less than \$11,000, now, therefore, be it

RESOLVED, that for reasons of efficiency and economy, pursuant to General Municipal Law 103(5), there is a need for sole source purchase and standardization for the Niagara County Public Works Department in the

upgrade of electrical service to the Golf Course Facility on Davison Road, Lockport and future projects in which NYSEG is the power utility company for the area, and be it further

RESOLVED, that it is hereby determined that NYSEG is the sole provider of electrical utility service for the Lockport area and other areas within Niagara County and that the Public Works Department is hereby authorized to purchase the electrical service work from NYSEG in all areas where NYSEG is the sole electrical utility company without the need to solicit for alternate proposals, and such purchase is to be made in consultation with the Purchasing Department and in accordance with budgetary procedures, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-007-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

**TROTT ACCESS SIGNAGE CONTRACT
CHANGE ORDER NO. 1**

WHEREAS, Niagara County Purchasing advertised for Bids for the Outdoor Electronic Message Sign for the Trott ACCESS Center, and

WHEREAS, Cooper Neon Sign Co. Inc., 7350 Porter Road, Niagara Falls, NY 14304, was the sole bidder, for a cost of \$60,228.60, and

WHEREAS, it is necessary to modify the contract to allow for running and installing of conduit on the exterior building and drilling to accommodate the fiber optic cable to the third floor of Trott ACCESS Center, for a cost not to exceed \$4,525.00, for a revised contract price of \$64,753.60, and

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

RESOLVED, that Change Order No. 1 to allow for the installation of conduit and drilling to accommodate the fiber optic cable to the third floor of Trott ACCESS Center be approved in the amount of \$4,525.00 to Cooper Neon Sign Co. Inc., 7350 Porter Road, Niagara Falls, NY 14304, for a revised contract amount of \$64,753.60, 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. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-008-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

**BRIDGE NY CULVERT LOCAL PROJECT AGREEMENT, PIN 5765.39
ROYALTON CENTER ROAD OVER MUD CREEK BRIDGE REPLACEMENT**

WHEREAS, the Royalton Center Road over Mud Creek Project, PIN 5765.39 (the "Project"), Town of Royalton, Niagara County, is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended, and PUB.L.117-58, also known as the "Bipartisan Infrastructure Law" (BIL), and

WHEREAS, the County of Niagara will design, let, and administer all phases of the Project, and

WHEREAS, the County of Niagara desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof, now, therefore, be it

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

RESOLVED, that the Legislature of the County of Niagara hereby authorizes the County of Niagara to pay 100% of the costs of the Engineering (Design I-VI) Phases of the Project or portions thereof, with the understanding that qualified costs may be eligible for federal aid, state aid, or reimbursement from Bridge NY funds, and be it further

RESOLVED, that the following budget modification be effectuated to reflect the funding levels set forth by Schedule A in the attached agreement:

INCREASE ESTIMATED REVENUE:

H777.15.5197.000 44597.01	Fed Aid Cap Const Hwy Revenue	\$313,500
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INCREASE ESTIMATED APPROPRIATIONS:

H777.15.5197.000 72600.02	Infrastructure Bridges	\$313,500
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and be it further

RESOLVED, that the sum of \$330,000 is hereby appropriated in account H777.15.5197.000 72600.02, Infrastructure Bridges, and is made available to cover the cost of participation in the above phases of the Project, and be it further

RESOLVED, that the Niagara County Legislature hereby agrees that the County of Niagara shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the Bridge NY funding awarded to the County of Niagara, and be it further

RESOLVED, that in the event the Project costs exceed the amount appropriated above, the County of Niagara shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation, and be it further

RESOLVED, that the County of Niagara hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months, and be it further

RESOLVED, that the Chair of the Legislature of the County of Niagara be, and hereby is, authorized to execute all necessary Agreements, certifications, or reimbursement requests with NYSDOT for state aid and/or Bridge NY funding on behalf of the County of Niagara, in connection with the advancement or approval of the Project providing for the administration of the Project and the County of Niagara's funding of Project costs, and be it further

RESOLVED, that the County of Niagara will be responsible for all maintenance of the Project, and be it further

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

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

RESOLVED, that this Resolution shall take effect immediately.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-009-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

AWARD CONSULTANT CONTRACT – REHABILITATION OF FIVE BRIDGES

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Rehabilitation of Five Bridges Project, and

WHEREAS, funds are available in account D.15.5120.000 74650.07, Professional Engineering Services, and

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

RESOLVED, that the consultant services contract for the Rehabilitation of Five Bridges Project be awarded to Colliers Engineering and Design, 40 LaRiviere Drive, Suite 200, Waterfront Village Center, Buffalo, NY 14202, for a contract amount not to exceed \$300,000, 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. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-010-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

AWARD CONSULTANT CONTRACT – PORTER CENTER ROAD FROM SWANN ROAD TO LAKE ROAD - ROAD AND DRAINAGE IMPROVEMENTS

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Porter Center Road from Swann Road to Lake Road - Road and Drainage Improvements Project, and

WHEREAS, the East Canal Road Rehabilitation Project has been completed and there are remaining funds in this 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:

DECREASE REVENUE:

H731.15.5112.000 43501.00	Consol Hwy Aid Revenue	\$100,000
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DECREASE APPROPRIATIONS:

H731.15.5112.000 72600.01	Roads	\$100,000
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INCREASE REVENUE:

H809.15.5112.000 43501.00	Consol Hwy Aid Revenue	\$100,000
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INCREASE APPROPRIATIONS:

H809.15.5112.000 72600.01	Roads	\$100,000
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and be it further

RESOLVED, that the consultant services contract for survey work for the Porter Center Road from Swann Road to Lake Road - Road and Drainage Improvements Project be awarded to Frandina Engineering and Land Surveying, PC, 1701 Hertel Avenue, Buffalo, NY 14216, for a contract amount not to exceed \$106,259.68, 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. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-011-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

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

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, Resolution No. IF-097-24, dated May 14, 2024, extended the contract completion date to December 31, 2024, and

WHEREAS, it is necessary to extend the contract completion date to December 31, 2026, and

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

RESOLVED, that the contract to Mott MacDonald New York Inc., 438 Main Street, Suite 300, Buffalo, NY 14202, be extended to December 31, 2026, at no additional cost to the County, and be it further

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

Moved by Bradt, seconded by Robins.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-012-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

**WILLOW ROAD BRIDGE OVER THE EAST BRANCH OF TWELVE MILE CREEK
CONSULTANT AMENDMENT NO. 3**

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, Resolution No. IF-098-24, dated May 14, 2024, extended the contract completion date to December 31, 2024, and

WHEREAS, it is necessary to extend the contract completion date to December 31, 2026, and

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

RESOLVED, that the contract to Mott MacDonald New York Inc., 438 Main Street, Suite 300, Buffalo, NY 14202, be extended to December 31, 2026, at no additional cost to the County, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-013-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

**HARTLAND ROAD CULVERT NO. 108-10
CONSULTANT AMENDMENT NO. 1**

WHEREAS, Resolution No. IF-173-23, dated November 14, 2023, authorized the contract for consultant services for the Hartland Road Culvert No. 108-10 Project to Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, NY 14225, for a contract amount not to exceed \$60,000, and

WHEREAS, it is necessary to increase the contract in the amount of \$106,578 for construction inspection and construction administration, for a revised contract amount of \$166,578, and

WHEREAS, it is also necessary to extend the contract completion date to June 30, 2026, and

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

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

INCREASE REVENUE:

H798.15.5197.000 43501.00	Consol Hwy Aid Revenue	\$75,000
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INCREASE APPROPRIATIONS:

H798.15.5197.000 72600.01	Infrastructure Roads	\$75,000
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and be it further

RESOLVED, that Amendment No. 1 to increase the contract by \$106,578 for Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, NY 14225, for the Hartland Road Culvert No. 108-10 Project, for a revised contract amount of \$166,578, be approved, and be it further

RESOLVED, that the contract be extended to June 30, 2026, 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. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-014-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

**ROAD EVALUATIONS AND PRIORITIZATION FOR TIP SUBMISSION
AMENDMENT NO. 1 - FINAL**

WHEREAS, Resolution No. IF-117-24, dated June 18, 2024, awarded the contract for the Road Evaluation and Prioritization for Tip Submission Project to Urban Engineers of NY, P.C., 403 Main Street, Suite 530, Buffalo, NY 14203 for a contract amount not to exceed \$97,857, and

WHEREAS, it is necessary to reduce the contract in the amount of \$44,714.78, as the project is now complete, for a revised contract amount of \$53,142.22, 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. 1-Final to decrease the contract by \$44,714.78 for the Road Evaluation and Prioritization for Tip Submission Project, for a revised contract amount of \$53,142.22, to Urban Engineers of NY, P.C., 403 Main Street, Suite 530, Buffalo, NY 14203, be approved, and be it further

RESOLVED, that final payment be made to Urban Engineers of NY, P.C. as soon as practicable, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-015-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

**RECREATIONAL FACILITIES AT KRULL AND OPPENHEIM PARKS
CONSULTANT AMENDMENT NO. 3**

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, Resolution No. IF-099-24 dated May 14, 2024 increased 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, for a revised contract amount of \$125,668, 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 completion date to December 31, 2025 for the Recreational Facilities at Krull and Oppenheim Parks Project, 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. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-016-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

**EAST CANAL ROAD REHABILITATION AND DRAINAGE IMPROVEMENTS
FROM ROBINSON ROAD TO FISK ROAD
CHANGE ORDER NO. 1 - FINAL**

WHEREAS, Resolution No. CW-012-24, dated July 15, 2024, awarded the contract for the East Canal Road Rehabilitation and Drainage Improvements Project to Keeler Construction Co., 13519 West Lee Road, Albion, NY 14411, for a contract amount not to exceed \$1,459,011.46, and

WHEREAS, it is necessary to reduce the contract in the amount of \$169,657.01, as the project is now complete, for a revised contract amount of \$1,289,354.45, and

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

RESOLVED, that Change Order No. 1-Final to decrease the contract by \$169,657.01 for the East Canal Road Rehabilitation and Drainage Improvements Project, for a revised contract amount of \$1,289,354.45, to Keeler Construction Co., 13519 West Lee Road, Albion, NY 14411, be approved, and be it further

RESOLVED, that final payment be made to Keeler Construction Co. as soon as practicable, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-017-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

**EMERGENCY REPAIR WORK - BRALEY ROAD OVER THE EAST BRANCH OF
TWELVE MILE CREEK BRIDGE RAIL PROJECT - CHANGE ORDER NO. 2**

WHEREAS, Resolution No. IF-154-24, dated September 17, 2024, awarded the contract for emergency repair work at Braley Road over the East Branch of Twelve Mile Creek Bridge Rail Project to Concrete Applied Technologies Corp., d/b/a CATCO, 1266 Townline Road, Alden, NY 14004, for a contract amount not to exceed \$200,000, and

WHEREAS, Resolution No. IF-217-24, dated December 3, 2024, extended the contract completion date to March 1, 2025, at no additional cost to the County, and

WHEREAS, it is necessary to extend the contract completion date to June 1, 2025, at no additional cost to the county, and

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

RESOLVED, that Change Order No. 2 to extend the contract completion date to June 1, 2025 for the emergency repair work at Braley Road over the East Branch of Twelve Mile Creek Bridge Rail Project for Concrete Applied Technologies Corp., d/b/a CATCO, 1266 Townline Road, Alden, NY 14004, 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. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-018-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

AUTHORIZATION TO APPLY FOR BUILD TRANSPORTATION DISCRETIONARY GRANT

WHEREAS, Niagara County would like to take advantage of federal infrastructure funds targeted for rural projects to address multiple needs throughout Niagara County's rural road network, including bridges that are in disrepair from consistent farm-related activity and have not been upgraded or improved in decades, and

WHEREAS, this initiative will package a number of bridge projects strategic to Niagara County's agribusiness network and are in the most need of improvements for consideration through the federal Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grant Program, and

WHEREAS, more than 40% of Niagara County's total acreage is dedicated to farms, representing more than \$120 million in annual sales and employment for more than 1,000 people, and

WHEREAS, per the FY 2025 Appropriations Act, BUILD Transportation Discretionary Grants may be used for funding of a project, and

WHEREAS, Niagara County has needs for rural bridge improvements totaling \$4 million, with a projected 10% match, or \$400,000, to be funded with Consolidated Highway Improvement Program (CHIPS) Funds, and

WHEREAS, applications for the FY 2025 Appropriations Act, BUILD Transportation Discretionary Grants are due by January 30, 2025, and

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

RESOLVED, that Garret Meal, Niagara County Commissioner of Public Works, is hereby authorized and directed to file an application for funds from the FY 2025 Appropriations Act, BUILD Discretionary Grant Program in the amount of \$4 million for rural bridge improvements and is authorized to draw up a contract for this grant, 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. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-019-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

**GENERAL CONSTRUCTION CONTRACT- NEW PUBLIC WORKS FACILITY
AWARD TO NEXT LOWEST BIDDER**

WHEREAS, Resolution IF-222-24, dated December 3, 2024, awarded the General Construction Contract for the New Public Works Facility, to the apparent lowest, responsible bidder, Picone Construction Corp., 10995 Main Street, Clarence, NY 14031, in the amount of \$9,220,000, and

WHEREAS, the County has been working diligently to obtain the necessary signature on the contract documents, and

WHEREAS, per attached letter the County could not obtain an executed contract with the low bidder, and

WHEREAS, after discussion with the second lowest bidder, Walter S. Johnson Bldg. Co., PO Box 688, Niagara Falls, NY 14302, it has been confirmed that they will honor their original bid, and

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

RESOLVED, that the General Construction Contract for the New Public Works Facility be awarded to Walter S. Johnson Bldg. Co., PO Box 688, Niagara Falls, NY 14302 in the amount of \$9,760,000.00, and be it further Moved by Myers, second by Nemi to amend the resolution.

Second RESOLVED added: "...RESOLVED, that the execution of this contract by the Chairman of the Legislature is subject to the review of the County Attorney, County Manager and the County Treasurer...."

Moved by Myers, second by Nemi to approve amendment.

Moved by Myers, seconded by Nemi.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-020-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

**DPW – HIGHWAY
EXPENDITURE OF COUNTY ROAD FUND MONIES**

WHEREAS, the Commissioner of Public Works recommends the expenditure of County Road Fund monies for maintenance of roads under Section 129 of the Highway Law in the sum of \$9,723,863, and

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

RESOLVED, that the recommendation of the Commissioner of Public Works be approved and the sum of \$9,723,863 be appropriated from the County Road Fund for maintenance during the year 2025, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-021-25

From: Infrastructure & Facilities and Administration Committees.

Dated: January 21, 2025

NIAGARA COUNTY HIGHWAY MAINTENANCE 2024 BUDGET MODIFICATION

WHEREAS, the Highway Department allocates funds for Equipment Usage in the Highway Maintenance, Highway Bridge Maintenance, Highway Drainage, County Snow & Ice and State Snow & Ice activities, and

WHEREAS, in 2024, the NYS Department of Transportation guided municipalities to begin using the FEMA equipment rate guide, and

WHEREAS, in 2024, the Highway Department performed more maintenance activities than estimated during the 2024 budget process and additional funds are required in the equipment lease/rental budget line, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE APPROPRIATED FUND BALANCE:

D.40599.00

Appropriated Fund Balance

\$726,856

INCREASE APPROPRIATIONS:

D.15.5110.000 74200.04 Equipment Lease/Rental \$726,856

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IL-001-25

From: Legislators Richard E. Abbott, Anthony J. Nemi and Economic Development Committee.

Dated: January 21, 2025

**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 Secret Weapons of World War II” to celebrate the 80th anniversary of the end of World War II, and

WHEREAS, a 3-month exhibit will be displayed at the Kenan Center and Lockport Public Library, and

WHEREAS, the exhibit will concentrate on the little-known role of woman, books and music during World War II, and

WHEREAS, it will display authentic memorabilia highlighting Women of the Resistance, American Red Cross Club mobile girls, Armed Services books and rare recordings, and

WHEREAS, this project will concentrate on bringing veterans and their families as well as local schools to this project, 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 Lockport Public Arts Council by appropriating monies from said Community Partnership as follows:

Lockport Public Arts Council \$3,000.00

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IL-002-25

From: Legislator Christopher Voccio and Economic Development Committee.

Dated: January 21, 2025

**RESOLUTION IN SUPPORT OF NIAGARA HERITAGE OF HOPE AND SERVICE (HOLY
TRINITY) THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Heritage of Hope and Service is a nonprofit organization that maintains the Holy Trinity historic complex on Falls Street in the City of Niagara Falls, and

WHEREAS, the Niagara Heritage of Hope and Service provides much needed services to the community in and beyond the Falls Street corridor, and

WHEREAS, the Niagara Heritage of Hope and Service has an urgent need of repair in its facilities, 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 Heritage of Hope and Service by appropriating monies from said Community Partnership Fund as follows:

Niagara Heritage of Hope and Service	\$3,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 15 Ayes, 0 Noes, 0 Absent.	

Resolution No. IL-003-25

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

Dated: January 21, 2025

**RESOLUTION IN SUPPORT OF THE KNIGHTS OF COLUMBUS
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Knights of Columbus in North Tonawanda was established in 1924, and

WHEREAS, the Knights of Columbus was founded on the principles of charity, unity and fraternity, and

WHEREAS, the Knights of Columbus building is used for many functions such as banquets, weddings, bingo, etc. where these profits go to help those in need in the community, and

WHEREAS, the Knights of Columbus are requesting funds to help with the cost of building upgrades, 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 Knights of Columbus appropriating monies from said Community Partnership Fund as follows:

Knights of Columbus	\$6,600.00
Moved by Bradt, seconded by Robins.	
Adopted. 15 Ayes, 0 Noes, 0 Absent.	

Resolution No. IL-004-25

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

Dated: January 21, 2025

**RESOLUTION IN SUPPORT OF THE BARGE CANAL OPTIMIST CLUB
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Barge Canal Optimist Club was established in 1990 to promote good government and civic affairs through community activities and active community participation, and

WHEREAS, Barge Canal Optimist is hosting their 26th Annual Tee Off Against Breast Cancer “For the Love of Clara” on June 2nd at Willowbrook Golf Course in Lockport NY, and

WHEREAS, Barge Canal Optimist Club is raising funds for the Breast Cancer Network of WNY and BCOC Youth Fund via the golf tournament and other fundraising activities, and

WHEREAS, Barge Canal Optimist Club will provide volunteers to operate the tournament, and

WHEREAS, Barge Canal Optimist Club will require promotional aids and publicity to promote this endeavor, 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 Barge Canal Optimist Club appropriating monies from said Community Partnership Program Fund as follows:

Barge Canal Optimist Club	\$1,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 15 Ayes, 0 Noes, 0 Absent.	

Resolution No. IL-005-25

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

Dated: January 21, 2025

**RESOLUTION IN SUPPORT OF LOCKPORT IN BLOOM
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Lockport in Bloom is a not-for-profit organization, chartered in 2005, that promotes the beautification of Lockport by encouraging residents to share with others their beautiful and creative gardens, and

WHEREAS, by encouraging neighborhood beautification, Lockport in Bloom helps promote community pride by bringing people to the area to view the many beautiful gardens, and

WHEREAS, through their annual Garden Festival, Lockport in Bloom brings thousands of visitors to the City of Lockport to view the 40 plus gardens that are put on display every summer, and

WHEREAS, local businesses and restaurants benefit greatly from the increase in foot traffic that Lockport in Bloom generates throughout the City of Lockport, and

WHEREAS, Niagara County is interested in supporting efforts that generate increased revenue for businesses and create a sense of pride throughout the community, 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 Lockport in Bloom by appropriating monies from said Community Partnership Program Fund as follows:

Lockport in Bloom	\$1,500.00
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Moved by Bradt, seconded by Robins.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IL-006-25

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

Dated: January 21, 2025

**RESOLUTION IN SUPPORT OF LOCKPORT LOCKS HERITAGE DISTRICT CORPORATION
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, 2025 marks the 200th Anniversary of the Erie Canal and Flight of Five Locks, and

WHEREAS, the Lockport Locks Heritage District Corporation is sponsoring the production of the documentary America's Stairway, and

WHEREAS, the documentary will be highlighted during the World Canals Conference in September 2025, and

WHEREAS, the Lockport Locks Heritage District Corporation is requesting Community Partnership Funds to enable the completion and distribution costs for the documentary, 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 Lockport Locks Heritage District appropriating monies from said Community Partnership Program Fund as follows:

Lockport Locks Heritage District Corporation

\$10,000.00

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IL-007-25

From: Legislators Richard E. Abbott and Anthony J. Nemi and Economic Development Committee.

Dated: January 21, 2025

**RESOLUTION IN SUPPORT OF THE ARTS AT LOCKPORT SCHOOL DISTRICT THROUGH THE
USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Arts program in the Lockport School District promotes musical plays through participation by students and teachers, and

WHEREAS, the Arts has scheduled a musical production of Mary Poppins, and

WHEREAS, the Arts is seeking monies to offset the cost of costumes for the Mary Poppins musical, 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 Arts at Lockport School district by appropriating monies from said Community Partnership Program Fund as follows:

The Arts LSHS Musical Lockport School District \$1,000.00
Moved by Bradt, seconded by Robins.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Moved by McKimmie, second by Andres to enter into Executive Session at 6:20 p.m. for discussion of a Personnel Matter.

Moved by Andres, second by McKimmie to adjourn Executive Session at 6:59 p.m.

APPOINTMENTS:

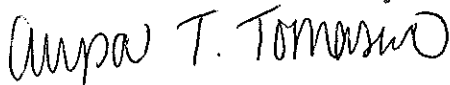
	<u>Appt.</u>	<u>Expires</u>
<u>COMMUNITY SERVICES BOARD:</u>		
Stephanie Donovan 6063 Wallace Ave Newfane, NY 14108	01/21/25	12/31/28
Robin I. Stevens 245 N. 4 th St., Lewiston 14092	01/21/25	12/31/28
<u>TRAFFIC SAFETY BOARD:</u>		
Cathleen A. Davis, Niagara County Traffic Safety Educator 1711 Quaker Rd. Barker 14094	01/21/25	12/31/27
Craig Guiliani, Chief, Town of Niagara Police Dept. 7105 Lockport Rd., Niagara Falls 14305	01/21/25	12/31/27
Mark Crocker, Supervisor, Town of Lockport 6560 Dysinger Rd., Lockport 14094	01/21/25	12/31/27
Christine M. Savoia, Asst. District Attorney Niagara County Courthouse	01/21/25	12/31/27
Ronald Johnson, Chief, Middleport Police Dept. PO Box 186, Middleport 14105	01/21/25	12/31/27
Moved by Godfrey, seconded by McKimmie. Approved. 15 Ayes, 0 Noes, 0 Absent.		

PUBLIC DEFENDER:
Herbert L. Greenman 02/03/25
Moved by Myers, seconded by Gooch.
Approved. 15 Ayes, 0 Noes, 0 Absent.

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

The Chairman declared the Board adjourned at 7:03 pm, subject to the call of the Clerk.

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


Alysia T. Tomasino, Clerk