

OFFICIAL RECORD

Lockport, New York
June 17, 2025

The meeting was called to order by Chairman Wydysh at 6:00 p.m.

Clerk Tomasino called the roll. All Legislators were present.

No citizens spoke on the Agenda.

Chairman Wydysh called Legislator Jeffrey Elder to the lectern to speak on the meaning of Juneteenth.

Chairman Wydysh called Legislator Gooch and Office for the Aging Director Darlene DiCarlo to the lectern to present a proclamation declaring June 2025 and "Elder Abuse Awareness Month" in Niagara County. Carolyn "Carrie" Hunt was called to the lectern to be presented a Proclamation naming her Outstanding Niagara County Senior Citizens of the Year 2025.

Recess.

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

Resolution No. CW-012-25 was read at this time. (Appears in numerical order)

Resolution No. CW-013-25 was read at this time. (Appears in numerical order)

Resolution No. IF-115-25 was read at this time. (Appears in numerical order)

Resolution No. IF-116-25 was read at this time. (Appears in numerical order)

Resolution No. CSS-077-25 was read at this time. (Appears in numerical order)

Resolution No. AD-022-25

From: Administration Committee.

Dated: June 17, 2025

REVISION OF NIAGARA COUNTY PURCHASING GUIDELINES

WHEREAS, Section 104-b of the New York State General Municipal Law requires that the governing board of every political subdivision shall adopt, by resolution, internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of Section 103 of New York State General Municipal Law or of any other general, special or local law, and

WHEREAS, said guidelines will be an addition to existing purchasing rules and regulations as established by Resolution 161-78, Resolution 399-91, Resolution AD-009-11, Resolution AD-034-17, Resolution AD-011-20 and will supersede Resolution AD-021-20 (the "Purchasing Guidelines"), and

WHEREAS, pursuant to authority under General Municipal Law Section 103(16), Niagara County passed Local Law #3 of 2022 authorizing the use of Best Value criterial in awarding contracts for goods and service vendors, and

WHEREAS, pursuant to General Municipal Law Section 103 (5), the ability to award contracts that the County wishes to standardize must be done so by 3/5ths vote of the Legislature where said resolution states that for reasons of efficiency and economy there is a need for standardization, or where the item can in fact be

purchased only from a single source; and the process for sole source determination needs to be clarified in the County's purchasing policy based upon dollar limits, and

WHEREAS, pursuant to General Municipal law Section 103(4) in the case of a public emergency whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of a political subdivision or district therein, require immediate action which cannot await competitive bidding or competitive offering, contracts for public work or the purchase of supplies, material or equipment may be let pursuant to specific parameters adopted by the Niagara County Legislature now, therefore, be it

RESOLVED, that the Legislature of Niagara County hereby approves the amendment to the Niagara County Purchasing Guidelines and authorizes the Department of Management and Budget, Division of Purchasing to make such amendments to the Purchasing Guidelines which incorporates in the Best Value Local Law, Sole Source/Standardization Parameters and Emergency Guidelines.

NIAGARA COUNTY PURCHASING PROCEDURES AND GUIDELINES

New York State law (General Municipal Law, Section 104-b) requires that specific guidelines be established regulating the procurement of goods and services with a value of \$20,000 or less for purchase of commodities, equipment or goods and \$35,000 or less for public works contracts. The following Niagara County guidelines are meant to facilitate the acquisition of goods and services of appropriate quality from the appropriate source at the best possible price.

PROCEDURES AND GUIDELINES FOR THE PURCHASE OF COMMODITIES, EQUIPMENT OR GOODS

<u>Dollar Limits</u>	<u>Guideline</u>
\$0 - \$3,499	At the discretion of the Office of Management and Budget, Purchasing Division, solicit documented telephone and/or written quotations from one or more vendors (if available).
\$3,500 - \$19,999	Solicit written quotations from at least two (2) vendors (if available).
\$20,000 and up	Advertise for sealed bids in conformance with General Municipal Law, Sect. 103.

If low bidder is not selected, proper justification and documentation is required from the user department in accordance with section 104-b(2)(e) of the General Municipal Law. Otherwise, purchases will be awarded to the lowest responsible and responsive bidder.

GUIDELINES FOR PUBLIC WORKS PROJECTS/CONTRACTS

(Projects/contracts that require the joint procurement of labor, services, and materials for capital projects.)

<u>Dollar Limits</u>	<u>Guideline</u>
\$0 - \$3,499	At the discretion of the Public Works Department, and/or Office of Management and Budget, Purchasing Division.
\$3,500 - \$34,999	Solicit written quotations from at least two (2) vendors (if available).
\$35,000 and up	Advertise for sealed bids in conformance with General Municipal Law, Sect. 103.

If low bidder is not selected, proper justification and documentation is required from the Department of Public Works in accordance with section 104-b(2)(e) of the General Municipal Law. Otherwise, projects/contracts will be awarded to the lowest responsible and responsive bidder.

GUIDELINES FOR LEASING/RENTALS

The lease or rental agreement must be a true lease or rental and not an arrangement to lease or rent

where the effect is a purchase. The Purchasing Department will solicit written quotations from at least two (2) vendors (if available) for all lease or rental agreements.

If the low bidder is not selected, proper justification and documentation is required from the user department in accordance with section 104-b(2)(e) of the General Municipal Law. Otherwise, lease or rental will be awarded to the lowest responsible and responsive bidder.

GUIDELINES FOR PROFESSIONAL SERVICES CONTRACTS

(These guidelines are also used for Contracted Services)

\$0 - \$3,499	Departmental discretion with either Purchase Order or Contract.
\$3,500 - \$19,999	Solicit written quotations from at least two (2) vendors (if available).
\$20,000 and up	Advertise for Request for Proposals.

The Home Committee with subsequent Legislative approval can waive the aforementioned "Purchasing Guideline" regardless of dollar amount for any professional service contract.

The Purchasing Guidelines are not part of a Local Law and because there is no New York State Law on Professional Services no Local Law is necessary. It is within the purview of the Niagara County Legislature to waive the guidelines on any purchase of professional services as deemed necessary by a majority of the Legislature.

AUDIT SERVICES CONTRACTS

For the purpose of entering into a contractual agreement with an outside firm for auditing services, the user departments are required to follow the guidelines set forth in Resolution 165-92 dated May 5, 1992.

If low bidder is not selected, proper justification and documentation is required from the user department in accordance with section 104-b(2)(e) of the General Municipal Law. Such justification and documentation should be kept on file in user department with copy going to Purchasing Department.

AUTHORIZATION FOR ELECTRONIC BIDDING

Sealed bids and sealed offers may be submitted in an electronic format (including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to article eight of the labor law) in accordance with section 103 of the General Municipal Law. Electronic access to opening sealed bids and sealed offers will only be available through procurement software and in no instance will access to opening and/or viewing bids and offers be possible prior to the date and time established for that specific sealed bid or sealed offer.

BEST VALUE EXCEPTION (LOCAL LAW #2 OF 2022)

Purchase Contracts. Contracts for goods, commodities and equipment, including technology.

Best Value. The basis for awarding contracts for services to a responsible bidder who optimizes quality, cost and efficiency for the County based upon objective and quantifiable analysis. Goods procured and awarded on the basis of best value are those that are determined will be of the highest quality while being the most cost efficient.

Requirements

- A. Whenever any contract is awarded on the basis of best value instead of lowest

responsible bidder the basis for determining best value shall be thoroughly and accurately documented.

- B. The determination of quality and cost efficiency shall be based on objectively quantified and clearly described and documented criteria, which may include, but shall not be limited to, any or all of the following: cost of maintenance; proximity to the end user if distance or response time is a significant term; durability; availability of replacement parts or maintenance contractors; longer product life; product performance criteria; and quality of craftsmanship.
- C. General evaluation criteria shall be identified and shall be maintained in the Office of Management and Budget, Division of Purchasing and be made available to the public.
- D. The Director of Budget and Management shall establish specific evaluation criterion that will be relied upon for procuring goods based upon best value, which shall be maintained in the Office of Management and Budget, Division of Purchasing and made available to the public.
- E. Solicitation documents shall state the minimum requirements and specifications that must be met in order for the bidder to be deemed responsible and shall identify the general procedure and manner in which the evaluation and selection shall be conducted.
- F. The Niagara County Manager must approve the use of best value for each purchase contract that wishes to utilize the method.

SOLE SOURCE & STANDARDIZATION

For Contracts Requiring 2 quotes: Should a contract, pursuant to Niagara County's purchasing policy, require 2 quotes from vendors (if available), but the contractor is the sole source of that work, the Department must obtain consent to waive the purchasing policy by the Director of Budget and Management as well as by Resolution of the Niagara County Legislature specifying the reasons for waiving the purchasing policy and how sole source was determined.

For Contracts Requiring Bids: Should a contract, pursuant to Niagara County's purchasing policy and General Municipal Law Section 103 require Requests/Advertisements for Bids, and the contractor is the sole source of the work, the Department must obtain consent by the Director of Budget and Management, as well as approval by Resolution of the Niagara County Legislature specifying the reasons for how sole source was determined. Said Resolution shall also include language that pursuant to New York State Common Law, and exception to competitive bidding arises when the goods or services required in a contract may be obtained only through a single source so that there is no possibility of competition ([*Harlem Gas Co. v Mayor of New York*, 33 NY 309; 11 Opns St Comp, 1955, p 502](#)).

Sole Source designation must be re-evaluated after the contract under said resolution expires.

Standardization: Pursuant to General Municipal Law 103(5), standardization is when for reasons of efficiency or economy, there is a need for standardization, purchase contracts for a particular type or kind of equipment, material, supplies or services. A resolution for standardization is done only after a bid has gone out and the lower bidder is to be standardized. To standardize a Department must obtain consent by the Director of Budget and Management, as well as approval by Resolution of the Niagara County Legislature specifying the reasons for standardization. Said resolution must pass by a three-fifths vote of all the members to be standardized.

EMERGENCY PURCHASES

Competitive bidding is not required when an emergency exists; however, in making emergency purchases, an effort will be made to include the level of competition that is practical under the circumstances.

An "emergency" means unforeseen circumstances beyond the control of the municipality that either:

- A. Presents a real, immediate threat to the proper performance of essential functions; or
- B. Will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

Declaration of Emergency Types in Order of Priority

I. DECLARATION OF EMERGENCY BY COUNTY LEGISLATURE

A. If an emergency exists, and time permits, a resolution will be sought from Legislature that will: (a) contain a written finding of the existence of the emergency, (b) declare an emergency situation exists; (c) waive competitive requirements; and (d) authorize the award, on behalf of the County, of all contracts necessary to address the emergency situation, including but not limited to, public works contracts and architectural and engineering services.

II. DECLARATION OF EMERGENCY BY LEGISLATIVE CHAIRPERSON

A. If an emergency exists and time does not permit seeking a legislative resolution, the Chairperson may declare an emergency situation to exist, waive competitive requirements, and award contracts on behalf of the County to address the emergency situation. The use of the Emergency Purchase Justification Form to request the Chairperson's declaration is required.

B. If a contract is awarded without competitive bidding due to an emergency, a written finding of the existence of an emergency must be made by the Chairperson, and that finding must be reported to County Legislature no later than two weeks following the award of the contract.

III. DECLARATION OF EMERGENCY BY COUNTY MANAGER OR DESIGNEE

A. If an emergency exists and time does not permit seeking a County Legislature resolution the County Manager or designee may declare an emergency situation to exist, waive competitive requirements, and award contracts on behalf of the County to address the emergency situation. The use of the Emergency Purchase Justification Form to request the County Manager's declaration is required.

B. If a contract is awarded without competitive bidding due to an emergency, a written finding of the existence of an emergency must be made by the department director, and that finding must be reported to Legislature no later than two weeks following the award of the contract.

As soon as practicable, a record of each emergency procurement shall be made and shall set forth the supplier's name, the amount and type of contract, a listing of the item(s) procured under the contract, and the identification number of the contract file (if applicable).

EMERGENCY PROCEDURE

In the case of an emergency, the following procedures are to be taken:

1. County departments will be required to notify the Purchasing Division to register an emergency exists. If Purchasing personnel are unavailable at the time of the emergency, the requesting department should proceed to address the emergency and keep detailed records of the procurement. These should also be included in the documentation submitted to the Purchasing Agent within five (5) working days. The County department will also notify the County Attorney's Office.
2. The Purchasing Division will register the emergency from the County Department.
3. The County department will proceed to seek a Declaration of Emergency using the designated order of priority and the Emergency Purchase Justification Form. The type of Declaration of Emergency used may likely be determined by the nature and type of response required to address the emergency.

4. The requesting County department will enter the confirming requisition(s) related to the emergency in the New World Financial System. All confirming orders shall contain the following statement in the body of the order: "Confirmation of Order for Emergency - Do Not Duplicate."
5. The County Department will submit requisitions(s) related to the emergency to the Purchasing Division as soon as possible, but no later than five (5) working days. All confirming orders will be accompanied by a completed Emergency Purchase Justification Form.
6. Should the County Manager determine that an emergency situation does exist, he will give approval as to the selection of a vendor. The immediate availability of the required goods or services will be given prime consideration in the choice of vendor.

SCHEDULE

PURCHASING GUIDELINES – UNIFORM GUIDANCE COMPLIANCE – PROCUREMENT, SUSPENSION AND DEBARMENT

Uniform Guidance Compliance for Federal Awards – Procurement, Suspension and Debarment Purpose

2 CRF Part 200 (subparts A-F) "Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards requires organizations receiving federal awards to establish and maintain effective internal controls over federal awards;

General Policy Statement

The requirements for procurements using federal awards are contained in the Uniform Guidance (2 CFR Part 200, subparts A-F), program legislation, Federal awarding agency regulations and the terms and conditions of the award.

To comply with 2 CRF Part 200 (subparts A-F), the County of Niagara implements policies and procedures, including, but not limited to:

- A. The County will use its own documented procurement procedures which reflect applicable State, Local and Tribal laws and regulation; provided that the procurements conform to applicable federal law and Uniform Guidance. As such, County procurements related to Federal grants will be subject to New York State General Municipal Law, Niagara County Procurement Policy and Uniformed Guidance Requirements.
- B. Contract files will document the significant history of the procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis of contract price.
- C. The County will utilize one of the five acceptable procurement methodologies detailed in §200.320 which include:
 - Micro Purchase
 - Small Purchase Procedure
 - Sealed Bid
 - Competitive Proposal
 - Non-Competitive Proposal (Sole Source)
- D. Procurements will provide for full and open competition as set forth in the Uniform Guidance, or State and local procurement thresholds, whichever is most restrictive.
- E. No employee, officer or agent may participate in the selection, award or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein; has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents can neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. If the financial interest is not substantial or the gift is an unsolicited item of nominal value, no further action will be taken. However, disciplinary actions will be applied for violations of such standards otherwise.

- F. The County will avoid acquisition of unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical procurement approach. The County will also analyze other means, as described in §200.318 of the Uniform Guidance, to ensure appropriate and economical acquisitions.
- G. The County will enter into state and local intergovernmental agreements or inter-entity agreements, where appropriate.
- H. The County will only utilize Time and Materials contracts when it has been determined, in writing, that no other contract type is suitable.
- I. Vendors/Contractors that develop or draft specifications, requirements, statements of work, or invitation to bids or requests for proposals must be excluded from competing for such procurements.
- J. The County will make available, upon request of the federal awarding agency or pass-through entity, technical specifications on proposed procurements where the federal awarding agency or pass-through entity believes such review is needed.
- K. County Departments are prohibited from contracting with or making sub awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. "Covered Transactions" include those procurement contracts for goods and services awarded under a non-procurement transaction (i.e. grant or cooperative agreement) that are expected to equal or exceed \$20,000. All non-procurement transactions (i.e. sub-awards to recipients), irrespective of award amount, are considered covered transactions.
- L. The County of Niagara will include a suspension/debarment clause in all written contracts in which the vendor/contractor will certify that it is not suspended or debarred. The contract will also contain language requiring the vendor/contractor to notify the County immediately upon becoming suspended or debarred. This will serve as adequate documentation as long as the contract remains in effect.
- M. County Departments will be required to notify the Purchasing Division and County Attorney's Office that federal funding will be used for a certain procurement/contract. When requesting a written contract, the County Department will be responsible for running the Vendor/Contractor's name through the System for Award Management (SAM) to determine any exclusions. A copy of the SAM search will be included with the contract request. Prior to issuing a purchase order using federal funds, the Purchasing Division will check the SAM to determine if any exclusions exist for the Vendor/Contractor.
If a vendor/contractor is found to be suspended or debarred, the County will immediately cease to do business with the vendor.
- N. The County will not use statutorily or administratively imposed state, local or tribal geographical preferences in the evaluation of bids or proposals; except in those cases where applicable federal statutes expressly mandate or encourage geographical preference.
- O. The County will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor area surplus area firms are used when possible.
- P. The County will procure recovered materials in compliance with §200.322.
- Q. The County will perform a cost price analysis relating to every procurement more than the Simplified Acquisition Threshold (\$150,000).
- R. The County will require appropriate bonding requirements as per §200.325.
- S. The County will only award contracts to Responsible Vendors and will document in writing, such determination.
- T. County contracts will contain the applicable provisions described in Appendix II to Part 200 – Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.
- U. The County will maintain oversight to ensure that contractors perform in accordance with the contracts terms, conditions, and specifications.
- V. Copies of executed contracts for federal awards will be maintained with the corresponding Purchase Orders in the New World ERP System.
- Moved by Bradt, seconded by Robins.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. AD-023-25

From: Administration Committee.

Dated: June 17, 2025

**RESOLUTION CITY OF NIAGARA FALLS BLUE CARDINAL PROPERTIES
TAX WAIVER 2025**

WHEREAS, the Niagara County Legislature, pursuant to Resolution AD-018-24 passed on June 18, 2024 agreed and consented to forego the collection of unpaid county property taxes up to and including 2024 for properties un the title Niagara Village LLC and the Rapids Theater under the title 1711 Main Street LLC upon the specific condition that the respective financial institutions currently holding the respective properties in separate foreclosure, enter into an agreement with the URA to further the development delineation, and

WHEREAS, on December 27, 2024 a deed was filed in the Niagara County Clerk's Office for transfer of title for 1711 Main Street LLC to Niagara Falls Urban Renewal, a not for profit, and

WHEREAS, on December 27, 2024 a deed was filed in the Niagara County Clerk's Office for transfer of title for 38 Niagara Village properties to CNB Corporation, a bank authorized to do business in New York pursuant to a commercial foreclosure action, and

WHEREAS, on March 24, 2025, a deed was filed in the Niagara County Clerk's Office transferring title of the 38 properties owned by CNB Corporation to Niagara Falls Urban Renewal, a not for profit, and

WHEREAS, due to the complexity of the transaction, the transfer of ownership did not take place until 2025, and

WHEREAS, the City of Niagara Falls and Niagara Falls Urban Renewal are requesting the inclusion of the County 2025 taxes in the consent to forego collection of unpaid county property taxes now pursuant to the attached, now, therefore, be it

RESOLVED, that the specific condition under Resolution AD-018-24 that the properties were transferred pursuant to agreement to the Niagara Falls Urban Renewal has been met, and be it further

RESOLVED, that the County of Niagara agrees and consents to forego collection of unpaid county property taxes up to and including 2025 for all properties as listed in the attached list of properties.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CS-026-25

From: Community Services and Administration Committees.

Dated: June 17, 2025

**PUBLIC HEARING FOR SUNY NIAGARA (NIAGARA COUNTY COMMUNITY COLLEGE) FY
2025-2026 MAINTENANCE AND OPERATING BUDGET**

WHEREAS, the County Manager and Budget Director have filed with the Legislative Clerk the tentative budget for SUNY Niagara (Niagara County Community College) for their fiscal year commencing September 1, 2025 and ending August 31, 2026, and

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

RESOLVED, that a public hearing be held in the Legislative Chambers, Courthouse, Lockport, New York at 5:45 p.m. on the 5th day of August, 2025 to review the tentative budget, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CS-027-25

From: Community Services and Administration Committees.

Dated: June 17, 2025

NIAGARA COUNTY YOUTH BOARD BY-LAWS REVISION

WHEREAS, the Niagara County Youth Board is an Advisory Board whose members are appointed by the County Legislature, and

WHEREAS, the Niagara County Youth Board works directly with the Niagara County Youth Bureau to investigate the way in which the County can best fulfill its responsibilities to the County youth, and

WHEREAS, the Niagara County Youth Board is governed by a set of By-laws that were most recently updated on Thursday, April 18, 2019, and

WHEREAS, a committee was formed consisting of 3 board members who reviewed the current By-laws and proposed appropriate updates, and

WHEREAS, recommended updates were presented to the Niagara County Youth Board membership on Thursday, March 20, 2025 and were voted on and approved unanimously, and

WHEREAS, the By-laws state that any change must be approved by the County Legislature now, therefore, be it

RESOLVED that the Niagara County Youth Board By-laws be accepted as amended, effective Tuesday, June 17th, 2025.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CS-028-25

From: Community Services and Administration Committees.

Dated: June 17, 2025

**AUTHORIZING THE CHAIR TO EXECUTE RENEWAL OF INTER-MUNICIPAL AGREEMENT
WITH THE COUNTIES OF ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, GENESEE,
ORLEANS AND WYOMING
FOR PUBLIC HEALTH EMERGENCY PLANNING AND RESPONSE**

WHEREAS, the counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming are collectively referred to as the "Western New York Counties", and

WHEREAS, the County Health Departments of the Western New York Counties all have responsibilities for public health emergency planning and response, and

WHEREAS, the County Health Departments of the Western New York Counties are desirous of renewing an inter-municipal agreement passed in resolution CS-002-20 to provide mutual aid to each other during a public health emergency, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a renewal of the inter-municipal agreement, on behalf of Niagara County, with the counties of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Orleans and Wyoming, for the provision of the public health emergency planning response, for a term commencing July 1, 2025 and terminating June 30, 2030, according to the above-described terms.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CS-029-25

From: Community Services and Administration Committee.

Dated: June 17, 2025

**NIAGARA COUNTY EMPLOYMENT & TRAINING DEPARTMENT 2025
BUDGET MODIFICATION – ACCEPT \$100,000 STATE-LEVEL TRAINING AND SUPPORTIVE
SERVICES FUNDING GRANT (RR FISCAL INCENTIVE)**

WHEREAS, the Niagara County Local Workforce Development Board (NCWDB) has been awarded \$100,000 under the State-Level Training and Supportive Services Funding Grant (RR Fiscal Incentive) for Program Year 2024 (PY24), and

WHEREAS, these funds are being passed-through from Workforce Innovation and Opportunity Act (WIOA) to the New York State Department of Labor to be utilized in our local area for Adult and/or Dislocated Worker training and supportive services through June 30, 2026, and

WHEREAS, the Niagara County Employment & Training (NCET) Department will manage and administer these training and supportive funds as outlined in the grant 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 44791.00	WIOA Revenue	\$ 100,000.00
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INCREASE APPROPRIATIONS:

CD.29.6291.000 74500.01	Contractual Expenses	\$ 100,000.00
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Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CS-030-25

From: Community Services and Administration Committees.

Dated: June 17, 2025

**NIAGARA COUNTY EMPLOYMENT & TRAINING DEPARTMENT 2025
BUDGET MODIFICATION – ACCEPT \$200,333.33 STATE-LEVEL TRAINING AND SUPPORTIVE
SERVICES FUNDING GRANT (RR PROGRAM INCENTIVE)**

WHEREAS, the Niagara County Local Workforce Development Board (NCWDB) has been awarded \$200,333.33 under the State-Level Training and Supportive Services Funding Grant (RR Program Incentive) for Program Year 2024 (PY24), and

WHEREAS, these funds are being passed-through from Workforce Innovation and Opportunity Act (WIOA) to the New York State Department of Labor to be utilized in our local area for Adult and/or Dislocated Worker training and supportive services through June 30, 2026, and

WHEREAS, the Niagara County Employment & Training (NCET) Department will manage and administer these training and supportive funds as outlined in the grant Sub-recipient 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 44791.00	WIOA Revenue	\$ 200,333.33
INCREASE APPROPRIATIONS:		
CD.29.6291.000 74500.01	Contractual Expenses	\$ 200,333.33
Moved by Bradt, seconded by Robins.		
Adopted. 15 Ayes, 0 Noes, 0 Absent.		

Resolution No. CSS-066-25
From: Community Safety & Security and Administration Committees.
Dated: June 17, 2025

**NIAGARA COUNTY SHERIFF’S OFFICE
LEAD AGENCY AND SEQRA NEGATIVE DECLARATION FOR MIDDLEPORT
COMMUNICATIONS TOWER**

WHEREAS, on November 12, 2024 the Niagara County Legislature passed Resolution CSS-116-24 which approved the Village of Middleport and County of Niagara, contingent upon approval of the County Attorney’s Office and the Chairman of the Legislature, to execute a property lease or property transfer expanding the Niagara County Sheriff’s Office current Land Mobile Radio (LMR) System, and

WHEREAS, the Niagara County Sheriff’s Office as part of its effort to upgrade its emergency radio communications system is proposing to improve coverage of its existing radio communications system through the construction and/or installation of communications tower sites and/or equipment at the “Niagara County Emergency Communications Project – Middleport” the “project”, and

WHEREAS, the location will be referenced as SBL 99.00-1-77, 4435 Griswold Street, Middleport, NY 14105, and

WHEREAS, the County will approve funding for the project, and will let contracts for the construction and purchase of the equipment necessary for the project, and

WHEREAS, collectively these components of the Project constitute the “Action” to be reviewed for the purposes of review under the State Environmental Quality Review Act and its implementing regulations found at 6 NYCRR Part 617 (hereinafter collectively referred to as “SEQRA”), and

WHEREAS, the County will treat the Project as a Type 1 Action requiring coordinated review by all involved agencies in accordance with applicable provisions of SEQRA, and

WHEREAS, the Project will provide improved communications to public safety agencies in the County by improving the coverage of existing radio communications systems and is therefore in the public interest, and

WHEREAS, the Legislature of the County of Niagara is an involved agency for the review of the Project as the Legislature will have to appropriate funding for same and approve and let contracts for the purchase of equipment for the Project, and

WHEREAS, on April 30, 2025 the County initiated a coordinated review under SEQRA and identified its intent to act as lead agency for the Project pursuant to SEQRA, and

WHEREAS, the County subsequently served by mail a "Notice of Intent to Serve as Lead Agency" to all identified or interested agencies along with a separate full SEQRA Environmental Assessment Form ("FEAF") Parts 1 and 2, Visual EAF Addendum, and Preliminary Construction Drawings for the Project, and

WHEREAS, more than thirty (30) days have passed since the Notice of Intent was circulated, and

WHEREAS, no objections were received to the Legislature acting as Lead Agency, now, therefore, be it

RESOLVED, that the Legislature of the County of Niagara not having received any objections from any other interested or involved agency to the County acting as SEQRA Lead Agency within the time to do so assumes SEQRA lead agency status for the environmental review of the project, and, be it further

RESOLVED, that the Legislature of the County of Niagara having reviewed the SEQRA materials find the Project will have no Significant Environmental impacts therefore issues a Negative Declaration under SEQRA for the project.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-067-25

From: Community Safety & Security and Administration Committees.

Dated: June 17, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
RESOLUTION AUTHORIZING THE PUBLIC SAFETY RADIO NETWORK ENHANCEMENT
PROJECT IN THE TOWN OF ROYALTON**

WHEREAS, the County owns and operates a County-wide Public Safety Radio Network (the "System") which was designed and implemented by Motorola Solutions ("Motorola"), and

WHEREAS, the County has identified a need to modify and enhance the System to improve radio communications for emergency personnel and first responders working in certain areas of the County, and

WHEREAS, Motorola and the County's independent consultant, Mission Critical Partners, LLC have recommended an enhancement to the County's System that includes the construction of a radio tower and installation of a facility in the Town of Royalton, and

WHEREAS, the County Legislature adopted Resolution CSS-066-25 to act as lead agency for the purpose of reviewing possible impacts on the environment pursuant to State Environmental Quality Review Act ("SEQRA"), and after conducting the required review under SEQRA finding that no significant adverse

environmental impact would result from the Project and therefore issued a “negative declaration” under SEQRA, and

WHEREAS, the County has acquired property rights and/or agreements with the necessary property owner in order to implement the project, and

WHEREAS, the Sheriff’s Office has secured funding for the Project through State Interoperable Communications Grants provided by the New York State Department of Homeland Security, Office of Interoperable Communications, and has included the Project in its approved budget, now, therefore, be it

RESOLVED, that the Legislature of the County of Niagara hereby approves the Project and directs the Sheriff’s Office and the County Manager to take such steps as are necessary to carry it out, including 1) Purchasing equipment, materials and services as necessary from pertinent New York State Office of General Services approved contracts from Motorola Solutions Inc., in an amount not to exceed \$1,070,000.00; 2) in conjunction with the Purchasing Department soliciting sealed bids for necessary construction and ancillary work necessary in the Town of Royalton; and 3) such other actions as necessary for carrying out the Project, all contracts and agreements necessary hereunder are contingent on the review and approval of the Niagara County Attorney’s Office.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-068-25

From: Community Safety & Security and Administration Committees.

Dated: June 17, 2025

**NIAGARA COUNTY SHERIFF’S OFFICE
AWARD OF REQUEST FOR PROPOSAL HVAC MAINTENANCE AND REPAIR FOR NIAGARA
COUNTY SHERIFF’S OFFICE**

WHEREAS, the Niagara County Purchasing Department issued Request for Proposal # 2025-33 HVAC Maintenance and Repair for Niagara County Sheriff’s Office, and

WHEREAS, the Purchasing Department received one bid response from D.V. Brown and Associates, Inc, 567 Vickers St. Tonawanda NY 14120, and

WHEREAS, the proposal from D.V. Brown Associates, Inc. has been evaluated for satisfaction of the bid specifications and appropriateness of cost and found to be a fully appropriate bid, now, therefore, be it

RESOLVED, that the Request for Proposal # 2025-33 HVAC Maintenance and Repair for Niagara County Sheriff’s Office be awarded to D.V. Brown and Associates, Inc, and be it further

RESOLVED, that following the County Attorney’s review, the contract for the Request for Proposal # 2025-33 HVAC Maintenance and Repair for Niagara County Sheriff’s Office with D.V. Brown and Associates, Inc 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-069-25

From: Community Safety & Security and Administration Committees.

Dated: June 17, 2025

NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – ACCEPT STATEWIDE TARGETED REDUCTIONS IN INTIMATE
PARTNER VIOLENCE (STRIVE) INITIATIVE GRANT

WHEREAS, the Niagara County Sheriff's Office has been notified by the New York State Division of Criminal Justice Services that it is the recipient of a Statewide Targeted Reductions in Intimate Partner Violence (STRIVE) Initiative Grant in the amount of \$98,086 for the performance period March 1, 2025 through March 31, 2026, and

WHEREAS, this grant is designed to improve the public safety response to intimate partner abuse and domestic violence, and

WHEREAS, the funding will allow the Sheriff's Office to hire a Crime Victim Advocate for Domestic Violence victims' assistance, overtime for advocates on the Domestic Violence High-Risk Team as well as on-going training, and

WHEREAS, the 2025 budget needs to be revised in order to accept the grant funding, now, therefore, be it

RESOLVED, that following the County Attorney review, the New York State Division of Criminal Justice Services Statewide Targeted Reductions in Intimate Partner Violence (STRIVE) Initiative Grant may be executed pursuant to the Niagara County Contract Policy, and be it further

RESOLVED, that a Co-Terminus Full Time Crime Victim Advocate position be created and filled at CSEA 5A CrimeVictimsAdv Step 1 \$23.60/hour, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.17.3989.300 43389.14	Other Public Safety Crime Victims	\$ 48,272
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INCREASE APPROPRIATIONS:

A.17.3989.300 71010.00	Positions Expense (Posn # TBD)	\$ 24,922
A.17.3989.300 71050.00	Overtime Expense	\$ 10,000
A.17.3989.300 74600.03	Training and Education	\$ 4,250
A.17.3989.300 78100.00	Retirement Expense	\$ 3,165
A.17.3989.300 78200.00	FICA Expense	\$ 1,907
A.17.3989.300 78300.00	Workers Compensation Expense	\$ 521
A.17.3989.300 78400.01	Insurance, Health Active	\$ 2,767
A.17.3989.300 78400.05	Insurance, Health HRA Employer Contribution	\$ 283
A.17.3989.300 78800.00	Flex 125 Employer Contribution	\$ 457

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-070-25

From: Community Safety & Security and Administration Committees.

Dated: June 17, 2025

NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – ACCEPT FY2022 EDWARD BYRNE MEMORIAL JUSTICE
ASSISTANCE LAW ENFORCEMENT EQUIPMENT GRANT

WHEREAS, the Niagara County Sheriff's Office has been notified by the New York State Division of Criminal Justice Services that it is the recipient of an FY2022 Edward Byrne Memorial Justice Assistance Grant Program Law Enforcement Equipment Grant in the amount of \$99,850 for the performance period January 1, 2025 through September 30, 2025, and

WHEREAS, this grant will allow the Sheriff's Office to purchase needed law enforcement equipment including but not limited to a fully marked and upfitted vehicle, equipment for vehicle, DWI sotoximeter and dive equipment, and

WHEREAS, the 2025 budget needs to be revised in order to purchase the needed equipment, now, therefore, be it

RESOLVED, that following the County Attorney review, the New York State Division of Criminal Justice Services FY2022 Edward Byrne Memorial Justice Assistance Grant Program Law Enforcement Equipment 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	\$ 99,850
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INCREASE APPROPRIATIONS:

A.17.3645.000 72100.12	Cars, Vans, Light Trucks	\$53,139
A.17.3645.000 72100.21	Law Enforcement Equipment	\$24,850
A.17.3645.000 74750.05	Law Enforcement Supplies	\$ 5,000
A.17.3645.000 74800.11	Vehicle Maintenance	\$16,861

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-071-25

From: Community Safety & Security and Administration Committees.

Dated: June 17, 2025

NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION - CREATE AND FILL TEMPORARY DEPUTY SHERIFF POSITION
FOR LAW ENFORCEMENT ACADEMY

WHEREAS, the Niagara County Sheriff's Office has been notified of the retirement of a Criminal Investigator at the end of August 2025, and

WHEREAS, the next Niagara County Law Enforcement Academy will start on August 4, 2025 and the following Academy will not start until March of 2026, and

WHEREAS, new Deputy Sheriffs go through a 6 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 a new Deputy in the August Academy in anticipation of this retirement and the resulting backfill of a Deputy Sheriff position from a promotion to Criminal Investigator, now, therefore, be it

RESOLVED, that one temporary Deputy Sheriff position be created and filled effective 8/4/2025 at PBA Deputy Sheriff Step 2 at an hourly rate of \$31.26/hour, and be it further

RESOLVED, that the temporary position will be abolished upon the Deputy Sheriff vacancies from the promotion created as a result of the retirement, and, be it further

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.17.3110.000 71010.00 Posn # 13947	Position Expense	10,004
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INCREASE APPROPRIATIONS:

A.17.3110.000 71010.00 Posn # NEW	Position Expense	10,004
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Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-072-25

From: Community Safety & Security and Administration Committees.

Dated: June 17, 2025

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – ACCEPT 2025 MARINE CANAL PATROL GRANT**

WHEREAS, the Niagara County Sheriff's Office has been notified by the New York State Canal Corporation that it has received a grant for \$40,000 for the performance period of April 1, 2025 through March 31, 2026, and

WHEREAS, this grant provides a 75% grant/25% match formula to enhance Marine Patrols on waters on or contiguous to the New York State Canal System as well as Bike Patrols along the Canalway Trail, and

WHEREAS, the enhanced patrols increase the safety of Niagara County residents, now, therefore, be it

RESOLVED, that following the County Attorney review, the 2025 Marine Canal Patrol 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.17.3110.00 43315.00	Navigation Law Enforcement Marine Patrol	\$40,000
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INCREASE APPROPRIATIONS:

A.17.3110.000 71050.00	Overtime Expense	\$ 28,373
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A.17.3110.000 74750.21	Supplies, General Gas and Oil	\$ 1,600
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A.17.3110.000 78100.00	Retirement Expense	\$ 7,263
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A.17.3110.000 78200.00	FICA Expense	\$ 2,171
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A.17.3110.000 78300.00	Worker's Compensation Expense	\$ 593
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Moved by Bradt, seconded by Robins.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-073-25

From: Community Safety & Security and Administration Committees.
Dated: June 17, 2025

PROBATION RENEWAL OF RAISE THE AGE GRANT

WHEREAS, the Niagara County Probation Department has been notified by the New York State Division of Criminal Justice Services that the Raise the Age (RTA) grant application has been approved for the period April 1, 2024 – March 31, 2025, and

WHEREAS, the grant is being renewed in the amount of \$597,319 and said funds are used to pay for three Probation Officer positions, a Probation Supervisor and .5 FTE of the Deputy Director position within the Probation Department, in addition to funding services, supplies, training, and equipment, and

WHEREAS, the RTA funds have been budgeted in the 2025 budget, and

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

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

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

Resolution No. CSS-074-25

From: Community Safety & Security and Administration Committees.
Dated: June 17, 2025

PROBATION BUDGET MODIFICATION - ACCEPT STRIVE GRANT AWARD

WHEREAS, the Niagara County Probation Department provides supervision, programs, and referral to services for justice system involved individuals that effectively intervene in their lives to reduce criminal behavior, and,

WHEREAS, the NYS Division of Criminal Justice Services has awarded the Niagara County Probation Department a \$31,052 grant under the Statewide Targeted Reductions in Intimate Partner Violence (STRIVE) program to be used for the prevention of, and intervention in incidences of intimate partner violence, and

WHEREAS, the term of the grant will be March 1, 2025 through March 31, 2026, 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 the department is given authorization to accept the grant with the effectuation of the following budget modifications, effective immediately:

INCREASE REVENUE:

A.18.3140.000 43310.04	Probation Services NYS Dept of Criminal Justice	\$31,052
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INCREASE APPROPRIATIONS:

A.18.3140.000 71050.00	Overtime Expense	\$13,500
A.18.3140.000 74375.05	Communications Cellular Phone	\$1,152
A.18.3140.000 74500.01	Contractual Expenses	\$13,400
A.18.3140.000 74600.03	Professional Development Training and Education	\$3,000

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-075-25

From: Community Safety & Security and Administration Committees.

Dated: June 17, 2025

**WAIVER OF RESIDENCY REQUIREMENT
CONFLICT ATTORNEY**

WHEREAS, the Niagara County Conflicts Office & Assigned Counsel has permission to fill a presently vacant Conflict Attorney position, 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 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 Residence from the policy to hire only Niagara County residents be approved to fill this vacant position of Conflict Attorney when the most qualified applicant or only qualified candidates resides outside Niagara County.

Moved by Hill, seconded by Nemi.

Adopted. 14 Ayes, 1 Noes - McKimmie, 0 Absent.

Resolution No. CSS-076-25

From: Community Safety & Security and Administration Committees.

Dated: June 17, 2025

**DISTRICT ATTORNEY ACCEPT STRIVE GRANT AND CREATE/FILL
PARALEGAL III WITH BUDGET MODIFICATION**

WHEREAS, the State of New York through the DCJS has identified an ongoing need to support the investigation and prosecution of crimes related to inmate partner and domestic violence, thus creating the Statewide Targeted Reduction in Inmate Partner Violence (STRIVE) Initiative, in which the District Attorney's Office has been awarded \$126,360 intended to be used for staffing associated with this project for the period of March 1, 2025 – March 31, 2026, and

WHEREAS, the program will continue to fund the salary and fringe benefits associated with creation of one fulltime Paralegal III, which shall remain coterminous with grant funding, now, therefore, be it

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

RESOLVED, that effective July 1, 2025 the position of Paralegal III, CSEA Job Group XII at position \$64,986 to \$75,202 per year, and benefit \$35,508 to \$37,865 per year be created and filled, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.02.1165.000 43389.13	Other Public Safety Crime Prevention	\$49,304
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INCREASE APPROPRIATIONS:

A.02.1165.000 71010.00	Positions Expense	\$32,867
A.02.1165.000 78100.00	Retirement Expense	4,174
A.02.1165.000 78200.00	FICA Expense	2,514
A.02.1165.000 78300.00	Worker's Comp Expense	687
A.02.1165.000 78400.01	Insurance, Health Active Hospital/Medical	8,142
A.02.1165.000 78400.05	Insurance, Health HRA Employer Contr.	425
A.02.1165.000 78700.00	NYS Disability Expense	38
A.02.1165.000 78800.00	Flex 125 Employer Contribution Expense	457

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-077-25

From: Community Safety & Security and Administration Committees.

Dated: June 17, 2025

**NIAGARA COUNTY PUBLIC DEFENDER'S OFFICE
FOURTH FAMILY DEFENSE QUALITY IMPROVEMENT & CASELOAD REDUCTION GRANT**

WHEREAS, Niagara County Public Defender's Office has received an award from the Fourth Family Defense Quality Improvement & Caseload Reduction Grant ("FFDG") from ILS with a term from January 1, 2025-December 31, 2027 in the grant amount of \$635,366.80, and

WHEREAS, the FFDG creates three new positions for the grant period outlined above, and

WHEREAS, the three new positions are: Assistant Public Defender, Family Court Full Time; Paralegal II, Family Court, Full Time; and Social Worker Assistant, Family Court, Full Time, and

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

WHEREAS, the FFDG is necessary so that the Niagara County Public Defender's Office can continue provide quality legal services, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby accepts this grant, and be it further

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

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

RESOLVED, that one Part Time Assistant Public Defender for Family Court be abolished, and be it further

RESOLVED, that upon the Chairman of the Legislature authorizing this grant, that the positions of Assistant Public Defender, Family Court full time with calendar year 2025 annual salary of \$87,750; Paralegal II, Family Court, CSEA Grade 8, full time with annual salary of \$49,749; and Social Worker Assistant, Family Court, CSEA Grade 9, full time with annual salary of \$51,978 be and hereby are created, and be it further

RESOLVED, that the position of Social Worker Assistant, Family Court, Full Time is contingent upon final review and approval by Niagara County Civil Service, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.03.1170.000 43025.02	ILS Caseload Reduction	\$108,047
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INCREASE APPROPRIATIONS:

A.03.1170.000 71010.00	Positions Expense	\$ 68,457
A.03.1170.000 74250.01	Office Supplies	3,000
A.03.1170.000 74600.03	Professional Development Training & Education	2,990
A.03.1170.000 78100.00	Retirement Expense	8,694
A.03.1170.000 78200.00	FICA Expense	5,237
A.03.1170.000 78300.00	Worker's Comp Expense	1,431
A.03.1170.000 78400.01	Insurance, Health Active Hospital/Medical	16,239
A.03.1170.000 78400.05	Insurance, Health HRA Employer Contr.	822
A.03.1170.000 78700.00	NYS Disability Expense	78
A.03.1170.000 78800.00	Flex 125 Employer Contribution Expense	1,099

Approved for submission.

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

Carried.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CW-012-25

From: Committee of the Whole.

Dated: June 17, 2025

**A LOCAL LAW IN RELATION TO THE ESTABLISHMENT
OF A FOUR (4) YEAR TERM FOR THE POSITION
OF THE NIAGARA COUNTY LEGISLATOR**

WHEREAS, The County of Niagara hereby proposes a Local Law, pursuant to the New York Municipal Home Rule Law §10(1)(ii)(a)(1) and New York Constitution Article IX Section 2[c][1] entitled: **“EXTENSION OF NIAGARA COUNTY LEGISLATOR TERM OF OFFICE FROM TWO [2] YEARS TO FOUR [4] YEARS”** ; and

WHEREAS, pursuant to the New York Municipal Home Rule Law §10(1)(ii)(a)(1) “. . . every local government shall have power to adopt and amend local laws not inconsistent with the provisions of the constitution or not inconsistent with any general law, relating to the . . . terms of office, of its officers, and

WHEREAS, on May 6, 1969, the Niagara County Legislature changed its form of government from “a Board of Supervisors” to “the Niagara County Legislature”. Such Niagara County Legislature was duly formed on May 6, 1969, and

WHEREAS, the position of Niagara County Legislator was created when the Niagara County Legislature was formed pursuant to County Law Section 150-1 [1], and

WHEREAS, Local Law No. 2 of 1968 provides that the Niagara County Legislator is to be elected for a two (2) year term, such two (2) year term was continued by Local Law 5 of 1983, and

WHEREAS, the election of a Niagara County Legislator to a four (4) year term promotes the selection of the best individuals to serve Niagara County in such position, and

WHEREAS, pursuant to the New York New York Municipal Home Rule Law §10(1)(ii)(a)(1) and the New York Constitution Article IX Section 2[c][1] the residents of the County of Niagara shall determine whether the term of office of the Niagara County Legislators shall be extended from two [2] years to four [4] years, and such qualified electors of the County of Niagara shall make such determination at the November 4, 2025 election, and

WHEREAS, pursuant to the New York Municipal Home Rule Law §23 such local law shall become operative as prescribed herein only if there is approval at the November 4, 2025 election by the affirmative vote of a majority of the qualified electors of the County of Niagara voting upon the proposition, and

WHEREAS, pursuant to the New York Municipal Home Rule Law §23 if a majority of the votes cast on the proposition to extend the term of office of the Niagara County Legislators from two [2] to four [4] years, when submitted as herein provided shall be in the affirmative, then the term of office of the Niagara County Legislators elected on November 4, 2025 shall be for a period of four [4] years, commencing January 1, 2027, and

WHEREAS, such four (4) year term of office for the Niagara County Legislator must be submitted in the form of a local law of the County of Niagara for the year 2025, and submitted for the approval of the electors at the general election of state or local government held not less than sixty days after the adoption thereof [see Municipal Home Rule Law Section 23(1)], and

WHEREAS, the Niagara County Legislature presents and introduces in writing the following proposed Local Law:

A Local Law of the County of Niagara, New York for the year 2025 in relation to the establishment of a four (4) year term for the position of the Niagara County Legislator;

Be it enacted by the County Legislature of the County of Niagara, as follows:

1. The term of the Niagara County Legislator shall be four (4) years.
2. This Local Law shall be subject to a mandatory referendum and shall take effect after approval of the electors at the general election of the state or local government held not less than sixty days after the adoption thereof pursuant to law.

RESOLVED, that the Niagara County Legislature shall conduct a public hearing upon such proposed Local Law at the Legislative Chambers, Courthouse, Lockport, New York, on the 22nd day of July 2025, at 5:30 p.m., and be it further

RESOLVED, that the Clerk of the Legislature, at least six (6) days in advance of such hearing, shall post a notice upon the bulletin boards in the Courthouse in Lockport and the Civic Building in Niagara Falls, and shall publish such notice once in the Union Sun and Journal and the Niagara Gazette; such notice shall contain the

title of the Local Law and an abstract of the text to be prepared by the Clerk of the Legislature, with the assistance of the County Attorney's Office.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CW-013-25

From: Committee of the Whole.

Dated: June 17, 2025

**RESOLUTION OF NIAGARA COUNTY AUTHORIZING THE RETENTION
OF NAPOLI SHKOLNIK, PLLC**

WHEREAS, Napoli Shkolnik PLLC, attorneys at law, are uniquely familiar with the defendants in the Aqueous Film Forming Foam Products Liability Litigation, and they have the ability to recover damages in the event the County has been damaged by such unlawful practices, and

WHEREAS, the anticipated defendants are all major companies in AFFF product enterprise, and

WHEREAS, this action arises from the foreseeable contamination of surface water by the use of aqueous film-forming foam ("AFFF") products that contained per- and poly-fluoroalkyl substances ("PFAS"), including perfluorooctanoic acid ("PFOA"), and are used in training and firefighting activities, and

WHEREAS, Napoli Shkolnik PLLC, made a proposal to Niagara County to represent its interests to recover damages that have resulted and will result from the contamination of surface water; that which persists indefinitely in the environment, bioaccumulates in individual organisms and humans, and biomagnifies up the food chain, and are associated with multiple significant adverse health effects in humans, and

WHEREAS, law firm has agreed to do such litigation for Niagara County on a contingent fee basis and will not charge Niagara County for its services unless a recovery occurs for Niagara County, now, therefore, be it

RESOLVED, that Niagara County hereby authorizes the retention of the services of Napoli Shkolnik PLLC, pursuant to the terms of the fee proposal offered to Niagara County, as more fully set forth in the retainer agreement, and be it further

RESOLVED, that the County hereby authorize Claude Joerg, as Niagara County Attorney to execute the Napoli Shkolnik PLLC retainer agreement, and be it further

RESOLVED, that the County hereby authorize Claude Joerg, to cause same to be delivered to Napoli Shkolnik PLLC.

Moved by Nemi, seconded by Elder.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-104-25

From: Infrastructure & Facilities and Administration Committees.

Dated: June 17, 2025

AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND EPIC

WHEREAS, EPIC- Every Person Influences Children, has requested that the County of Niagara grant them permission to use a portion of Krull Park and Shelter #3 for the purpose of holding a family fun day, and

WHEREAS, it is the wish of EPIC to hold the family fun day on June 28th, 2025, 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 EPIC, and

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

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and EPIC, and, 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 EPIC 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-105-25

From: Infrastructure & Facilities and Administration Committees.

Dated: June 17, 2025

LEASE RENEWAL WITH NORTHPOINTE COUNCIL INC. FOR THE TROTT ACCESS CENTER

WHEREAS, Northpointe Council Inc. desires to enter into the first five-year extension to the lease for office space at the Trott ACCESS Center, Niagara Falls, and

WHEREAS, the Public Works Department recommends allowing the extension to be granted, per the terms and conditions of the existing lease agreement, and

WHEREAS, the parties acknowledge that they have been continuing their prior Lease following the end of its initial term, and said continuation period has been included within this Agreement Renewal term, 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 first five-year extension be executed with Northpointe Council Inc. for office space at the Trott ACCESS Center, for the period of June 1, 2024 through May 31, 2029, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-106-25

From: Infrastructure & Facilities and Administration Committees.

Dated: June 17, 2025

**BRIDGE WASHING OF 84 BRIDGES AND DECK SEALING OF 11 BRIDGES
VARIOUS LOCATIONS, NIAGARA COUNTY
LOCAL PROJECT AGREEMENT**

WHEREAS, the Bridge Washing of 84 Bridges and Deck Sealing of 11 Bridges at Various Locations in Niagara County Project, PIN 5764.31 (the "Project"), is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% Non-Federal Funds, and

WHEREAS, the County of Niagara desires to advance the Project by making a commitment of 100% of the Construction/Construction Inspection phases of the project, and

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

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

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

RESOLVED, that the sum of \$240,000 is hereby appropriated in account D.15.5120.000 74800.06, Bridge Repairs and Maintenance, and made available to cover the cost of participation in the above phases of the project, and be it further

RESOLVED, that in the event the amount required to pay the full Federal and Non-Federal shares of the cost of the project's Construction/Construction Administration phases exceeds 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 Chair of the Legislature of the County of Niagara be, and hereby is, authorized to execute all necessary Agreements, certifications, or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Niagara with the New York State Department of Transportation, in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid and State Aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, 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 Agreement may be executed pursuant to the Niagara County Contract Policy, 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-107-25

From: Infrastructure & Facilities and Administration Committees.

Dated: June 17, 2025

**AWARD OF CONTRACT – FEIGLE-FISK ROAD BRIDGE OVER THE ERIE CANAL
BRIDGE REHABILITATION**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Feigle-Fisk Road Bridge over the Erie Canal Bridge Rehabilitation Project, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on May 29, 2025 as tabulated below:

- | | | |
|----|---|-----------|
| 1. | Hunting Valley Construction
825 Rein Road
Cheektowaga, NY 14225 | \$388,402 |
| 2. | Oakgrove Construction
6900 Seneca Street, P.O. Box 103
Elma, NY 14059 | \$438,872 |

and

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

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

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

INCREASE REVENUE:		
H800.15.5197.000 43501.00	Consol Highway Aid Revenue	\$125,000
INCREASE APPROPRIATIONS:		
H800.15.5197.000 72600.02	Bridges	\$125,000

and be it further

RESOLVED, that the contract for the Feigle-Fisk Road Bridge over the Erie Canal Bridge Rehabilitation Project be awarded to the lowest responsible bidder, Hunting Valley Construction, 825 Rein Road, Cheektowaga, NY 14225, in the amount of \$388,402, 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. IF-108-25
From: Infrastructure & Facilities and Administration Committees.
Dated: June 17, 2025

**AWARD OF CONTRACT - UPPER MOUNTAIN ROAD REHABILITATION -
ROUTE 31 TO LOCKPORT-JUNCTION ROAD**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Upper Mountain Road Rehabilitation-Route 31 to Lockport-Junction Road Project, and

WHEREAS, funds are available in account number H769.15.5112.000 72600.01, Roads, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on May 15, 2025 as tabulated below:

- | | | |
|----|---|----------------|
| 1. | Edbauer Construction
2790 Clinton Street
West Seneca, NY 14224 | \$2,113,310.83 |
| 2. | Concrete Applied Technologies Corp.
d/b/a CATCO
1266 Townline Road
Alden, NY 14004 | \$2,583,136.00 |
| 3. | Amherst Paving
330 Meyer Road
Amherst, NY 14226 | \$2,956,020.00 |
| 4. | Keeler Construction
13519 W. Lee Road
Albion, NY 14411 | \$2,996,807.50 |

and

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

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

RESOLVED, that the contract for the Upper Mountain Road Rehabilitation-Route 31 to Lockport-Junction Road Project be awarded to the lowest responsible bidder, Edbauer Construction, 2790 Clinton Street, West Seneca, NY 14224, in the amount of \$2,113,310.83, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement for the Upper Mountain Road Rehabilitation-Route 31 to Lockport-Junction Road Project, 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-109-25

From: Infrastructure & Facilities and Administration Committees.

Dated: June 17, 2025

**NIAGARA COUNTY GOLF COURSE SLAB MODIFICATIONS
CHANGE ORDER NO. 2 - FINAL**

WHEREAS, Resolution No. IF-128-24, dated September 17, 2024, awarded the contract for the Niagara County Golf Course Slab Modifications Project to Palladino Excavating & Concrete, 5653 Wendy Circle, Lockport, NY 14094, for a contract amount of \$158,000, and

WHEREAS, Resolution No. IF-213-24, dated December 3, 2024, authorized Change Order No. 1 to increase the contract in an amount not to exceed \$39,106.32 for additional drainage work, for a revised contract amount not to exceed \$197,106.32, and also to extend the contract completion date to February 28, 2025, and

WHEREAS, it is now necessary to reduce the contract in the amount of \$350.00, as the project is now complete, for a revised contract amount of \$196,756.32, and

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

RESOLVED, that Change Order No. 2-Final to decrease the contract by \$350.00 for the Niagara County Golf Course Slab Modifications Project, for a revised contract amount of \$196,756.32, to Palladino Excavating & Concrete, 5653 Wendy Circle, Lockport, NY 14094, be approved, and be it further

RESOLVED, that, following the County Attorney’s review, Change Order No. 2-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-110-25

From: Infrastructure & Facilities and Administration Committees.

Dated: June 17, 2025

**UPPER MOUNTAIN ROAD FROM 700’ NORTH OF ROUTE 31 TO LOCKPORT JUNCTION ROAD
CONSULTANT AMENDMENT NO. 1**

WHEREAS, Resolution No. IF-139-23, dated September 19, 2023, awarded the consultant services contract for the Upper Mountain Road from 700' North of Route 31 to Lockport Junction Road Project to C & S Engineers, 499 Col. Eileen Collins Blvd., Syracuse, NY 13212, in an amount not to exceed \$320,000,

WHEREAS, the contract needs to be increased by \$293,000 for construction administration and construction inspection 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 following budget modification be effectuated to allow the project to proceed:

INCREASE REVENUE:

H769.15.5112.000 43501.00	Consol Highway Aid Revenue	\$130,000
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INCREASE APPROPRIATIONS:

H769.15.5112.000 72600.01	Infrastructure Roads-Upper Mountain Rd.	\$130,000
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and be it further

RESOLVED, that Amendment No. 1 to increase the contract in the amount of \$293,000 for construction administration and construction inspection services for the Upper Mountain Road from 700' North of Route 31 to Lockport Junction Road Project, for the revised contract amount of \$613,000, to C & S Engineers, 499 Col. Eileen Collins Blvd., Syracuse, NY 13212, be approved, 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-111-25
From: Infrastructure & Facilities and Administration Committees.
Dated: June 17, 2025

**LOCKPORT ROAD BRIDGE OVER CSX RAILROAD AND
FISK ROAD BRIDGE OVER THE ERIE CANAL
CONSULTANT AMENDMENT NO. 2**

WHEREAS, Resolution No. IF-109-24, dated May 14, 2024, authorized the contract for consultant services for the Lockport Road Bridge over CSX Railroad Project to Popli Architecture & Engineering, 555 Penbrooke Drive, Penfield, NY 14526, for a fee not to exceed \$177,000, and

WHEREAS, Resolution No. IF-174-24, dated October 15, 2024, combined this project with the Fisk Road Bridge over the Erie Canal Project, so as to expedite the repair of the bridge deck on Fisk Road and ensure the safety of the traveling public, for an additional cost of \$48,000 for preliminary engineering only, for a contract amount not to exceed \$225,000, and

WHEREAS, it is necessary to increase the contract in the amount of \$69,000 for construction administration and construction inspection for the Fisk Road Bridge over the Erie Canal, for a contract amount not to exceed \$294,000, and to extend the contract for Popli Architecture & Engineering 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 following budget modification be effectuated to allow the project to proceed:

INCREASE REVENUE:		
H800.15.5197.000 43501.00	Consol Hwy Aid Revenue	\$70,000
INCREASE APPROPRIATIONS:		
H800.15.5197.000 72600.02	Infrastructure-Bridges	\$70,000

and be it further

RESOLVED, that Amendment No. 2 to increase the contract in the amount of \$69,000 for construction administration and construction inspection for the Fisk Road Bridge over the Erie Canal, for a contract amount not to exceed \$294,000, and to extend the contract to December 31, 2026, for Popli Architecture & Engineering, 555 Penbrooke Drive, Penfield, NY 14526, for the Lockport Road Bridge over CSX Railroad and the Fisk Road Bridge over the Erie Canal Project, be approved, and be it further

RESOLVED, that, following the County Attorney’s review, the Amendment may be executed pursuant to the Niagara County Contract Policy.
Moved by Bradt, seconded by Robins.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-112-25

From: Infrastructure & Facilities and Administration Committees.
Dated: June 17, 2025

**EWINGS ROAD BRIDGE OVER EIGHTEEN MILE CREEK AND
QUAKER ROAD BRIDGE OVER GOLDEN HILL CREEK
CONSULTANT AMENDMENT NO. 1**

WHEREAS, Resolution No. IF-009-23, dated January 17, 2023, authorized the contract for consultant services for the Ewings Road Bridge over Eighteen Mile Creek and Quaker Road Bridge over Golden Hill Creek Project to Barton & Loguidice, D.P.C., 11 Centre Park, Suite 203, Rochester, NY 14614, for a contract amount not to exceed \$209,700, and

WHEREAS, it is necessary to extend the contract date to December 31, 2027, at no additional cost to the County, and

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

RESOLVED, that Amendment No. 1 to extend the contract date to December 31, 2027 for Barton & Loguidice, D.P.C., 11 Centre Park, Suite 203, Rochester, NY 14614, for the Ewings Road Bridge over Eighteen Mile Creek and Quaker Road Bridge over Golden Hill Creek Project, be approved, and be it further

RESOLVED, that, following the County Attorney’s review, the Amendment may be executed pursuant to the Niagara County Contract Policy.
Moved by Bradt, seconded by Robins.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-113-25

From: Infrastructure & Facilities and Administration Committees.
Dated: June 17, 2025

DEPARTMENT OF PUBLIC WORKS BUDGET MODIFICATION

WHEREAS, the Public Works Fiscal Administrator has submitted retirement papers effective June 27, 2025, after thirty-five years of service, and

WHEREAS, in order for a smooth transition of duties, the employee has agreed to return as a consultant, for a period of July 1, 2025 through December 31, 2025, for a fee not to exceed \$19,999, and

WHEREAS, funds are available in vacant positions to fund this fee, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

DECREASE APPROPRIATION:

A.15.1620.000 71010.00	Positions Cleaner No. 13376	\$ 4,087.00
A.15.1620.000 71030.00	Part Time Positions Cleaner P/T No. 13479	\$15,912.00

INCREASE ESTIMATED APPROPRIATION:

A.15.1490.000 74650.08

Consultants/Expert Service

\$19,999.00

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-114-25

From: Infrastructure & Facilities and Administration Committees.

Dated: June 17, 2025

**INTERGOVERNMENTAL AGREEMENT FOR THE DELIVERY OF ATTACK SURFACE
MANAGEMENT BETWEEN THE NEW YORK STATE OFFICE OF INFORMATION
TECHNOLOGY AND THE NEW YORK STATE DIVISION OF HOMELAND SECURITY &
EMERGENCY SERVICES AND NIAGARA COUNTY**

WHEREAS, Niagara County has been offered an Intergovernmental Agreement (IA) for the delivery of Attack Surface Management (ASM) services between New York State Office of Information Technology and The New York State Division of Homeland Security & Emergency Services and Niagara County, and

WHEREAS, the County desires to enter into the IA to augment cybersecurity capabilities to better protect information as well as public health and safety, and

WHEREAS, the purpose of this IA is to allow participating entities to access ASM service for better proactive security collaboration on threat intelligence with New York State, and

WHEREAS, the state agrees to provide ASM services at no cost, and

WHEREAS, the Participating Entity agrees to allow sharing of ASM data with the Joint Security Operations (JSOC) to increase the state's visibility of the cyberthreat landscape across the various state entities and political subdivisions which will enhance the Participating Entities to be alerted to potential cybersecurity threats and prepare mitigating strategies in advance, and

WHEREAS, the initial term of the IA shall be for a period of three (3) years beginning on the effective date and will be automatically renewed for an additional twelve (12) months upon approval of funding in the State budget and approval of the New York State office of the State Comptroller if applicable, now, therefore, be it,

RESOLVED, that following the County Attorney's review of the IA, the Chairman of the Niagara County Legislature be, and hereby is, authorized to sign the Intergovernmental Agreement.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-115-25

From: Infrastructure & Facilities and Administration Committees.

Dated: June 17, 2025

**CREATE AND FILL
ONE (1) GOLF DIRECTOR TEMPORARY POSITION**

WHEREAS, the Department of Public Works Parks Division operates a golf pro shop at the Niagara County Golf Course, and

WHEREAS, DPW provides the pro shop services for the benefits of Niagara County Residents and Residents using the County Golf Course, and

WHEREAS, we need to create a Temporary Golf Director position, and

WHEREAS, funds are available in the current vacant position of Golf Director, to create one (1) six (6) month temporary position to assist staff members until a permanent Golf Director is hired, now, therefore, be it

RESOLVED, that one (1) Temporary Golf Director Position, 40 hour, Flat grade 6, with no benefits, at a salary of \$26.99 - \$32.76 be created and filled temporarily for six (6) months, effective June 18, 2025, and be it further

RESOLVED, the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.15.7110.000 71010.00	Positions – Golf Director #13443	\$36,541.15
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INCREASE APPROPRIATIONS:

A.15.7110.000 71010.00	Positions – Temporary Golf Director #xxxxxx	\$36,541.15
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Approved for Submission.

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

Carried.

Moved by Foti, seconded by Abbott.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-116-25

From: Infrastructure & Facilities and Administration Committees.

Dated: June 17, 2025

AWARD OF CONTRACT – BRIDGE WASHING AND DECK SEALING 2024/2025 AND 2025/2026

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Bridge Washing and Deck Sealing 2024/2025 and 2025/2026 Project, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on June 13, 2025 as tabulated below:

- | | | |
|----|--|-------------|
| 1. | Hunting Valley Construction
825 Rein Road
Cheektowaga, NY 14225 | \$ 248,932 |
| 2. | Erie Painting and Maintenance Inc.
999 Rein Road
Cheektowaga, NY 14225 | \$1,786,815 |

and

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

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

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

INCREASE APPROPRIATED FUND BALANCE:

D 40599.00	Appropriated Fund Balance	\$16,472
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INCREASE APPROPRIATIONS:

D.15.5120.000 74800.06	Bridge Maintenance	\$16,472
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and be it further

RESOLVED, that the contract for the Bridge Washing and Deck Sealing 2024/2025 and 2025/2026 Project be awarded to the lowest responsible bidder, Hunting Valley Construction, 825 Rein Road, Cheektowaga, NY 14225, in the amount of \$248,932, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement for the Bridge Washing and Deck Sealing 2024/2025 and 2025/2026 Project may be executed pursuant to the Niagara County Contract Policy.

Approved for Submission.

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

Carried.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IL-086-25

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

Dated: June 17, 2025

**RESOLUTION IN SUPPORT OF DESALES CATHOLIC SCHOOL THROUGH THE USE OF
COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, DeSales Catholic School located in Lockport NY and the County of Niagara was established in 1946, and

WHEREAS, DeSales Catholic School is a regional elementary school serving our area, and

WHEREAS, DeSales Catholic School is a designated STREAM school promoting excellence inside and outside of the classroom, and

WHEREAS, DeSales Catholic School is in the process of securing iPads and tablets, and

WHEREAS, this project will require the purchase and installation of such learning aids, 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 DeSales Catholic School appropriating monies from said Community Partnership Program Fund as follows:

DeSales Catholic School	\$3,500.00
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Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IL-087-25

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

Dated: June 17, 2025

**RESOLUTION IN SUPPORT OF BILLS ELVIS CHARITY FOUNDATION INC. THROUGH THE
USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Bills Elvis Charity Foundation is locally based, and

WHEREAS, the Bills Elvis Charity Foundation sponsors event for the purpose of raising money for locally based charities, and

WHEREAS, the Bills Elvis Charity Foundation is sponsoring an event in Lockport on October 13, 2025, and

WHEREAS, the funds will be utilized for expenses including promotions, advertising and other event expenses, 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 Bills Elvis Foundation by appropriating monies from said Community Partnership Program Fund as follows:

Bills Elvis Charity Foundation	\$2,500.00
Moved by Bradt, seconded by Robins.	
Adopted. 15 Ayes, 0 Noes, 0 Absent.	

Resolution No. IL-088-25

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

Dated: June 17, 2025

**RESOLUTION IN SUPPORT OF WAHI STUDIO, INC.
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, WAHI Studio, Inc. is an educational 501 (c) (3) nonprofit to pursuing creativity using visual arts, and

WHEREAS, WAHI Studio, Inc. provides free art opportunities in Niagara County for youth and families, and

WHEREAS, WAHI Studio, Inc. is utilized as a resource for creative art programming, events and activities through collaboration and in service to other organizations in Western New York, and

WHEREAS, one special event includes Chalk Fest happening July 19, 2025 where funds are needed promote this event, now, therefore, be it

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

RESOLVED, that Niagara County supports WHAI Studio, Inc. by appropriating monies from said Community Partnership Program Fund as follows:

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

\$1,000.00

Resolution No. IL-089-25

From: Legislator Randy R. Bradt and Economic Development Committee.
Dated: June 17, 2025

RESOLUTION IN SUPPORT OF THE NORTH TONAWANDA WOMEN'S BASKETBALL BOOSTER CLUB INC. THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING

WHEREAS, the North Tonawanda Women's Basketball Booster Club Inc., is a registered 501(c)(3) nonprofit organization, and

WHEREAS, the North Tonawanda Women's Basketball Booster Club Inc., supports, encourages and enhances activities of the students in the North Tonawanda City School District, and

WHEREAS, the North Tonawanda Women's Basketball Booster Club Inc., is requesting support to help equip their junior Varsity and Varsity girls, basketball team with essential travel gear, 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 North Tonawanda Women's Basketball Booster Club Inc., by appropriating monies from said Community Partnership Fund as follows:

North Tonawanda Women's Basketball Booster Club Inc.	\$2,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 15 Ayes, 0 Noes, 0 Absent.	

Resolution No. IL-090-25

From: Legislator Randy R. Bradt and Economic Development Committee.
Dated: June 17, 2025

RESOLUTION IN SUPPORT OF THE NORTH TONAWANDA MEN'S BASKETBALL BOOSTER CLUB INC. THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING

WHEREAS, the North Tonawanda Men's Basketball Booster Club Inc., is a registered 501(c)(3) nonprofit organization, and

WHEREAS, the North Tonawanda Men's Basketball Booster Club Inc., supports, encourages and enhances activities of the students in the North Tonawanda City School District, and

WHEREAS, the North Tonawanda Men's Basketball Booster Club Inc., is requesting support for their student-athletes with updated travel suits and essential basketball equipment for the 2025-2026 season, 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 North Tonawanda Men's Basketball Booster Club Inc., by appropriating monies from said Community Partnership Fund as follows:

North Tonawanda Men's Basketball Booster Club Inc. \$2,000.00
Moved by Bradt, seconded by Robins.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IL-091-25

From: Legislators Randy R. Bradt, Richard L. Andres and Economic Development Committee.
Dated: June 17, 2025

RESOLUTION IN SUPPORT OF THE NORTH TONAWANDA BOTANICAL GARDEN ORGANIZATION INC. THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING

WHEREAS, the North Tonawanda Botanical Garden Organization, Inc. is a 501(c)3 nonprofit organization established in 2018, and

WHEREAS, the North Tonawanda Botanical Garden Organization teaches citizens about native plants and pollinators, water wise practices, sustainable gardening and environmental stewardship, and

WHEREAS, the North Tonawanda Botanical Garden Organization is committed to maintaining the North Tonawanda Botanical Gardens as a scenic destination for the community, and

WHEREAS, the North Tonawanda Botanical Garden Organization is in need of additional benches, 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 North Tonawanda Botanical Garden Organization by appropriating monies from said Community Partnership Program Fund as follows:

North Tonawanda Botanical Garden Organization, Inc. \$2,000.00
Moved by Bradt, seconded by Robins.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IL-092-25

From: Legislator Shawn A. Foti and Economic Development Committee.
Dated: June 17, 2025

RESOLUTION IN SUPPORT OF OLCOTT FIRE COMPANY THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING

WHEREAS, Olcott Fire Company (OFC) was founded in 1928 and has provided fire and EMS services ever since inception, and

WHEREAS, OFC members work tirelessly to protect our community and be public servants to our residents during all times of need, and

WHEREAS, rising costs, the Covid pandemic, work and family responsibilities, and increasing regulations from NYS have made it more costly and time consuming to be a volunteer, and

WHEREAS, OFC also hosts the annual Pirates Festival in Krull Park and intends to host a firefighter challenge to promote volunteerism, and

WHEREAS, additional funds are necessary to offset these rising costs and help support our Niagara County volunteer fire departments, 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 volunteer firefighters at Olcott Fire Co by appropriating monies from said Community Partnership Fund as follows:

Olcott Fire Company	\$2,000.00
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Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IL-093-25

From: Legislator Anthony J. Nemi and Economic Development Committee.

Dated: June 17, 2025

**RESOLUTION IN SUPPORT OF ORGANIZATIONS IN THE TOWN OF PENDLETON
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Community Partnership funds help support numerous organizations across Niagara County that are important to local communities, and

WHEREAS, the Pendleton Business & Community Association helps promote local businesses and community pride, and

WHEREAS, the Pendleton Veterans Association exists to recognize the veterans of our community with gratitude for their distinguished service, and are working on a Home Town Heroes project, and

WHEREAS, the Pendleton Lions Club serves the community by helping the blind, deaf, physically handicapped and anyone in our community that needs assistance, and

WHEREAS, the Pendleton Seniors offers important services to our local senior citizen community, and

WHEREAS, the Pendleton Historical Society plays an important part in preserving and promoting the town's tremendous history for both local residents and visitors, and

WHEREAS, the Wendelville Volunteer Fire Company is an all-volunteer emergency services provider that protects the Town of Pendleton, and

WHEREAS, the Pendleton Food Pantry provides food to persons in need residing in the Starpoint School District area, and

WHEREAS, Scouting America provides the nation's foremost youth program of character development and values-based leadership training, serving 2.2 million youth members between the ages of 5 and 21, including Boy Scout Troop 98 out of Pendleton Church Center and Boy Scout Troop 47 out of Good Shepard Church, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership

RESOLVED, that Niagara County supports the above mentioned organizations as follows:

Pendleton Community & Business Association	\$4,000.00
Pendleton Veterans Association	\$1,000.00
Pendleton Lions Club	\$1,000.00
Pendleton Seniors	\$1,000.00
Pendleton Historical Society	\$1,000.00
Wendelville Volunteer Fire Company	\$1,000.00
Pendleton Food Pantry	\$1,000.00
Boy Scout Troop 98	\$250.00
Boy Scout Troop 47	\$250.00

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

Resolution No. IL-094-25

From: Legislator Rebecca J. Wydysh and Economic Development Committee.

Dated: June 17, 2025

**RESOLUTION IN SUPPORT OF THE VILLAGE OF LEWISTON'S 4TH OF JULY FIREWORKS
 DISPLAY THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Independence Day, July 4th, marks the historic date of ratification of the Declaration of Independence and the establishment of the United States of America in 1776, and

WHEREAS, the Village of Lewiston plans its annual community celebration and fireworks display for July 4, 2025, and

WHEREAS, large crowds of residents and visitors from surrounding communities will attend to celebrate July 4th together, an annual tradition for many families, and

WHEREAS, an event of this magnitude can only be successful through full community participation and sponsorships, now, therefore, be it

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

RESOLVED, that Niagara County supports the Village of Lewiston's 4th of July Fireworks Display by appropriating monies from said Community Partnership Program Fund as follows:

Village of Lewiston	\$1,000.00
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Moved by Bradt, seconded by Robins.
 Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IL-095-25

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

Dated: June 17, 2025

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

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

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

WHEREAS, the club has a pavilion located on the west side of the building that is used for multiple club functions, club rentals, Hunter education class and the annual kids fishing derby, and

WHEREAS, the Wilson Conservation Club would a sidewalk that would connect the clubs main parking lot directly to the pavilion to improve access for handicapped, now, therefore, be it

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

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

Wilson Conservation Club, Inc.	\$3,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 15 Ayes, 0 Noes, 0 Absent.	

Resolution No. IL-096-25

From: Legislators Rebecca J. Wydysh, David E. Godfrey and Jesse P. Gooch.

Dated: June 17, 2025

A RESOLUTION IN SUPPORT OF FEDERAL LEGISLATION TO CREATE A ZIP CODE FOR THE TOWN OF WHEATFIELD

WHEREAS, the Town of Wheatfield currently does not have its own zip code, but rather is split among four other zip codes: 14094 (Lockport), 14132 (Lewiston), 14120 (North Tonawanda), and 14304 (Niagara Falls), and

WHEREAS, Town of Wheatfield officials have been actively and diligently working to obtain a singular zip code for the entire town for more than 20 years, and

WHEREAS, the Town of Wheatfield is one of the fastest growing towns in Western New York with a population of approximately 20,000, which has doubled in the last 30 years, and

WHEREAS, a town of this size should have its own identity, which includes its own zip code, and

WHEREAS, there are multiple problems that occur from being part of zip codes with four other municipalities. For example, there is confusion in filing death certificates as funeral directors have a difficult time trying to determine the correct municipality where the death occurred (i.e. a death certificate for a Wheatfield resident with a Niagara Falls mailing address get wrongly filed in Niagara Falls). There are several streets and homes that have the same address in the four towns that Wheatfield shares zip codes with, which can cause confusion, especially for deliveries, utilities and use of GPS, and

WHEREAS, legislation introduced in the United States Congress, HR 3095, would authorize one zip code for the entire Town of Wheatfield, now, therefore, be it

RESOLVED, that the Niagara County Legislature fully supports the efforts of the Town of Wheatfield and urges Congress to pass HR 3095 to accomplish this goal, and be it further

RESOLVED, that copies of this resolution be sent to Representative Langworthy, Representative Kennedy and Representative Tenney.

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

Carried.

Moved by Gooch, seconded by Godfrey.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IL-097-25

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

Dated: June 17, 2025

A RESOLUTION IN SUPPORT OF HEARING JUDGE RECOMMENDING DENIAL OF PERMITS TO CWM

WHEREAS, Chemical Waste Management (CWM) began the process to site a new landfill in the Town of Porter, known as Residential Management Unit 2 (RMU-2) in 2003, and

WHEREAS, before any new site can be built, the Commissioner of the state Department of Environmental Conservation (DEC) must issue several permits, and the state Hazardous Waste Facility Siting Board must approve the site, and

WHEREAS, after more than two decades of process, the hearing judge in this long-running battle over CWM's landfill proposal recently issued a 220-page decision that recommends that the state Siting Board deny approval, and that the DEC Commissioner decline to issue any permits since a denial by the Siting Board would mean that the proposal is not viable, and

WHEREAS, the grounds for denial identified by the hearing judge include the lack of need for another hazardous waste landfill in New York, the unfairness of continuing to make Niagara County home for the state's only hazardous waste landfill, and the absence of any other public interest in building the project, and

WHEREAS, RMU-2, would also continue CWM's past practice of discharging PCBs and other toxic substances into the Niagara River through an underground pipe, even though the river is already impaired by the discharge of such toxics by CWM and other industries, and cleanups along the river and more stringent permitting have reduced those discharges in recent years, and

WHEREAS, this is unacceptable as the river is used by County municipalities downstream from CWM for their public water supply, and the river attracts many people for fishing and other recreation, now, therefore, be it

RESOLVED, that the Niagara County Legislature fully supports the hearing judge's recommendation and urges the Siting Board and DEC Commissioner to soundly reject the CWM proposal for RMU-2, and be it further

RESOLVED, that the Niagara County Legislature calls on Governor Hochul to publicly oppose the RMU-2 project like she has with other environmental issues and direct her appointed DEC Commissioner to act in the public's interest, and be it further

RESOLVED, that copies of this resolution be sent to Governor Hochul, New York State Legislative Leaders and Niagara County's state representatives.

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

Carried.

Moved by Myers, seconded by Hill.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IL-098-25

From: Legislator David E. Godfrey.

Dated: June 17, 2025

OPPOSITION OF US DEPARTMENT OF LABOR CLOSING JOB CORPS CENTERS

WHEREAS, on May 29, 2025 the US Department of Labor announced a “phased pause” and possible closure of the 99 Job Corps Centers throughout the United States of America, and

WHEREAS, for over 60 years, Job Corps Center has been a staple in assisting young adults obtain life skills, earn high school diplomas, receive on the job training in healthcare, construction, and other in-demand fields, and

WHEREAS, Job Corps have proven to do “great work” empowering young people and preparing them for career in the work force, and

WHEREAS, Job Corps have completed numerous community projects over the years benefiting area municipalities in Niagara, Orleans and Genesee Counties, thus saving the cost burden having been put upon the local property taxes; and

WHEREAS, the Niagara County Legislators view the Iroquois Job Corps Center as a vital resource to the county by means of assisting up to 225 young adults at a time, employing 100 local residents, and providing an estimated \$17 million annual economic impact on our local economy, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby oppose a “phased pause” and closure of the Iroquois Job Corps Center in our County.

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

Carried.

Moved by Myers, seconded by Hill.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IL-099-25

From: Legislators Richard L. Andres, Anthony J. Nemi, Shawn A. Foti, Randy R. Bradt, Jeffrey Elder, Parks, Recreation & Tourism AD Hoc Committee.

Dated: June 17, 2025

**SUPPORT FOR NORTH TONAWANDA BOTANICAL GARDEN ENTRANCE
AND BOAT LAUNCH ACCESS PROJECT**

WHEREAS, the Niagara Power Coalition (“NPC”) and the New York Power Authority agreed to a licensing settlement for the next 50 years for the Niagara Power Project, and

WHEREAS, that settlement allows Niagara County to receive, through NPC Host Community Standing Committee (“HCSC”), up to \$390,000 annually to fund projects which are found to be consistent with the Niagara Greenway projects along the Greenway Trail, and

WHEREAS, the North Tonawanda Botanical Garden Organization, Inc. has made application to Niagara County's Ad Hoc Committee on Parks, Recreation and Tourism for Greenway funds to support its North Tonawanda Botanical Garden Entrance and Boat Launch Access Project which is located on an 11-acre natural, scenic park that borders Tonawanda Creek and Erie Canal, and

WHEREAS, several projects at the North Tonawanda Botanical Garden have been completed recently, including the renovation of the boat ramp, as well as the Buffalo Niagara Waterkeeper's Living Shoreline Program, which was implemented in partnership with the North Tonawanda Botanical Garden Organization, Inc. and is the flagship component to the North Tonawanda Botanical Garden Organization's 2020 Site Plan, and

WHEREAS, the North Tonawanda Botanical Garden Entrance and Boat Launch Access Project will redesign the entrance and exit at the park with a monument style wayfinding sign which will identify and increase public access to the waterfront, direct boaters to the recently rebuilt boat ramp, and will increase access to the recently completed living shoreline restoration project that was implemented on approximately 1-acre of the property, and

WHEREAS, the North Tonawanda Botanical Garden Entrance and Boat Launch Access Project will provide a critical connection as the approved extension of the bike path along Sweeney Street to the Botanical Garden property as it intersects with the parking lot entrance, and the central island will be redesigned to capture storm water to maintain a diverse display of native plants, trees and shrubs all cultivated in the North Tonawanda Botanical Garden's on-site greenhouse, and

WHEREAS, North Tonawanda Botanical Garden Entrance and Boat Launch Access Project meets the guiding principles of the Niagara River Greenway, and

WHEREAS, the Ad Hoc Committee for Parks, Recreation and Tourism appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Niagara Power Coalition and the Host Community Standing Committee, has recommended that Niagara County approve and support this project, and

WHEREAS, North Tonawanda Botanical Garden Entrance and Boat Launch Access Project has the support and approval of the City of North Tonawanda Mayor Austin J. Tylec, and Lumber City Development Corporation, and

WHEREAS, the North Tonawanda Botanical Garden Organization, Inc. is requesting \$98,000.00, of the total project cost of \$550,468, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of up to \$98,000.00, subject to receipt of NYPA funding for Greenway projects in July, 2025, for the North Tonawanda Botanical Garden Entrance and Boat Launch Access Project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

Moved by Bradt, seconded by Robins.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IL-100-25

From: Legislators Richard L. Andres, Anthony J. Nemi, Shawn A. Foti, Randy R. Bradt, Jeffrey Elder, Parks, Recreation & Tourism AD Hoc Committee.

Dated: June 17, 2025

**SUPPORT FOR THE VILLAGE OF YOUNGSTOWN
LOWER NIAGARA RECREATION TRAIL PROJECT 1**

WHEREAS, the Niagara Power Coalition (“NPC”) and the New York Power Authority agreed to a licensing settlement for the next 50 years for the Niagara Power Project, and

WHEREAS, that settlement allows Niagara County to receive, through NPC Host Community Standing Committee (“HCSC”), up to \$390,000 annually to fund projects which are found to be consistent with the Niagara Greenway projects along the Greenway Trail, and

WHEREAS, the Village of Youngstown has made application to the Niagara County’s Ad Hoc Committee on Recreation and Tourism for Greenway funds for its Village of Youngstown Lower Niagara Recreation Trail Project 1, and

WHEREAS, the Village of Youngstown is a quaint and historic village which is situated at the mouth of the Niagara River where it meets Lake Ontario, and

WHEREAS, the Village of Youngstown is focused on the Lower Niagara Recreation trail project to connect Fort Niagara State Park to Youngstown Estates, and

WHEREAS, the Lower Niagara Recreation trail will run through two parks and provide an easy and safe access to community activity centers within the two parks, and the trail to Fort Niagara State Park will make trips more enjoyable and worry-free, and

WHEREAS, the Village of Youngstown’s Lower Niagara Recreation Trail Project 1 involves trail development and improvements, for a total project cost of \$358,492.00, and

WHEREAS, the Village of Youngstown has secured funding from Friends of Youngstown in the amount of \$9,500, and

WHEREAS, the Village of Youngstown has \$108,000 in Village funds already allocated towards this project, and is requesting the remaining \$240,993 in Niagara County Greenway funds to close the gap, and

WHEREAS, this project will enhance the quality of life for residents and visitors and tourists alike by connecting the Village of Youngstown’s parks, trail activities, and will cause a positive economic impact in the Village of Youngstown and Niagara County, and

WHEREAS, the Village of Youngstown has the support and approval of Niagara County Legislator Irene Myers, and

WHEREAS, the Ad Hoc Committee for Recreation and Tourism Fund appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Niagara Power Coalition and the Host Community Standing Committee has recommended that Niagara County approve and support this project, and

WHEREAS, the Village of Youngstown has utilized great effort and is complimented for being able to receive additional funds for further projects to lower their actual request for funds, and

WHEREAS, after receipt of in-kind services and other funding, the remaining \$240,993.00 needed for the project is being requested, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$240,993.00, subject to receipt of NYPA funding for Greenway projects in July, 2025, for the Village of Youngstown Lower Niagara Recreation Trail project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

Moved by Bradt, seconded by Andres.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Chairman Wydysh called on County Manager Richard E. Updegrove read a few statements given on New York's Climate Leadership and Community Protection Act and how it will impact the residents of Niagara County.

Chairman Wydysh called on Sheriff Michael Filicetti to give an update on state inmates being housed at the Niagara County Jail.

APPOINTMENTS:

COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY COMMITTEE:

Morgan Genevese, Director of Business Development (replaces Thomas Tedesco)

Appt.

Expires

06/17/25

12/31/25

City of Niagara Falls

745 Main Street, Niagara Falls 14301

INDUSTRIAL DEVELOPMENT AGENCY:

Susan C. Langdon

06/17/25

Moved by Bradt, second by Robins.

Approved.

Legislator Andres asked for moment of silence for the Legislators in Minnesota

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

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

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



Alysa T. Tomasino, Clerk