

OFFICIAL RECORD

Lockport, New York
May 1, 2018

The meeting was called to order by Chairman McNall at 7:02 p.m.

Clerk Tamburlin called the roll. All Legislators were present with the exception of Legislator Nemi.

Moment of silence was held for retired Assistant U.S. Attorney George C. Burgasser.

CORRESPONDENCE:

Chairman McNall announced Governor Cuomo's awarding of 2.9 Million dollars in Lake Ontario Flood Relief Funds for Shoreline Municipalities to help with restoration resiliency and recovery efforts following last year's flooding and to protect the community from the damage of future storms.

Chairman McNall introduced the County's new Office for the Aging Director, Darlene S. DiCarlo.

Chairman McNall announced the resignation of Legislator Andres from the NCCC Board of Trustees and will be accepting resumes from May 7th – 21st from individuals to fill the vacant seat.

PRESENTATIONS:

1. Economic Development Committee Chair, Kathryn L. Lance presented the William G. Mayne Jr. Business Community Enhancement Program Awards. Legislator Lance thanked Niagara Falls Bridge Commission members in attendance and Commissioner Frank Soda. Commissioner Soda spoke on how extremely pleased and proud that Niagara County has been active and push for this program, a lot of hard word work done by Economic Development and the Legislature to maintain this program.

2. Legislator Godfrey called Sheriff James Voutour, Undersheriff Michael J. Filicetti and Chief of Corrections Administration Kevin Payne to the lectern to read a proclamation declaring May 6th – 12th, 2018 as Correctional Officer Week in Niagara County.

0 citizens spoke at this time.

Recess

Resolution No. AD-011-18

From: Administration Committee

Dated: May 1, 2018

DISTRIBUTION OF MORTGAGE TAX

WHEREAS, Niagara County has received mortgage tax monies for the period October, 2017 through March, 2018 in the amount of \$3,372,619.71, and

WHEREAS, the Recording Officer has previously distributed \$802,488.70 to the Niagara Frontier Transportation Authority, \$772,200.58 to the State Mortgage Tax Agency, and retained \$130,420.35 for approved county administrative expenses, and

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

RESOLVED, that the sum of \$1,667,510.08 reflects mortgage tax monies for the period October 1, 2017 through March 31, 2018 to be distributed, and the same be and hereby is, apportioned as follows among the various towns, villages and cities of the County of Niagara:

TOWNS	Cambria	\$ 45,030.39
	Hartland	23,047.84
	Lewiston	127,060.38
	Lockport	409,762.14
	Newfane	57,625.00
	Niagara	44,891.05
	Pendleton	102,456.57
	Porter	54,429.85
	Royalton	39,939.56
	Somerset	7,819.07
	Wheatfield	250,466.85
	Wilson	29,842.42
VILLAGES	Middleport (Hartland)	\$ 362.66
	Middleport (Royalton)	3,109.93
	Lewiston	15,030.44
	Youngstown	10,438.15
	Barker	650.79
	Wilson	3,238.26
CITIES	Lockport	\$ 138,108.58
	Niagara Falls	122,562.19
	North Tonawanda	<u>181,637.96</u>
TOTAL:		\$1,667,510.08

and be it further

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

Moved by Bradt, seconded by Collins.

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

Resolution No. IF-058-18

From: Infrastructures & Facilities and Administration Committees

Dated: May 1, 2018

**ABOLISH CLEANER POSITION
CREATE AND FILL TWO CLEANER POSITIONS- PART TIME**

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

WHEREAS, after studying the services we provide and evaluating all options it has been determined that it would be in the best interest of the department, as well as the taxpayers, to abolish one (1) Cleaner and create and fill two (2) Cleaner positions, part-time, and

WHEREAS, funding for these newly created positions will be from the mentioned abolished position, now, therefore be it

RESOLVED, that Position No. 13379, Cleaner, be abolished, and be it further

RESOLVED, that two (2) positions of Cleaner, Part-time, AFSCME, Grade 14, Step 1, at an annual rate of \$15,205, be created and filled, effective April 22, 2018, and be it further

RESOLVED that the following budget modification be made:

FROM:

A.15.1620.000.71010.00	Positions (Cleaner – Pos. No. 13379)	\$25,604.00
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TO:

A.15.1620.000.71030.00	Positions (Cleaner P/T – Pos. Nos.)	\$25,604.00
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Approved for submission.

Moved by Syracuse, seconded by Collins.

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

Resolution No. IF-059-18

From: Infrastructures & Facilities and Administration Committees

Dated: May 1, 2018

**ABOLISH BUILDING MAINTENANCE PERSON
CREATE AND FILL GENERAL REPAIR PERSON II**

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

WHEREAS, after studying the services we provide and evaluating all options it has been determined that it would be in the best interest of the department, as well as the taxpayers, to abolish one (1) Building Maintenance Person and to create and fill one (1) General Repair Person II, and

WHEREAS, funding for this newly created position will be from the mentioned abolished position, now, therefore be it

RESOLVED, that Position No. 13354, Building Maintenance Person, be abolished, and be it further

RESOLVED that the position of General Repair Person II, AFSCME, Grade 17, Step 1, at an annual salary of \$41,739, be created and filled, effective April 22, 2018, and be it further

RESOLVED that the following budget modification be made:

FROM:

A.15.1620.000.71010.01	Positions (Building Maintenance Person-Pos. #13354)	\$36,941.40
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TO:

A.15.1620.000.71010.01	Positions (General Repair Person II – Pos. #xxxxxx)	\$36,941.40
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Approved for submission.

Moved by Bradt, seconded by Zona.

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

Resolution No. IF-060-18

From: Infrastructures & Facilities and Administration Committees

Dated: May 1, 2018

**RESOLUTION REJECTING BIDS FOR THE TROTT BUILDING
NORTHPOINTE RENOVATIONS PROJECT**

WHEREAS, the County of Niagara, Department of Public Works, advertised for sealed bids to be received on April 10, 2018 for the Trott Building Northpointe Renovations project, and

WHEREAS, the lowest responsible bidder for general, electrical, mechanical, and plumbing was \$573,319, and

WHEREAS, the lowest bid far exceeds the available funds for the project, now, therefore, be it

RESOLVED, that the sealed bids which were received on April 10, 2018 are hereby rejected.

Approved for submission.

Moved by Godfrey, seconded by Wydysh.

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

Resolution No. IF-061-18

From: Infrastructure & Facilities and Administration Committees

Dated: May 1, 2018

**AWARD OF CONTRACT – TROTT ACCESS CENTER
NORTHPOINTE RENOVATIONS PLUMBING CONTRACT**

WHEREAS, the Department of Public Works, Buildings and Grounds Division has solicited quotes, per the purchasing guidelines set forth in Resolution Ad-034-17, dated December 12, 2017, for the plumbing tasks associated with the renovation of space for the Northpointe Clinic, and

WHEREAS, the following quotes were received:

- | | | |
|----|------------------------------|----------|
| 1. | HW Bryk & Sons | \$33,965 |
| | 4300 Military Road | |
| | Niagara Falls, NY 14305 | |
| 2. | JR Swanson | \$52,870 |
| | 413 103 rd Street | |
| | Niagara Falls, NY 14304 | |

and

WHEREAS, there are funds available in H649.25.1620.000 72200.01, Building Improvements, 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 Northpointe Renovations Plumbing work be awarded to the lowest responsible bidder, HW Bryk & Sons, 4300 Military Road, Niagara Falls, NY 14305, in the amount of \$33,965.00, 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.

Approved for submission.

Moved by Hill, seconded by Burmaster.

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

Resolution No. IL-019-18

From: Legislators David E. Godfrey, Randy R. Bradt and Richard L. Andres

Dated: May 1, 2018

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE DEPARTMENT OF
HOMELAND SECURITY AND EMERGENCY SERVICES, OFFICE OF INTEROPERABLE
COMMUNICATIONS TO SET ASIDE SUFFICIENT 9-1-1 FUNDING TO COUNTIES IN ORDER TO
PROPERLY MAINTAIN EXISTING SYSTEMS**

WHEREAS, the funding mechanism that counties use to help operate, maintain and upgrade 9-1-1 system capability and performance is out of date and does not correspond well to recent technology and marketplace changes, and

WHEREAS, unfortunately and unlike other states, too much funding is diverted by New York State for non 9-1-1 purposes, resulting in a system that does not direct sufficient revenue to allow counties to properly maintain existing systems, while also preparing to implement the next generation of 9-1-1 technology required under federal law, and

WHEREAS, under current law, for the last two budget years, \$10 million was authorized and targeted directly to PSAPs and up to \$65 million was set aside for the provision of grants and reimbursements to counties administered by the state interoperable communications grants (SICG) program, administered by the division of homeland security, and

WHEREAS, to our understanding a total of \$150 million has been authorized for county 9-1-1 purposes, but only \$20 million has been released (\$20 million for Public Safety Answering Points (PSAPs) over the two years, while \$45 million for authorized purposes from the SFY 2016-17 Budget under a new formula based methodology, while identified, has not been made available to draw down yet), and

WHEREAS, the goal of upgraded 9-1-1 systems is to make sure that all devices capable of connecting to the system can do so using voice, text, video images and other data formats to better inform the emergency responders to the situation they will be entering, and

WHEREAS, upgraded systems will be able to better pinpoint an emergency caller that may be in a remote area of the state or in a skyscraper in one of our cities. Recognizing a more precise location of those needing emergency services will improve outcomes and save lives, but this cannot be accomplished without consistent and timely funding from the state, now, therefore, be it

RESOLVED, that Niagara County Legislature calls upon Governor Andrew M. Cuomo and the Department of Homeland Security and Emergency Services, Office of Interoperable Communications to release all funds authorized so far and to ensure that future authorizations are released in full in the budget year they appropriated, and be it further

RESOLVED, releasing these funding obligations on a regular schedule will provide certainty and build continuity as we upgrade and maintain existing systems and prepare for NextGen 9-1-1 development and implementation, and be it further

RESOLVED, that the County of Niagara shall forward copies of this Resolution to Governor Andrew M. Cuomo, the Commissioner of the Division of Homeland Security and Emergency Services, Senate Temporary President and Majority Leader John Flanagan; Senator Robert G. Ort; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Joseph D. Morelle; Assembly Minority Leader Brian M. Kolb; Member of the Assembly Michael J. Norris; Member of the Assembly Angelo Morinello; Member of the Assembly Ray Walter; Member of the Assembly Robin Schimminger and all others deemed necessary and proper.

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

Carried.

Moved by Godfrey, seconded by Bradt.

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

Resolution No. IF-058-18 was read at this time. (Appears in numerical order)

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Moved by Syracuse, seconded by Steed that the Board adjourn.

The Chairman declared the Board adjourned at 7:55 p.m., subject to the call of the Clerk.

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


Mary Jo Tamburlin, Clerk