

## OFFICIAL RECORD

Lockport, New York  
May 17, 2022

The meeting was called to order by Chairman Wydysh at 6:06 p.m.

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

A moment of silence was held to remember the victims of the Buffalo mass shooting.

### **PRESENTATIONS:**

Legislator Godfrey read a proclamation congratulating the Niagara Wine Trail on celebrating their 20<sup>th</sup> Anniversary and declaring April 2022 as Wine Month in Niagara County.

Legislator Hill called Sheriff Filicetti to the lectern to read a proclamation declaring May 15<sup>th</sup>-21<sup>st</sup>, 2022 as Police Week in Niagara County.

Legislator Gooch called Commissioner Meghan Lutz to the lectern to read a proclamation declaring April 2022 as "Child Abuse Prevention Month" in Niagara County.

Legislator Gooch called Commissioner Meghan Lutz to the lectern to read a proclamation declaring May 2022 as Foster Parent Month in Niagara County.

Economic Development Committee Chair, Richard L. Andres and Commissioner Michael Casale presented the William G. Mayne Jr. Business Community Enhancement Program Awards. Legislator Andres thanked the Niagara Falls Bridge Commission for the positive impact this program has on the community.

No Citizens spoke on the Agenda

Chairman Wydysh announced that resolution AD-010-22 removed from Preferred Agenda.

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

### **Resolution No. AD-009-22**

From: Administration Committee.

Dated: May 17, 2022

### **DISTRIBUTION OF MORTGAGE TAX**

WHEREAS, Niagara County has received mortgage tax monies for the period October, 2021 through March, 2022 in the amount of \$5,789,733.28, and

WHEREAS, the Recording Officer has previously distributed \$1,417,523.57 to the Niagara Frontier Transportation Authority, \$1,346,984.55 to the State Mortgage Tax Agency, and retained \$129,453.01 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 \$2,895,772.15 reflects mortgage tax monies for the period October 1, 2021 through March 31, 2022 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	\$ 86,212.45
	Hartland	35,311.88
	Lewiston	249,611.02
	Lockport	850,329.49
	Newfane	77,719.75
	Niagara	52,627.67
	Pendleton	161,229.86
	Porter	66,819.13
	Royalton	70,752.53
	Somerset	24,690.64
	Wheatfield	283,115.56
	Wilson	73,844.23
VILLAGES	Middleport (Hartland)	\$ 551.29
	Middleport (Royalton)	5,347.96
	Lewiston	30,608.99
	Youngstown	12,722.05
	Barker	1,708.78
	Wilson	8,071.30
CITIES	Lockport	\$ 195,993.35
	Niagara Falls	306,464.34
	North Tonawanda	<u>302,039.88</u>
TOTAL:		\$2,895,772.15

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 Robins.

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

**Resolution No. AD-010-22**

From: Administration Committee.

Dated: May 17, 2022

**UPGRADE WITH ADJUSTED WAGE FOR SENIOR INSURANCE PROGRAM ASSISTANT  
POSITION OFFICE OF RISK MANAGEMENT**

WHEREAS, the Office of Risk Management has had two long-term employees vacate and / or retire from the Principal Insurance Program Assistant and eliminated one Senior Insurance Program Assistant position, leaving one Senior Insurance Program Assistant exclusively dedicated to the leadership role in the Risk healthcare administrative function, and

WHEREAS, a critical function of this position is to administer Open Enrollment annually in the fall for Healthcare benefits, for both active employees and retirees, and ongoing daily administration of these benefits, healthcare eligibility and contribution schedules, and

WHEREAS, recent settlement of union contracts and changes in healthcare law resulted in Plan changes and administrative complexities, and

WHEREAS, in order to provide training and oversight of this complex function to subordinate staff, the Office of Risk Management seeks to upgrade this position and pay accordingly, now, therefore, be it

RESOLVED, that upon assessing this function and the longstanding job history of the Senior Insurance Program Assistant incumbent of the Office and veteran Niagara County Health Plan administrative expert with the Human Resources Director and County Manager, it has been determined that this position of Senior Insurance Program Assistant be granted an upgrade to Group 10, Step 3 (\$27.94/hr) effective May 01, 2022, and be it further

RESOLVED, that this position will be paid at the upgrade and will be funded from the personnel line, position number 13278, and the funds will continue to be reimbursed through the line MI.13.1710.000 74905.00, Self-Insured Health Plan, Administrative Support Expense, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.13.1430.106 412889.09	Salary Reimbursement	\$1,933
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INCREASE EXPENSE:

A.13.1430.106 71010.00	Positions	\$1,568
A.13.1430.106 78100.00	Retirement	204
A.13.1430.106 78200.00	FICA	120
A.13.1430.106 78300.00	Worker's Comp	41

Moved by Godfrey, seconded by Nemi to table the resolution.

Carried. 14 Ayes, 0 Noes, 1 Absent – Myers.

**Resolution No. CS-019-22**

From: Community Services and Administration Committees.

Dated: May 17, 2022

**NIAGARA COUNTY YOUTH BUREAU – NEW YORK STATE AID APPLICATION**

WHEREAS, the County of Niagara has been designated as eligible to receive state aid for 2022 youth programs through its Youth Bureau from the New York State Office of Children and Family Services in the amount of \$255,750, and

WHEREAS, the Comprehensive Planning Law mandates the Niagara County Youth Bureau must apply for such funds, and

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

RESOLVED, that the Director of the County Youth Bureau be, and hereby is, authorized to make application for the following program funds:

Youth Development Program

\$255,750

and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute any and all documents relating to the application, subject to the review by the County Manager and the approval of the County Attorney.

Moved by Bradt, seconded by Robins.

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

**Resolution No. CS-020-22**

From: Community Services and Administration Committees.

Dated: May 17, 2022

**COUNTY CLERK OFFICE CONTRACT AMENDMENT**

WHEREAS, the appropriate, accurate and timely management of local government records is essential for efficient and effective government, and

WHEREAS, the Niagara County Clerk's Office has experienced a significant backlog in the indexing and verification of legal land documents and records, and

WHEREAS, said backlog of indexing and verification of legal land documents and records was caused by extraordinary circumstances including, but not limited to, multiple retirements, resignations, COVID -19 related staff shortages as well as numerous other unforeseen staffing challenges, and

WHEREAS, despite increased overtime efforts by the Niagara County Clerk's Office Staff, the said backlog persists and is perpetuating, and

WHEREAS, it has been mutually agreed by Niagara County and the Union that an Amendment to the Contract between Niagara County and Info Quick Solutions, Inc. dated February 18, 2014 is both necessary, practical, and desirable to address the backlog, and

WHEREAS, Info Quick Solutions, Inc. possesses the necessary skill and expertise to eliminate the aforementioned backlog of indexing and verification of legal land documents and records, and

WHEREAS, except for this Amendment, all other terms and Amendments to the original Contract dated February 18, 2014 shall remain unchanged and in force, now, therefore, be it

RESOLVED, that Niagara County enter an Amendment to the Contract with Info Quick-Solutions, Inc. dated April 27, 2022 to provide indexing and verification services of the aforementioned backlogged documents for the period commencing January 14, 2022 and terminating April 20, 2022, and be it further

RESOLVED, that any time extensions to the January 14, 2022 – April 20, 2022 time period will require a mutually agreed upon written amendment signed by authorized representatives of the County and the Union, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute the Amendment, subject to the review by the County Manager and the approval of the County Attorney, and be it further

RESOLVED, that the Niagara County Treasurer's Office is hereby authorized to disburse an amount not to exceed \$13,300.00 from the County Clerk's Appropriated Fund Balance – Committed Funds Account A.10.1410 40599.01 into the County Clerk's operating budget, and be it further

RESOLVED, that the following budget modification be effectuated:

**INCREASE REVENUE:**

A.10.1410.000 40599.01 Appropriated Fund Balance-Committed Funds \$13,300.00

**INCREASE APPROPRIATIONS:**

A.10.1410.000 74500.01 Contractual Expenses \$13,300.00

Moved by Bradt, seconded by Robins.

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

**Resolution No. CS-021-22**

From: Community Services and Administration Committees.

Dated: May 17, 2022

**ABOLISH (1) FT HEAD COOK  
CREATE AND FILL (1) FT COOK and (1) FT FOOD SERVICE DIRECTOR**

WHEREAS, the department has reviewed its operational needs in order to improve efficiencies and provide nutritionally balanced meals to the older adults that rely on the valuable services offered through the OFA, and

WHEREAS, after studying the operation in the kitchen and evaluating all options, it has been determined that it would be in the best interest of the department to abolish one (1) FT Head Cook and to create and fill one (1) FT Food Service Director, and (1) FT Cook position, and

WHEREAS, funding for this newly created position is readily available in the current budget, now, therefore, be it

RESOLVED, that Position No. 3898, Head Cook, AFSCME, be abolished, effective May 29, 2022, and be it further

RESOLVED, that the position of FT Food Service Director, 40 hours per week, position # xxx, Flat Salary, Grade 6 Step 4, be created and filled, effective May 29, 2022, and be it further

RESOLVED, that the position of FT Cook, 40 hours per week, position # xxx, AFSCME be created and filled, effective May 29, 2022, and be it further

RESOLVED, that the following budget modifications be effectuated.

**DECREASE APPROPRIATION:**

A.24.6772.000 71030.01	Part Time Expense Position #10254	\$ 7,925
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A.24.7610.702 71030.01	Part Time Expense	\$62,838
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Position #3709	\$10,959
Position #1348	\$15,985
Position #1349	\$ 5,716
Position \$1358	\$ 1,188
Position #1368	\$ 2,275
Position #1362	\$ 1,907
Position \$1376	\$ 206
Position #3898	\$24,602

**INCREASE APPROPRIATION:**

A.24.7610.702 71010.00	Positions Expense	\$ 56,653
	Position # xxx (FT Cook)	\$ 24,602
	Position # xxx (FS Director)	\$ 32,051
A.24.7610.702 78100.00	Retirement Expense	\$ 2,628
A 24.7610.702 78400.01	Insurance, Health Active Expense	\$ 7,307
A 24.7610.702 78400.05	Insurance, Health HRA Employer Contribution	\$ 496
A 24.7610.702 78800.00	Flex 125 Employer Contribution Expense	\$ 403
A.24.7610.702 78200.00	FICA Expense	\$ 2,452
A.24.7610.702 78300.00	Worker's Compensation	\$ 824

Moved by Bradt, seconded by Robins.

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

**Resolution No. CSS-033-22**

From: Community Safety & Security and Administration Committees.

Dated: May 17, 2022

**AID TO DEFENSE PROGRAM RENEWAL 2022-2023  
PUBLIC DEFENDER**

WHEREAS, the Niagara County Public Defender's Office has been awarded renewed funding from the New York State Division of Criminal Justice Services under the Aid to Defense Program for the purpose of continuing aid in the defense of repeat violent and serious felony offenders in Niagara County, and

WHEREAS, funding has been awarded in the amount of \$15,980 for the period April 1, 2022 through March 31, 2023, with no matching funds requirement, and

WHEREAS, the funds have been appropriated in the Niagara County Public Defender's 2022 budget, now, therefore, be it

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

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

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

Moved by Bradt, seconded by Robins.

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

**Resolution No. CSS-034-22**

From: Community Safety & Security and Administration Committees.

Dated: May 17, 2022

**NIAGARA COUNTY FIRE COORDINATOR'S OFFICE  
2022 BUDGET MODIFICATION  
PUBLIC SAFETY RADIO SYSTEM EXPANSION AND UPGRADES**

WHEREAS, the Niagara County Sheriff's Office operates the Dispatch Center for police and fire dispatch located at the Niagara County Public Safety Training Facility, and

WHEREAS, the Dispatch Center utilizes UHF P25 trunked public safety communications system to dispatch incoming 911 calls, and

WHEREAS, the proposal from Mission Critical Partners, LLC is to support the continued expansion of the UHF P25 trunked public safety communications system, geo-redundant prime implementation, interoperability sub-system implementation, and fire paging sub-system upgrade; the scope of work will include the three new sites Wilson, Shawnee, and Barker, and

WHEREAS, the Niagara County Legislature passed Resolution CSS-015-18 on February 20, 2018 to use wireless E911 surcharge revenue to fund projects related to wireless 911 service to the community, and

WHEREAS, the excess funds from surcharges were reserved in committed fund balance and are available to carry over, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorize the Chairman of the Legislature to enter into a contract with Mission Critical Partners, LLC to implement services to the expansion of the Niagara County UHF P25 trunked radio project, not to exceed \$214,230.00 said contract to be subject to the review of the County Attorney for compliance with legal form and County policy, and be it further

RESOLVED, that the following budget modifications be effectuated

**INCREASE APPROPRIATED FUND BALANCE:**

A.19.3020.000 40599.01	Appropriated Fund Balance-Committed Funds	\$214,230
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**INCREASE APPROPRIATIONS:**

A.19.3020.000 74500.01	Contractual Expenses	\$214,230
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Moved by Bradt, seconded by Robins.

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

**Resolution No. CSS-035-22**

From: Community Safety & Security and Administration Committees.

Dated: May 17, 2022

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

WHEREAS, the County of Niagara has entered into a Consulting Agreement with a consultant for forensic firearms related testing and examinations for the Niagara County Sheriff's Office, and

WHEREAS, the current agreement was entered into with Mark Shaw, and

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

WHEREAS, the County wishes to extend the agreement with Mark Shaw for a fourth one-year extension period, now, therefore, be it

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

RESOLVED, that County Attorney will draft an amendment for a one-year extension, 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 amendment to extend the Consulting Agreement.

Moved by Bradt, seconded by Robins.

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

**Resolution No. CSS-036-22**

From: Community Safety & Security and Administration Committees.

Dated: May 17, 2022

**NIAGARA COUNTY SHERIFF'S OFFICE  
EXTEND FY19 OPERATION STONEGARDEN GRANT**

WHEREAS, the Niagara County Legislature passed a resolution CSS-024-20 on May 12, 2020 to accept \$257,800 under the FY2019 Operation Stonegarden Program, funding provided by the U.S Department of Homeland Security Federal Management Agency, and

WHEREAS, Operation Stonegarden has been awarded to the Niagara County Sheriff's Office for many years, and

WHEREAS, the performance period for this grant is September 1, 2019 through August 31, 2022, and

WHEREAS, the grant is used for expenses to assist the County in conducting border centric, intelligence driven operations with the goal of reduction or elimination of threat, risk and vulnerability along our Nation's borders, and

WHEREAS, the grant performance period has been extended to August 31, 2023, now, therefore, be it

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

Moved by Bradt, seconded by Robins.

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

**Resolution No. CSS-037-22**

From: Community Safety & Security and Administration Committees.

Dated: May 17, 2022



**NIAGARA COUNTY SHERIFF'S OFFICE  
CONTRACT FOR AXON CAMERAS AND STORAGE**

WHEREAS, the Niagara County Legislature passed a resolution CSS-038-19 on June 18, 2019 to standardize Axon as the sole source for in-car cameras, body cameras, related hardware, software and digital storage services, and

WHEREAS, the Niagara County Sheriff's Office has been in negotiations with Axon to achieve the most fiscally responsible contract possible for renewal of in-car cameras, body cameras, interview cameras and combined digital storage, and

WHEREAS, the Axon and the Niagara County Sheriff's Office has come to a mutual agreement for a 5 year contract under the Sole Source agreement, and

WHEREAS, no additional funds are needed in the 2022 budget for the agreement, now, therefore, be it

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

Moved by Bradt, seconded by Robins.

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

**Resolution No. CSS-038-22**

From: Community Safety & Security and Administration Committees.

Dated: May 17, 2022

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION - EXPENDITURE OF CELLULAR E911 REVENUE  
FOR COMMUNICATIONS TRUNKING EXPANSION SOLUTION**

WHEREAS, the Niagara County Legislature passed a resolution CSS-040-21 on April 20, 2021 to approve the project to enhance the County-wide Public Safety Radio Network (the "System") which was designed and implemented by Motorola Solutions ("Motorola"), by constructing radio towers, installation of facilities and purchase of equipment for three new radio tower locations in Niagara County, and

WHEREAS, Motorola and the County's independent consultant, Mission Critical Partners, LLC ("Mission Critical") have recommended an enhancement to the County's System by way of an optimized 3-site Trunking Expansion Solution which will expand the Niagara County trunked simulcast system to a total of 11 tower sites which will result in improved communications coverage and safety for all users of the system, and

WHEREAS, the Niagara County Legislature passed a Local Law on November 5, 2017 which established an E911 surcharge for cellular phones to establish a dedicated revenue to be used for future payments for system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, enhanced wireless 911 service costs serving Niagara County, and

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

WHEREAS, the Sheriff's Office has secured funding for the project through various funding sources to include Statewide Interoperable Communications Grants FY19 and FY20, Narrowbanding Capital Project and 911 Wireless Funds, 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 purchasing equipment, materials and services as necessary from pertinent New York State Office of General Services approved contracts from Motorola, in an amount not to exceed \$1,724,000, and be it further

RESOLVED, that the following line item transfers be effectuated:

**INCREASE APPROPRIATED FUND BALANCE:**

A.19.3020.000 40599.01	Appropriated Fund Balance – Committed Funds	\$ 806,000
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**INCREASE APPROPRIATIONS:**

A.19.3020.000 72100.15	Communications Equipment	\$ 806,000
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Moved by Bradt, seconded by Robins.

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

**Resolution No. CW-010-22**

From: Committee of the Whole.

Dated: May 17, 2022

**TRANSFER OF 6805 DAY ROAD PROPERTY HOME RULE MESSAGE  
SENATE BILL NO. S.6313-B AND ASSEMBLY BILL NO. A.7837-B**

WHEREAS, the County of Niagara received certain lands from transfers in 1962 on the condition that they be used for park and recreational purposes, and

WHEREAS, the County of Niagara has not pursued the development of these lands and does not have any immediate plans to do so and the Town of Lockport expressed an interest in November of 2020 in acquiring this land and developing on the land, park and recreational activities, and

WHEREAS, by Resolution No. IF-013-21, the County authorized the entering into an agreement to transfer premises known as 6805 Day Road, identified by Tax SBL #110.00-1-30.1, and requesting the New York State Senate and the New York State Assembly to initiate legislation; to execute all further necessary paperwork to accomplish the transfer pursuant to that agreement, and

WHEREAS, the property is further described in the following proposed legal description:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Lockport, County of Niagara, and State of New York, being part of Lot 8, Section 10, Township 14, Range 6 of the Holland Land Company's Survey, more particularly described as follows:

Commencing at a point of intersection of the centerline of East High Street (being 66.0 feet wide), also being the south line of Lot 8 and the extension of the west line of Day Road (being 66.0 feet wide), said point also being the southeasterly corner of lands conveyed to the Town of Lockport as filed by deed in the Niagara County Clerk's Office in Liber 3378 of Deeds at Page 281;

Thence, N 06° -49' -50" W, along the west line of Day road, also being the east line said lands conveyed to the Town of Lockport, a distance of 1780.00 feet to the Point of Beginning;

Thence, N 90° -00' -00" W, parallel with the centerline of East High Street, also being the north line said lands conveyed to the Town of Lockport, a distance of 1190.73 feet to a point on the west line Lot 8;

Thence, N 05° -49' -31" W, along said west line Lot 8, a distance of 2213.82 feet to a point on the north line Lot 8;

Thence, N 89° -55' -46" E, along said north line Lot 8, a distance of 1151.45 feet to a point on the west line Day Road, also being the west line lands conveyed to the Town of Lockport as filed by deed in the Niagara County Clerk's Office in Liber 1295 of Deeds at Page 105;

Thence, S 06° -49' -50" E, along said west line of lands conveyed to the Town of Lockport, a distance of 2219.56 feet to the Point of Beginning. Containing 58.23 acres of land, more or less.

WHEREAS, as part of the agreement of transfer, the Town of Lockport shall continue to make all park areas and improvements equally available to both Town and County residents and shall not enact any fees or charges which are higher for any County residents who are not Town residents, and

WHEREAS, the Town of Lockport shall continue to comply with Article 6-C of the Conservation Law of the State of New York as it existed at the time the County acquired title to said property, and

WHEREAS, the transfer of the Day Road property is dependent upon the approval of the New York State Legislature, now, therefore, be it

RESOLVED, that pursuant to Article IX of the Constitution, the Niagara County Legislature requests that the New York State Legislature enact legislation, Senate Bill S.6313-B and Assembly Bill A.7837-B, enabling the transfer of 6805 Day Road property, in the Town of Lockport (SBL #110.00-1-30.1) to the Town of Lockport, and be it further

RESOLVED, that copies of this resolution be forwarded to the New York State Senate, the New York State Assembly, Senator Robert G. Ort, Assemblyman Michael J. Norris and Assemblyman Angelo J. Morinello. Moved by Collins, seconded by Grozio to amend resolution.

Amendment: Deletion of B in Bill numbers and replace with C, in the title and the first RESOLVED in the First RESOLVED.

Moved by Collins, seconded by Grozio.

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

#### **Resolution No. CW-011-22**

From: Committee of the Whole.

Dated: May 17, 2022

### **HOME RULE MESSAGE REQUESTING AN ACT TO AUTHORIZE GEORGE A. AMENDOLA (RETIREE OF THE NIAGARA FALLS SCHOOL DISTRICT) TIER II STATUS IN THE NEW YORK STATE AND LOCAL EMPLOYEES' RETIREMENT SYSTEM**

WHEREAS, legislation has been introduced in the New York State Senate relating to the New York state and local employees' retirement system tier status of George A. Amendola, an employee of the Niagara Falls school district, 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 the Disc Golf Club to hold a two (2) day event, August 27 and 28, 2022, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Squalla Disc Golf Club for this event, and

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

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the Squalla Disc Golf Club, as appears on the proposed agreement, is hereby approved in all respects, and be it further

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

Moved by Bradt, seconded by Robins.

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

**Resolution No. IF-078-22**

From: Infrastructure & Facilities Committee.

Dated: May 17, 2022

**AWARD CONSULTANT CONTRACT  
HESS ROAD BRIDGE OVER TRIBUTARY TO KEG CREEK**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Hess Road Bridge over a Tributary to Keg Creek Project, and

WHEREAS, funds are available in account H742.15.5197.000 72600.02, Bridges, and

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

RESOLVED, that the consultant services contract for the Hess Road Bridge over a Tributary to Keg Creek Project be awarded to CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, for a contract amount not to exceed \$230,000 for design, construction administration, and construction inspection, 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. 14 Ayes, 0 Noes, 1 Absent – Myers.

**Resolution No. IF-079-22**

From: Infrastructure & Facilities Committee.

Dated: May 17, 2022

**AWARD CONSULTANT CONTRACT  
EAST CANAL ROAD BRIDGE OVER AN UNNAMED STREAM**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the East Canal Road Bridge over an Unnamed Stream Project, and

WHEREAS, funds are available in account H741.15.5197.000 72600.02, Bridges, and

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

RESOLVED, that the consultant services contract for the East Canal Road Bridge over an Unnamed Stream Project be awarded to CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, for a contract amount not to exceed \$154,000 for design services, 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. 14 Ayes, 0 Noes, 1 Absent – Myers.

**Resolution No. IL-025-22**

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

Dated: May 17, 2022

**RESOLUTION IN SUPPORT OF THE NORTH TONAWANDA BOTANICAL GARDEN  
ORGANIZATION 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, now therefore, be it

RESOLVED, that Niagara County's Community Partnership Fund was established in the 2022 budget, and be it further

RESOLVED, that Niagara County supports the efforts of the North Tonawanda Botanical Gardens Organization by appropriating monies from said Community Partnership Fund as follows:

North Tonawanda Botanical Garden Organization

\$2,700.00

Moved by Bradt, seconded by Robins.

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

**Resolution No. IL-026-22**

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

Dated: May 17, 2022

WHEREAS, George A. Amendola was first eligible to join the public retirement system as of September 20, 1974, and for reasons not ascribable to his own negligence he was not afforded the opportunity to join the New York state and local employees' retirement system with tier 2 status, and

WHEREAS, pursuant to Legislative Law Section 50 the bill will grant tier 2 status to George A. Amendolas, a retired Tier 4 member of the New York State and Local Employee's Retirement System, doing so by changing his date of membership to September 20, 1974, his first date of employment with the Niagara Falls School District, now, therefore, be it

RESOLVED, that the Niagara County Legislature supports Senate Bill No. 5101 permitting George A. Amendola's tier status to be changed, with no contributions made shall be returned or refunded to Mr. Amendolas pursuant to the act, and the past service costs associated with the implementation of act shall be borne by the Niagara Falls school district, and be it further

RESOLVED, that the Clerk of the Niagara County Legislature is hereby authorized and directed to execute the proper Home Rule documents and immediately forward them to the New York State Legislature.

Moved by Nemi, seconded by Elder.

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

**Resolution No. CW-012-22**

From: Committee of the Whole.

Dated: May 17, 2022

**AWARD OF CONTRACT – CULVERT REPLACEMENTS 2022**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Culvert Replacements 2022 Project, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on May 12, 2022 as tabulated below:

- |    |   |              |
|----|---|--------------|
| 1. | Edbauer Construction<br>2790 Clinton Street<br>West Seneca, NY 14224                      | \$378,657.00 |
| 2. | Occhino Corp.<br>2650 Seneca Street<br>West Seneca, NY 14224                              | \$382,960.98 |
| 3. | 4 <sup>th</sup> Generation Construction<br>5650 Simmons Avenue<br>Niagara Falls, NY 14304 | \$392,740.00 |
| 4. | J. Bognar Construction<br>P.O. Box 4<br>Sardinia, NY 14134                                | \$396,921.74 |

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:

H743.15.5197.000 43501.00	Consol Highway Aid Revenue	\$400,000
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INCREASE APPROPRIATIONS:

H743.15.5197.000 72600.02	Bridges	\$400,000
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and be it further

RESOLVED, that the contract for the Culvert Replacements 2022 Project be awarded to the lowest responsible bidder, Edbauer Construction, 2790 Clinton Street, West Seneca, NY 14224, in the amount of \$378,657.00, 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.

Moved by Foti, seconded by Hill.

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

**Resolution No. CW-013-22**

From: Committee of the Whole.

Dated: May 17, 2022

**REORGANIZATION - ABOLISH PLANNING MANAGER/CREATE PLANNER  
ECONOMIC DEVELOPMENT**

WHEREAS, a Planning Manager position will become vacant due to an unexpected resignation on June 3, 2022, and

WHEREAS, the Commissioner of Economic Development has analyzed the needs of the department, evaluated the likely recruitment field, and consulted with the Human Resources Director, Personnel Officer, and County Manager, and

WHEREAS, it has been determined that reclassifying the vacancy will allow for the greater likelihood of recruiting qualified candidates to meet the operational needs, will provide for growth and development opportunities for a mid-level position, and the duties of the position are most accurately reflected in the Planner job specification, now, therefore, be it

RESOLVED, that the Planning Manager, CSEA grade 14 position (annualized range of \$65,993 to \$77,095) will be abolished and a Planner, CSEA grade 11 position (annualized range of \$51,870 to \$60,624), will be created effective June 4, 2022.

Moved by Foti, seconded by Hill.

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

**Resolution No. CW-014-22**

From: Committee of the Whole.

Dated: May 17, 2022

**ALLOCATING ADDITIONAL FUNDING FOR THE  
NIAGARA COUNTY FAÇADE PROGRAM**

WHEREAS, Niagara County has received funds from the Coronavirus State and Local Fiscal Recovery Fund (CSLFRF), a part of the American Rescue Plan Act, and

WHEREAS, the Coronavirus State and Local Fiscal Recovery Fund (CSLFRF), American Rescue Plan Act, Small Business Economic Assistance, provides aid for small businesses to respond to the negative economic impacts of the COVID-19 public health crisis, and

WHEREAS, the Niagara County Legislature recognizes the importance of exterior capital improvements to individual businesses and business districts, and

WHEREAS, the Niagara County Legislature adopted resolution ED-003-22 on February 15, 2022 to create and fund the Niagara County Façade Program, and

WHEREAS, the Niagara County Legislature allocated funding for the redevelopment of small business facades along our commercial corridors, for those businesses which suffered negative economic impact as a result of the COVID-19 public health emergency, and

WHEREAS, the Department of Economic Development, who is administering the façade program on behalf of Niagara County has seen a tremendous amount of interest in the program, and received over 200 applications for funding, totaling over \$5 million, and

WHEREAS, the Niagara County Legislature would like to support all of the businesses that meet the qualifying criteria of the program, and

WHEREAS, the Department of Economic Development hereby requests that the Niagara County Legislature allocate an additional \$2,234,524 in order to fully fund the Niagara County Façade Program, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

**INCREASE REVENUE:**

A.28.8020.815, 44089.07	ARPA State/Local Rec Fund	\$2,234,524
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**INCREASE APPROPRIATIONS:**

A.28.8020.815 74500.01	Contractual	\$2,234,524
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Moved by Bradt, seconded by Robins.

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

**Resolution No. ED-014-22**

From: Economic Development and Administration Committees.

Dated: May 17, 2022

**FIXING DATE AND NOTICE FOR THE SECOND PUBLIC HEARING  
FOR ULTIMATE PHYSIQUE, INC. COMMUNITY DEVELOPMENT  
BLOCK GRANT APPLICATION**



WHEREAS, the County Legislature wishes to hear public comments relating to the recently completed Community Development Block Grant ("CDBG") project supporting the grant funding provided to Ultimate Physique, Inc. at 50 Rogers Avenue in the City of Lockport, New York, and

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

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

RESOLVED, that the County Legislature hereby calls for a Public Hearing whereat all interested parties shall be heard regarding the CDBG program, the County's community development and economic development activities, and the Ultimate Physique, Inc. CDBG project at the Legislature Chambers, Courthouse, Lockport, New York on the 21<sup>st</sup> day of June, 2022, at 5:40 p.m., and be it further

RESOLVED, that the Clerk of the Legislature, at least eight days' notice of such hearing shall post a notice upon the bulletin boards in the Courthouse at Lockport, and the Civic Building at Niagara Falls, and shall publish such notice once in the Lockport Union Sun & Journal, and the Gazette.

Moved by Bradt, seconded by Robins.

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

**Resolution No. IF-075-22**

From: Infrastructure & Facilities and Administration Committees.

Dated: May 17, 2022

**RESOLUTION APPROVING RULES AND REGULATIONS  
FOR LOCAL LAW NO. 4 OF 2021**

WHEREAS, Local Law No. 4 of 2021 established Solar Panel Recycling Regulations, and

WHEREAS, pursuant to Section 9 of said Local Law, the County may adopt rules as necessary for the purpose of implementing, administering and enforcing this Local Law, and

WHEREAS, Section 5 of the Local law provides for administrative fees from the manufacturer or stewardship organization both for the cost of reviewing the initial stewardship plan, as well as an annual fee for covering the costs of administering, implementing and enforcing the Local Law, and

WHEREAS, the initial stewardship plans are soon due to the County by the later of August 1, 2022 or within thirty days of its first sale of a photovoltaic module in or into the County, and

WHEREAS, it is necessary to implement rules for the implementation of this Local Law for these initial plans, now, therefore, be it

RESOLVED, that Pursuant to Section 5 of the Local Law, the Administrative Fee to submit the Initial Stewardship Plan is \$1000 with an annual fee of \$250, and be it further

RESOLVED, that should a manufacturer be part of a stewardship organization, they must fill out and submit the Stewardship Organization Designation Form, and be it further

RESOLVED, that the submitted plan shall be submitted as one original hard copy and one electronic PDF copy in English, and prior to submission each stewardship organization/manufacturer must have a meeting with the County, which may take place either in person or virtually.

Moved by Bradt, seconded by Robins.

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

**Resolution No. IF-076-22**

From: Infrastructure & Facilities Committees.

Dated: May 17, 2022

**APPROVAL OF AGREEMENT BETWEEN THE COUNTY OF NIAGARA  
AND THE AN-JO BASEBALL LEAGUE**

WHEREAS, the AN-JO Baseball League has requested that the County of Niagara grant them permission to use the existing fields on Davison Road in the City of Lockport for the purpose of a youth baseball league, and

WHEREAS, this program benefits the youth and other residents of Niagara County, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the AN-JO Baseball League, 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, prior to the execution of the agreement, the County Attorney will review the agreement for approval as to legal form, language and compliance, now, therefore, be it

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the AN-JO Baseball League as appears on the proposed agreement, is hereby approved in all respects, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the agreement with the AN-JO Baseball League.

Moved by Bradt, seconded by Robins.

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

**Resolution No. IF-077-22**

From: Infrastructure & Facilities Committees.

Dated: May 17, 2022

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND THE SQUALLA DISC GOLF CLUB**

WHEREAS, the Squalla Disc Golf Club has requested that the County of Niagara grant them exclusive rights to operate a disc golf tournament in an area situated in the county owned property at Clyde L. Burmaster Park, and Royalton Ravine park, and

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

**RESOLUTION IN SUPPORT OF OLCOTT BEACH CAROUSEL PARK ASSOCIATION  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Olcott Beach Carousel Park Association (OBCPA) is a lakeside vintage amusement park that offers families an affordable day of family fun by riding and enjoying restored nostalgic amusement park rides, and

WHEREAS, the OBCPA annually hosts "The Park After Dark" fundraising event on August 9, 2022, which helps raise funds to cover operating costs and improvements to the park, and

WHEREAS, 2022 proceeds from "The Park After Dark" event will be used to refurbish Skyfighter Planes, Rocket Swing Rockets and Kiddie Cars, and

WHEREAS, the OBCPA requires constant fundraising support in order to provide low cost family entertainment to Niagara County residents and tourists from all over the world, which also benefits local businesses, now, therefore, be it

RESOLVED, that Niagara County's Community Partnership Fund was established in the 2022 budget, and be it further

RESOLVED, that Niagara County supports "The Park After Dark" fundraising event hosted by Olcott Beach Carousel Park Association by appropriating monies from said Community Partnership Fund as follows:

Olcott Beach Carousel Park Association

\$1,000.00

Moved by Bradt, seconded by Robins.

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

**Resolution No. IL-027-22**

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

Dated: May 17, 2022

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

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

WHEREAS, on September 24, 2022 Anchoring Hope is hosting a walk & basket raffle at Krull Park in order to raise funds to support their mission and expand services across rural Niagara County, and

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

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

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

RESOLVED, that Niagara County's Community Partnership Fund was established in the 2022 budget, and be it further

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

Anchoring Hope of NY, Inc. \$500.00  
Moved by Bradt, seconded by Robins.  
Adopted. 14 Ayes, 0 Noes, 1 Absent – Myers.

**Resolution No. IL-028-22**

From: Legislator Christopher Voccio and Economic Development Committee.

Dated: May 17, 2022

**RESOLUTION IN SUPPORT OF SALVATION ARMY OF NIAGARA FALLS  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Salvation Army of Niagara Falls is an important organization that serves residents in many ways, and

WHEREAS, the Salvation Army of Niagara Falls operates a weekly summer barbecue that serves hundreds of residents, and

WHEREAS, the Salvation Army provides this much needed service at a very low cost per person, now, therefore, be it

RESOLVED, that Niagara County's Community Partnership Fund was established in the 2022 budget, and be it further

RESOLVED, that Niagara County supports the good works for the Salvation Army of Niagara Falls and its summer barbecue program by appropriating monies from said Community Partnership Fund as follows:

Salvation Army of Niagara Falls \$500.00  
Moved by Bradt, seconded by Robins.  
Adopted. 14 Ayes, 0 Noes, 1 Absent – Myers.

**Resolution No. IL-029-22**

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

Dated: May 17, 2022

**RESOLUTION IN SUPPORT OF THE LEWISTON ART FESTIVAL  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Lewiston Council on the Arts is dedicated to improving the quality of life for all by nurturing a thriving environment for the arts and for cultural activities, promoting opportunities for artists, encouraging public participation in the arts, and actively advocating for the arts, and

WHEREAS, the Lewiston Art Festival, which is sponsored by the Lewiston Council on the Arts, has become a highlight of the summer season in Niagara County, and

WHEREAS, the Lewiston Council on the Arts has scheduled the 2022 Lewiston Art Festival for August 13 and 14, 2022, and

WHEREAS, the Lewiston Art Festival will feature over 175 artists and vendors from across the country and draw thousands of visitors from all over Western New York, Southern Ontario and beyond, and

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

WHEREAS, the Lewiston Art Festival is an economic driver that supports jobs, generates government revenue and is a cornerstone of local tourism, and the Niagara County Legislature wishes to support this influx of revenue, now, therefore, be it

RESOLVED, that Niagara County's Community Partnership Fund was established in the 2022 budget, and be it further

RESOLVED, that Niagara County supports the events and efforts of the Lewiston Council on the Arts by appropriating monies from said Community Partnership Fund as follows:

Lewiston Council on the Arts	\$2,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Myers.	

**Resolution No. IL-030-22**

From: Legislator Rebecca J. Wydysh Economic Development Committee.

Dated: May 17, 2022

**RESOLUTION IN SUPPORT OF THE LEWISTON HARVEST & HOPS FESTIVAL  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the mission of the Niagara River Region Chamber of Commerce is to unify the Niagara River Region and to promote it as a premiere place to live, work and play while promoting tourism, business development, quality of life and the history and culture of the region, and

WHEREAS, the 2022 Lewiston Harvest & Hops Festival has been planned for September 24 and 25, 2022, and

WHEREAS, this fall street festival will highlight over 135 craft, food/beverage, and farmers market vendors, and

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

WHEREAS, the festival will draw thousands of visitors to the river region from surrounding Western New York communities and Canada, to the benefit of local businesses, and the Niagara County Legislature wishes to support this influx of revenue, now, therefore, be it

RESOLVED, that Niagara County's Community Partnership Fund was established in the 2022 budget, and be it further

RESOLVED, that Niagara County supports the efforts of the Niagara River Region Chamber of Commerce by appropriating monies from said Community Partnership Fund as follows:

Niagara River Region Chamber of Commerce	\$2,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Myers.	

**Resolution No. IL-031-22**

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

Dated: May 17, 2022

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

WHEREAS, the Wilson Community Library is committed to excellent service and providing access to quality materials as a way to empower the community and connect people and ideas to inspire lifelong learning through curiosity and creativity, and

WHEREAS, the library is currently planning for a Summer Reading Program and would like to be able to run several fun and exciting programs to get children engaged and active at the library while they are out of school for a few months, and

WHEREAS, the Summer Reading Program will also feature programs for adults as well, and

WHEREAS, the library would also like to be able to upgrade a few computers as one of the remaining areas in need of improvement, now, therefore, be it

RESOLVED, that Niagara County's Community Partnership Fund was established in the 2022 budget, and be it further

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

Wilson Community Library	\$2,500.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Myers.	

**Resolution No. IL-032-22**

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

Dated: May 17, 2022

**RESOLUTION IN SUPPORT OF THE WILSON HISTORICAL SOCIETY  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Wilson Historical Society is planning its Memorial Day fair to be held on May 30, 2022, which is their main effort for fundraising to maintain and upkeep the vast historical collections and campus located in Wilson, and

WHEREAS, along with many other non-profit organizations, the Historical Society has suffered financially from the devastating effects of the COVID epidemic having been forced to cancel their fairs in 2020 and 2021, and

WHEREAS, the fair brings thousands of people into the Wilson community on Memorial Day weekend all centered around the fair, now, therefore, be it

RESOLVED, that Niagara County's Community Partnership Fund was established in the 2022 budget, and be it further

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

Wilson Historical Society	\$2,500.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Myers.	

**Resolution No. IL-033-22**

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

Dated: May 17, 2022

**RESOLUTION IN SUPPORT OF THE WILSON YOUTH BASEBALL LEAGUE  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Wilson Youth Baseball is a volunteer-based group that provides softball & baseball instruction for local youth between the ages of 4 and 17; the league usually has an average of 150 to 250 people at their games and events at Krueger Park in Wilson, and

WHEREAS, the league competes against other youth programs from neighboring communities, and the older teams travel to other local baseball fields as well; the league works hard to provide a fun and educational experience each summer for our local youth and their families, and

WHEREAS, all donations are put towards improving the condition of their softball and baseball fields, improving and adding dugouts on various fields, and purchasing much needed equipment, now, therefore, be it

RESOLVED, that Niagara County's Community Partnership Fund was established in the 2022 budget, and be it further

RESOLVED, that Niagara County supports the efforts of the Wilson Youth Baseball League by appropriating monies from said Community Partnership Fund as follows:

Wilson Youth Baseball League	\$2,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Myers.	

**Resolution No. IL-035-22**

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

Dated: May 17, 2022

**RESOLUTION IN SUPPORT OF THE LIONS CLUB OF THE TOWN OF WHEATFIELD, INC.  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Lions Club of the Town of Wheatfield, Inc. is a 501(c)4 non-profit charitable organization who own and maintain the 14 Acre Five Senses Park at 6535 Ward Road which includes a club house, pavilion, gazebo, pergola, and a pond, and

WHEREAS, the Lions Club is dedicated to serve those in need in the area, and all funds are dedicated towards delivering the mission's services of the Five Focus Areas: the blind, diabetes, hunger, environment, and pediatric illness (such as cancer), and

WHEREAS, the Lions Club plans to improve their existing pond from over growth and add design features to increase safe access for use, which includes the blind we bring to the site for events. The design includes safety fencing and rails for safety for the blind and the protection of an environmental resource, and

WHEREAS, the Lions Club also plans to add a dock/platform to help the blind have access, fish and enjoy their experience safely by the water; the Lions Club also plan to add a fountain to the pond which will provide for aeration, visual aesthetics and acoustic aesthetics for the blind, and

WHEREAS, the Lions Club will add a functional safety path to allow/assist the blind to experience a nature walk. The path would leave from the Pavilion, through the pergola, to the pond dock platform, then over the bridge, and into the fields of the 14 acres Five Senses Park; the path would be made of wood chips or playground rubber for safety and reduced maintenance, have railings to guide the blind safely, and have recording units to describe experiences along the way and braille messages, now, therefore, be it

RESOLVED, that Niagara County's Community Partnership Fund was established in the 2022 budget, and be it further

RESOLVED, that Niagara County supports the efforts of the Lions Club of the Town of Wheatfield, Inc. by appropriating monies from said Community Partnership Fund as follows:

Lions Club of the Town of Wheatfield, Inc.	\$3,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Myers.	

**Resolution No. IL-036-22**

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

Dated: May 17, 2022

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

WHEREAS, Cambria Boy Scout Troop 8 has been in existence for 57 years in Niagara County, and for the last 52 chartered by the Cambria Volunteer Fire Company; currently the troop has 30 boy scouts and 15 active adult leaders and junior leaders, making us one of the largest scout troops in the county, and

WHEREAS, the troop has graduated nearly 60 Eagle Scouts in its history and each of them has given back in some way to Niagara County through their Eagle Scout Project; these projects have had a significant impact in improving our towns, villages, as well as our town and county parks and many non-profit agencies have benefited from these, and



WHEREAS, in recent years the troop has become a feeder program for the Cambria Volunteer Fire Company Jr. Firefighting program, and have seen a number of scouts go on to serve in the fire service, and

WHEREAS, the troop is in need of a complete mechanical overhaul or replacement of a 20 year old tow behind trailer used multiple times a year to transport equipment to campsites both locally and up to 8 hours away from Cambria, now, therefore, be it

RESOLVED, that Niagara County's Community Partnership Fund was established in the 2022 budget, and be it further

RESOLVED, that Niagara County supports the efforts of the Cambria Boy Scout Troop 8 by appropriating monies from said Community Partnership Fund as follows:

Cambria Boy Scout Troop 8	\$4,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Myers.	

**Resolution No. IL-037-22**

From: Legislator Christopher Voccio and Economic Development Committee.

Dated: May 17, 2022

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

WHEREAS, Lighthouse Women and Children of Niagara Falls is an important organization that serves many residents in many ways, and

WHEREAS, Lighthouse Women and Children of Niagara Falls operates multiple programs that serve women and children in need, and

WHEREAS, Lighthouse Women and Children provides these much needed services at a very low cost per person, now, therefore, be it

RESOLVED, that Niagara County's Community Partnership Fund was established in the 2022 budget, and be it further

RESOLVED, that Niagara County supports the good works of Lighthouse Women and Children of Niagara Falls and its programming by appropriating monies from said Community Partnership Fund as follows:

Lighthouse Women and Children	\$500.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Myers.	

**Resolution No. IL-038-22**

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

Dated: May 17, 2022

**SUPPORT FOR LOCKPORT'S RAILYARD SKATE PARK 2022 PROJECT**

WHEREAS, the Niagara Power Coalition (“NPC”) and the New York Power Authority (NYPA) 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, Lockport Community Services, Inc. has made application to the Niagara County’s Ad Hoc Committee on Parks, Recreation and Tourism for Greenway funds for the Lockport’s Railyard Skate Park 2022 Project which consists of the construction of a concrete skateboarding park, and

WHEREAS, the Railyard Skateboarding Park, is a wooden above ground park that opened in the spring of 2007 near the community pool at Outwater Memorial Park in Lockport to meet the recreational needs of the youth in the community, and

WHEREAS, since its opening, the Railyard Skate Park has been utilized by many as the interest in skateboarding and BMX has increased dramatically over the years, and

WHEREAS, the costs of repairing the wooden structure have been problematic and at times expensive for skate surface materials, and

WHEREAS, in the spring of 2019, the Friends of the Railyard Skate Park and Lockport Community Services, Inc., along with support of the City of Lockport, received a matching grant from the Tony Hawk (now known as The Skate Park Project) and Ralph C. Wilson, Jr. Foundation’s Built to Play initiative, which provided matching grants for 20 communities in Western New York and eastern Michigan to build concrete public skate parts, and

WHEREAS, in November, 2019, Lockport was chosen as one of two projects in the latest cycle of funding support, and the \$300,000 matching grant requires awardees to raise up to \$250,000 in matching funding with \$50,000 not required to be matched, but to be directed at environmental impact efforts; to date \$182,000 of that match of the goal has been raised, and

WHEREAS, Lockport’s Railyard Skate Park Project 2022 will feature an 11,000 square-foot concrete skate park and will be a destination site for local residents as well as visitors and families from across the region, which will tie the Railyard Park to the Erie Canal Trailway and Greenway bike paths to residents, visitors and stakeholder groups, and will also enhance the Outwater Park complex by complimenting the community pool, the new Frisbee golf course, tennis and basketball courts, baseball diamond and the football field, and

WHEREAS, the Lockport’s Railyard Skate Park 2022 Project meets the guiding principles of the Niagara River Greenway, and

WHEREAS, Lockport Community Services, Inc. has requested \$30,000 in its application which is to be utilized for the construction of Lockport’s Railyard Skate Park 2022 Project, and

WHEREAS, Lockport’s Railyard Skate Park 2022 Project has the support and approval of Niagara County Legislator Anthony J. Nemi, City of Lockport Mayor Michelle Roman, the Grigg Lewis Foundation, Inc., and Friends of the Railyard, and

WHEREAS, the Ad Hoc Committee for Parks, 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, recommends that Niagara County approve and support this project, and

WHEREAS, Lockport's Railyard Skate Park 2022 Project has utilized great effort and is complimented for being able to receive other funding as well as in kind services, and

WHEREAS, after receipt of in-kind services and other funding, the remaining \$30,000 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 \$30,000.00, subject to receipt of NYPA funding for Greenway projects in July, 2022, for Lockport's Railyard Skate Park 2022 Project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

Moved by Bradt, seconded by Robins.

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

#### **Resolution No. IL-039-22**

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

Dated: May 17, 2022

### **SUPPORT FOR NIAGARA COUNTY COMMUNITY COLLEGE VETERANS MEMORIAL PARK PROJECT**

WHEREAS, the Niagara Power Coalition ("NPC") and the New York Power Authority (NYPA) 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 Niagara County Community College (NCCC) has made application to the Niagara County's Ad Hoc Committee on Parks, Recreation and Tourism for Greenway funds for the Niagara County Community College Veterans Memorial Park Project, and

WHEREAS, the NCCC Veterans Memorial Park Project consists of the relocation and reconstruction of the Veterans Memorial Park, which is currently located at Niagara County Community College's Sanborn campus, and

WHEREAS, the existing NCCC Veterans Memorial which honors military veterans throughout Niagara County, was originally developed and constructed between 1973 and 1979 and although it is an important piece of history at NCCC, it is in need of significant upgrades to its design, and

WHEREAS, the NCCC Veterans Memorial Park Project will be fully reconstructed, relocated and expanded to increase its visibility and accessibility on campus by moving it to a site adjacent to a nearby main campus parking lot and will feature a safe, short accessible walkway leading from the main Campus Lot 3 to the memorial with ample parking, a large area for congregation with four benches, a Remembrance Wall commemorating service heroes and a Wall of Honor with the logos and emblems of all branches of the military, and

WHEREAS, the new location will offer a prominent extension between the bike path around the perimeter of the campus to nearby State Bike Route 5, which will offer ample access for the community, and solar lighting will prominently display the site just off the main campus parking lot, and

WHEREAS, the NCCC Veterans Memorial Park Project meets the guiding principles of the Niagara River Greenway and will raise the consciousness of visitors by providing the community with a centralized location to celebrate those who have served and also serve as a destination for ceremonies and military holidays while offering distinction to the military members of Western New York, and

WHEREAS, the NCCC Veterans Memorial Park Project has requested \$100,000 in its application which is to be utilized for the construction of the NCCC Veterans Memorial Park Project, and

WHEREAS, the NCCC Veterans Memorial Park Project has the support and approval of New York State Senator Robert G. Ort, New York State Assemblyman Angelo J. Morinello, Niagara County Manager Richard E. Updegrove, Niagara County Legislator David E. Godfrey, Niagara County Legislator Jesse P. Gooch, City of Niagara Falls Mayor Robert M. Restaino, Niagara Wheatfield Central School District Superintendent Daniel Ljiljanich, Tonawanda Sportsmen's Club, Veterans One-Stop Center of Western New York, Western New York Heroes, Inc., Tortuga Sandwich Shop, Tops Friendly Markets of Sanborn, Subway, as well as various local Veterans, and

WHEREAS, the Ad Hoc Committee for Parks, 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, recommends that Niagara County approve and support this project, and

WHEREAS, the Niagara County Community College Veterans Memorial Park Project has utilized great effort and is complimented for being able to receive other funding as well as in kind services, and

WHEREAS, after receipt of in-kind services and other funding, the remaining \$100,000 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 \$100,000.00, subject to receipt of NYPA funding for Greenway projects in July, 2022, for the Niagara County Community College Veterans Memorial Park Project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

Moved by Bradt, seconded by Robins.

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

#### **Resolution No. IL-040-22**

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

Dated: May 17, 2022

### **SUPPORT FOR THE WHEATFIELD LIONS NATURE TRAIL & FISHING POND 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 Lions Club of the Town of Wheatfield has made application to Niagara County’s Ad Hoc Committee on Parks, Recreation and Tourism for Greenway funds to support its Wheatfield Lions Nature Trail & Fishing Pond Project, and

WHEREAS, the Lions Club of the Town of Wheatfield project would expand the efforts to improve and develop the community’s Five Senses Park in order to benefit the blind, handicapped and disabled, and

WHEREAS, the Lions Club of the Town of Wheatfield will now undertake the Wheatfield Lions Nature Trail & Fishing Pond Project, which dramatically redesigns the Wheatfield Lion’s Five Senses Park located at 6535 Ward Road in Wheatfield, with the purpose of improving the existing pond from over growth, design safety fencing and rails to allow the blind to have access, add a functional safety path to allow/assist the blind to experience a nature walk, and to integrate a play area along the trail, and

WHEREAS, the Lions Club of the Town of Wheatfield is requesting \$115,000, of the total project cost, and

WHEREAS, Wheatfield Lions Nature Trail & Fishing Pond Project meets the guiding principles of the Niagara River Greenway and will enhance the trails of the Niagara River Greenway and connect to other Greenway Projects along State Bike Route 5, 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, the Wheatfield Lions Nature Trail & Fishing Pond Project has the support and approval of the Niagara County Manager Richard E. Updegrove, and Niagara County Legislator Jesse P. Gooch, and

WHEREAS, the Town of Wheatfield has sent the Lions Club of Wheatfield a letter of support in their efforts to improve, change and integrate safety of the Five Senses Park for the blind, disabled and handicap, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$115,000.00, subject to receipt of NYPA Funding for Greenway Projects in July, 2022, for the Wheatfield Lions Nature Trail & Fishing Pond Project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

Moved by Bradt, seconded by Robins.

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

#### **Resolution No. IL-041-22**

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

Dated: May 17, 2022

### **A RESOLUTION IN SUPPORT OF THE NIAGARA COUNTY FAIRGROUNDS ACCESSIBILITY PROJECT**

WHEREAS, since 1913, Cornell Cooperative Extension of Niagara County (CCE-Niagara) has responded to the needs of local residents with unbiased, research-based information, tools and education that people have come to depend on and trust, and has run programs that are developed in direct response to community input, based on the most current information available from Cornell and other Land Grant universities from across the nation, and

WHEREAS, CCE-Niagara also hosts the annual Niagara County Fair, which draws approximately 35,000 people to the fairgrounds in Lockport for the five-day event filled with local events, live music, shows, contests, food, rides and much more, and

WHEREAS, due to their importance to our community, including serving as an early voting location each election season, CCE-Niagara has been recognized as a partner agency by the Niagara County Legislature for the purposes of county financial support, and

WHEREAS, CCE-Niagara is now undertaking a Niagara County Fairgrounds Accessibility Project, as the walkways and driveways are in significant need of repair, and

WHEREAS, CCE-Niagara seeks county support for a portion of this project that are essential to running large events, like the fair, and are in response to fair patrons who have repeatedly expressed concern about improving access to the fairgrounds, now, therefore, be it

RESOLVED, that the Niagara County Legislature, using American Rescue Plan funds, wishes to support the Niagara County Fairgrounds Accessibility Project, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.10.1989.110 44089.07	ARPA State/Local Rec Fund	\$125,000
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INCREASE EXPENSE:

A.10.1989.110 74525.03	Cornell Cooperative Ext	\$125,000
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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. 14 Ayes, 0 Noes, 1 Absent – Myers.

**APPOINTMENTS:**

**Appt.**

**Expires**

**NCCC BOARD OF TRUSTEES:**

David J. Haylett Jr. (replace Bonnie R. Sloma)  
7189 Woodmore Court, Lockport 14094

07/01/22

06/30/29

Moved by Bradt, seconded by .

Carried. 14 Ayes, 0 Noes, 1 Absent – Myers.

Moved by Andres, seconded by Grozio that the Board adjourn.

The Chairman declared the Board adjourned at 7:01 p.m., subject to the call of the Clerk.

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

*Alysa T. Tomasino*

Alysa T. Tomasino, Clerk