

A public hearing was held pursuant to CS-020-23, adopted by the Legislature on June 20, 2023, for the purpose of hearing public comments on Niagara County Community College FY 2023-2024 Maintenance and Operating Budget. Legislator Godfrey opened the hearing at 5:45 p.m. and closed it at approximately 5:48 p.m.

## OFFICIAL RECORD

Lockport, New York  
August 1, 2023

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

Clerk Tomasino called the roll. All Legislators were present with the exception of Legislator Hill and Nemi.

A moment of silence was held for former Legislator John Oates.

Chairman Wydysh thanked Dawn Timm and staff for holding a paper-shredding event at Starpoint School.

Chairman Wydysh called Arts & Cultural Coalition of Niagara County to the lectern to give a presentation.

No citizens spoke on the Agenda.

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

**Resolution No. CW-028-23 was read at this time. (Appears in numerical order)**

### **Resolution No. AD-015-23**

From: Administration Committee.

Dated: August 1, 2023

### **AUTHORIZE CONTRACTS BETWEEN NIAGARA COUNTY AND VARIOUS GOVERNMENTAL PURCHASING ALLIANCES AND ALLIANCE PARTICIPANTS**

WHEREAS, pursuant to New York State General Municipal Law §103(16) the County may make purchases through the use of contracts let by the United States of America or an agency thereof, or by any state or any other political subdivision or district therein, if such contracts were let in accordance with New York State Requirements, and

WHEREAS, advantageous contracts which have been let by governmental entities are sometimes available exclusively through purchasing alliance groups, and

WHEREAS, some purchasing alliance groups, as a condition of use of alliance contracts, require entry into a contract with either the alliance itself or with the other alliance participants, some of which are governmental entities, now, therefore, be it

RESOLVED, That the County Manager is hereby authorized to enter into agreements with governmental purchasing alliances and with governmental purchasing alliance members, for so long as the County is authorized by New York State law to make purchases through the use of contracts let by other governmental entities.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. AD-016-23**

From: Administration Committee.

Dated: August 1, 2023

**NIAGARA COUNTY BOARD OF ELECTIONS BUDGET MODIFICATION - GRANT ACCEPTANCE**

WHEREAS, the Niagara County Board of Elections Office has been awarded a grant in the amount to \$95,430.53 for the period of July 01, 2023 through December 31, 2023 from the New York State Board of Elections to implement Absentee Ballot Pre-paid Postage and the various accompanying services and/or accessories required, and

WHEREAS, the grant will allow the Niagara County Board of Elections Office to purchase equipment, supplies and postage for absentee ballots, and

WHEREAS, the 2023 budget will need to be modified to allow for the spending of this grant, now, therefore, be it

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

RESOLVED, that the 2023 budget be modified as follows:

**INCREASE REVENUE:**

A.14.1450.000.43089.09	State Aid, Other - Elections Program Revenue	\$95,430.53
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**INCREASE APPROPRIATIONS:**

A.14.1450.000.72100.05	Election Supplies	\$95,430.53
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Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. AD-017-23**

From: Administration Committee.

Dated: August 1, 2023

**NIAGARA COUNTY BOARD OF ELECTIONS BUDGET MODIFICATION GRANT ACCEPTANCE**

WHEREAS, the Niagara County Board of Elections Office has been awarded an extension on a grant with a increase in the amount to \$173,457.40 for the period of January 28, 2023 through January 28, 2024 from the New York State Board of Elections to implement Technology Innovation & Election Resource and the various accompanying services and/or accessories required, and

WHEREAS, the grant will allow the Niagara County Board of Elections Office to purchase equipment for elections, software upgrades and other items regarding elections, and

WHEREAS, the 2023 budget will need to be modified to allow for the spending of this grand, now, therefore, be it

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

RESOLVED, that the 2023 budget be modified as follows:

INCREASE REVENUE:

A.14.1450.000 43089.07	Technology Innovation & Elections Resource	\$173,457.40
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INCREASE APPROPRIATIONS:

A.14.1450.000. 72100.05	Computer Equipment	\$173,457.40
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Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. AD-018-23**

From: Administration Committee.

Dated: August 1, 2023

**TRANSFER OF CONTRACT WITH DISCOVER EGOV**

WHEREAS, Niagara County entered into an agreement with Discover eGov, located at 263 East Street, Pittsford, New York 14534, on May 1, 2018 to provide online employment and civil service applications, applicant registration and tracking, eligible list administration, exam processing, and personnel transaction maintenance, and

WHEREAS, Discover eGov (the “Company”) has entered into an agreement with Governmentjobs.com, Inc. d/b/a NEOGOV (the “Buyer”), pursuant to which the Company has sold or assigned to the Buyer certain of the assets constituting, used, or held for use in, or necessary for the operation of its business, and

WHEREAS, the Buyer will become the counterparty to the Agreement and assume all of the obligations and liabilities of the Company under the Agreement which arise, or are to be performed after June 20, 2023, the closing date of the Transaction (except for those relating to any pre-closing defaults or breaches thereof), which transfer may constitute a “change of control” under the Agreement (the “Assignment”), and (ii) as required by the Agreement, request your consent to the Assignment, and

WHEREAS, it is in the best interests of Niagara County to continue the software application through the remainder of this contract, and

WHEREAS, prior to the execution of this transaction, the County Attorney will review the transfer 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 transfer on behalf of Niagara County.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. AD-019-23**

From: Administration Committee.

Dated: August 1, 2023

**BUDGET - CONTINGENCY FUNDS TO BE TRANSFERRED TO  
COUNTY ATTORNEY’S SPECIAL LITIGATION, CONTRACTUAL EXPENSE LINE**

WHEREAS, as a result of an unanticipated litigation with respect to several Article 7 Tax Assessment matters, the funds allocated for Special Litigation have been exhausted and there are outstanding expenses that currently exist, and

WHEREAS, based on current outstanding expenses for these matters it is known that expenses to the end of the year will exceed the County Attorney's budget, and

WHEREAS, the Niagara County Attorney's Office administers payment of these bills on behalf of the County, now, therefore, be it

RESOLVED, the following budget transfer be effectuated:

FROM:

A.08.1990.000 74500.01      Contingency Funds      \$100,000

TO:

A.11.1930.110 74500.01      Special Litigations Contractual Expense      \$100,000

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. AD-020-23**

From: Administration Committee.

Dated: August 1, 2023

**RESOLUTION APPROVING ENGAGEMENT OF OUTSIDE AUDITING FIRM FOR PROFESSIONAL AUDITING SERVICES TO NIAGARA COUNTY**

WHEREAS, the County of Niagara issued a Request for Proposal for auditing services for relating to all reasonable and necessary outside auditing services to the County of Niagara, including all departments thereof except Niagara County Community College, and

WHEREAS, four accounting organizations filed bids on or about mid-September 2019, of which all bids have been reviewed by the Department of Purchasing, Office of Treasurer, and the Department of Audit, and

WHEREAS, in accordance with the bidding procedures applicable to bids sought from professional organizations and further based on the current, general and specific auditing needs of the County of Niagara, the Department of Audit has recommended acceptance of contract with Drescher & Malecki LLP, CPA, and

WHEREAS, Drescher & Malecki LLP, CPA is experienced in performing government audits and consulting services in New York State; their reputation, knowledge, and experience in auditing numerous counties, schools and local municipalities are an advantage in the selection of this firm; Drescher & Malecki LLP, CPA was founded on the principle of providing their clients with the same high quality level of service expected from a national firm yet with the dedicated involvement that can only be developed by personal attention; they are dedicated to the pursuit of imaginative, intelligent and proactive solutions to all of our accounting and consulting service needs , all are positive factors in the Department of Audit's recommendation, and

WHEREAS, Drescher & Malecki has now proposed to extend our audit current contract to provide similar services for each of the next five fiscal years, and

WHEREAS, Drescher & Malecki agreed for consideration for the extension they will limit annual increases to just 2.5% for the duration of this contract, and

WHEREAS, Niagara County is cognizant of the impact and unpredictability of the current economy, and the imminent cost volatility into future years. It is in the best interest Niagara County agrees and accepts this proposal, and

WHEREAS, under Niagara County's Purchasing Guidelines, the Niagara County Legislature and the requisite committee(s) have the discretion to waive the Requests for Proposal for a professional services contract, and

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

RESOLVED, that following the County Attorney's review, the agreement engaging Drescher & Malecki LLP., CPAs for all reasonable and necessary outside auditing services required by the County of Niagara, shall be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. AD-021-23**

From: Administration Committee.

Dated: August 1, 2023

**RESOLUTION APPROVING ENGAGEMENT OUTSIDE CONSULTANT FIRM FOR PROFESSIONAL COST ALLOCATION PLAN AND MAINTENANCE IN LIEU OF RENT REPORT**

WHEREAS, the Department of Audit and the County Treasurer's Office require the services of a consultant for professional services relating to cost allocation, employment benefits analysis and maximizing third-party reimbursement, and

WHEREAS, the Department of Audit, after bid solicitation in accord with County guidelines, has recommended the engagement of Venesky and Co., a firm with an excellent reputation in the field of New York municipal cost allocation and which is currently servicing approximately one-half of the counties in New York State in connection with the services now required by the County of Niagara, and

WHEREAS, Venesky and Co. has proposed a new three-year extension on the current engagement to cover Cost Allocation Plan Years ending 2023, 2024 and 2025 at a total yearly fee of \$16,000, and

WHEREAS, under Niagara County's Purchasing Guidelines, the Niagara County Legislature and the requisite committee(s) have the discretion to waive the Requests for Proposal for a professional services contract, and

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

RESOLVED, that Venesky and Co. is hereby approved for engagement to prepare a county-wide Central Service Cost Allocation Plan and a Maintenance in Lieu of Rent Report and other services, including but not limited to, providing specific claiming instructions and guidance to applicable departmental personnel to help them maximize federal and state reimbursements for indirect costs and space occupancy costs. and be it further

RESOLVED, the following the County Attorney's review, the engagement agreement with Venesky and Co., may be executed pursuant to the Niagara County contract Policy, and be it further

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CS-027-23**

From: Community Services and Administration Committees.

Dated: August 1, 2023

**BUDGET MODIFICATION  
FLEXIBLE FUND FOR FAMILY SERVICES**

WHEREAS, the Executive Budget did make federal funds available to local districts to provide a comprehensive array of services to meet the needs of eligible Temporary Assistance for Needy Families (TANF) and individuals, and

WHEREAS, these funds enable Niagara County to direct resources toward a number of areas of program needs, including, but not limited to employment related activities, Child Welfare Services, PINS Detention Diversion Services, Substance Abuse Assessments, Domestic Violence Screenings, Title XX Services, JD/PINS Fostercare Costs, Child Care & Development, now, therefore, be it

RESOLVED, that Niagara County Dept of Social Services will continue to contract with various agencies that will provide the necessary services in accordance with the Niagara County Flexible Fund for Family Services Plan submitted to NYS Office of Temporary and Disability Assistance (OTDA) and NYS Office of Children and Family Services (OCFS) at no additional cost to the County, and be it further

RESOLVED, that the following budget modification be effectuated to the Social Services 2023 budget:

INCREASE REVENUE:

A.22.6010.000 44610.00	DSS Admin Revenue	\$ 175,000
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INCREASE APPROPRIATION:

A.22.6010.000 74500.01	Contractual Exp-Contractual	\$ 175,000
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Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CS-028-23**

From: Community Services and Administration Committees.

Dated: August 1, 2023

**BUDGET MODIFICATION  
HEALTHY FAMILIES NEW YORK PROGRAM**

WHEREAS, the New York State Office of Children & Family Services, in conjunction with the New York State Department of Health, did make state-wide funds available for the provision and expansion of Healthy Families New York Home Visiting Programs, and

WHEREAS, these resources are directed toward expectant and new parents in an effort to promote positive growth and development to improve health and social outcomes for families at high risk of abuse and neglect, and

WHEREAS, Niagara County has received an allocation renewal of \$559,265, which is 100% state funded, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services will continue to contract with Pinnacle Community Services, Inc., to provide the necessary services as outlined in the Healthy Families New York Program requirements, and be it further

RESOLVED, that the following budget modification be effectuated to the Social Services 2023 budget:

INCREASE REVENUE:

A.22.6010.000 43610.01	DSS Admin General	\$ 559,265
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**INCREASE APPROPRIATION:**

A.22.6010.000 74500.01 Contractual Exp-Contractual \$ 559,265  
Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CS-029-23**

From: Community Services and Administration Committees.  
Dated: August 1, 2023

**BUDGET MODIFICATION  
RENTAL SUPPLEMENT PROGRAM 2023-2024**

WHEREAS, the New York State Office of Temporary and Disability Assistance (OTDA) did make state-wide funds available for the Rental Supplement Program, and

WHEREAS, these resources are available to provide rental supplements to individuals and families who are experiencing homelessness or facing an imminent loss of housing, and

WHEREAS, Niagara County has received an additional allocation of \$742,819, which is 100% state funded, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services continue to administer the Rental Supplement Program as approved by OTDA, and be it further

RESOLVED, that the following budget modification be effectuated to the Social Services 2023 budget:

**INCREASE REVENUE:**

A.22.6010.000 3610.01 DSS Admin Revenue \$ 742,819

**INCREASE APPROPRIATION:**

A.22.6010.000 74000.03 Administrative Costs \$ 742,819

Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CS-030-23**

From: Community Services and Administration Committees.  
Dated: August 1, 2023

**NCCC FY 2023-2024 MAINTENANCE AND OPERATING BUDGET**

WHEREAS, the Administration Committee and the Community Services Committee, which are also the Budget Review Committees, have had under consideration the Niagara County Community College Board of Trustees recommended budget for the conduct of the Niagara County Community College fiscal year commencing September 1, 2023 and ending August 31, 2024, and

WHEREAS, the said budget has had careful consideration by the Administration Committee, the Community Services Committee, the Budget Office, and the County Manager, and

WHEREAS, a public hearing was held on the 1st day of August, 2023 with regard to the tentative budget for the College, now, therefore, be it

RESOLVED, that the foregoing tentative Niagara County Community College budget for the fiscal year 2023-24, beginning September 1, 2023 and ending August 31, 2024, is hereby approved and adopted with any amendments as heretofore approved this date by this legislature and which results in a total figure of \$46,694,146 with the Sponsor's contribution from taxes of \$ 8,971,000.

Moved by Gooch, seconded by Godfrey.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CS-031-23**

From: Community Services and Administration Committees.

Dated: August 1, 2023

**MH 2023 BUDGET MODIFICATION – CONTRACT AGENCY STATE AID COLAS**

WHEREAS, the New York State Office of Alcoholism & Substance Abuse Services has approved additional State Aid COLA for the calendar year of 2023 for various OASAS agencies, now, therefore, be it

RESOLVED, that the Director of Community Services is hereby authorized to engage in the process to carry out the necessary agreements between the County and the various sub-contractors as aforesaid, subject to the approval of the County Attorney's Office, and be it further

RESOLVED, that the following budget modifications be effectuated:

**INCREASE REVENUES:**

A.21.4322.413.43490.12	Western New York Independent Living	\$ 4,769
A.21.4322.414.43490.10	Northpointe Council	67,858
A.21.4322.424.43490.10	Cazenovia Recovery	48,441
A.21.4322.425.43490.10	BestSelf Behavioral Health	7,288

**INCREASE APPROPRIATIONS:**

A.21.4322.413.74500.01	Western New York Independent Living	\$ 4,769
A.21.4322.414.74550.08	Northpointe Council	67,858
A.21.4322.424.74550.08	Cazenovia Recovery	48,441
A.21.4322.425.74500.01	BestSelf Behavioral Health	7,288

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CS-032-23**

From: Community Services and Administration Committees.

Dated: August 1, 2023

**MH - 2023 BUDGET MODIFICATION – OPIOID SETTLEMENT FUNDS**

WHEREAS, the County of Niagara is concerned about the welfare of all of its citizens and, as such, formed the Niagara County Opioid Task Force (OASIS) in 2016 in recognition of the broad impact the opioid epidemic was having on our communities, and

WHEREAS, the County of Niagara entered into and joined a range of litigation against manufacturers, distributors, and sellers of opioids in 2018, and

WHEREAS, the NYS Attorney General's office and separately States Attorney Generals' offices have negotiated numerous settlements with manufacturers, distributors, and sellers of opioid, and

WHEREAS, the County of Niagara is in receipt of funds designed to offset the expansive costs and impact of the Opioid crisis on County operations and funds designated for treatment, recovery, and prevention efforts, herein referred to as “Schedule C – approved uses”, and

WHEREAS, the Niagara County Department of Mental Health & Substance Abuse Services (NCDMH), as the Local Governmental Unit (LGU), is responsible for the planning and oversight of the service system to ensure the availability and continuance of services to individuals with mental illness and substance use disorders who are living in Niagara County, and

WHEREAS, the Niagara County Department of Mental Health (NCDMH), on behalf of the County of Niagara, has gathered data and input to create a plan for the distribution and use of Schedule C funds through stakeholder forums, public input sessions, and legislative committee meetings, and

WHEREAS, these planning efforts resulted in the identification of gaps, needs, and key priorities in several areas, including: clinical services; community supports/services; workforce training; diversity, equity, and inclusion; and prevention/outreach. strategies and solutions which require extensive funding investments have been referred to New York State Office of Addiction Services and Supports, and

WHEREAS, NCDMH put out a Request for Proposal (RFP) seeking proposals from Eligible Entities who will engage in activities, programs, and/or services for the purpose of Prevention and Stigma Reduction related to Opioid Use, Substance Use, and co-occurring Mental Health conditions, and

WHEREAS, through the Request for Proposal (RFP) process, Mental Health Advocates of WNY fiduciary agent for Anti-Stigma Coalition has been selected as the entity that best meets the NCDMH's requirements for the provision of Anti Stigma and Prevention activities, now, therefore, be it

RESOLVED, that the Director of Community Services is authorized to engage in the process to carry out the necessary agreements between the County and Mental Health Advocates of WNY, subject to the approval of the County Attorney’s Office, and be it further

RESOLVED, that the following budget modifications be effectuated:

DECREASE REVENUE:

A.21.4310.816.42735.01	Opioid Settlement Funds Restricted	\$ 20,000
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INCREASE EXPENSE:

A.21.4310.000.74500.01	Contractual Expenses	\$ 20,000
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Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CSS-068-23**

From: Community Safety & Security and Administration Committees.

Dated: August 1, 2023

**CREATE AND FILL  
PARALEGAL I POSITION**

WHEREAS, the State of New York through the Gun Involved Violence Elimination Grant has identified a need for increased focus on prevention, investigation and prosecution of gun related crime throughout New York State, including Niagara County, and

WHEREAS, in order to achieve this goal it was determined that the increased investigation and prosecution of gun related crimes there would be a significant increase in the need to review case materials, draft legal documents and prepare trial strategy, and

WHEREAS, current staff is unable to maintain this workload and as a result will cause delay in effectively prosecuting gun related crimes, and

WHEREAS, federal Gun Involved Violence Elimination (GIVE) grant funds are available for additional staffing at no cost to the County, now, therefore, be it

RESOLVED, Niagara County accepts GIVE grant funding in the amount of \$328,826 effective July 1, 2023 - June 30, 2024, and be it further

RESOLVED, that one (1) Paralegal I position, CSEA Job Group VII at a salary of \$43,198-\$49,622 be created and filled effective August 1, 2023, and be it further

RESOLVED, that the following budget modification be effectuated to the 2023 District Attorney's Office:

INCREASE REVENUE:

CM.02.1989.115 43389.13 Other Public Safety Crime Prevention \$ 27,302.00

INCREASE APPROPRIATIONS:

CM.02.1989.115 71010.00	Position Expense	\$ 18,060.00
CM.02.1989.115 78100.00	Retirement Expense	1,716.00
CM.02.1989.115 78200.00	FICA Expense	1,382.00
CM.02.1989.115 78300.00	Worker's Comp. Expense	455.00
CM.02.1989.115 78400.01	Health Ins. Expense	4,871.00
CM.02.1989.115 78400.05	Health HRA Expense	354.00
CM.02.1989.115 78700.00	NYS Disability Expense	32.00
CM.02.1989.115 78800.00	FLEX 125 Expense	432.00

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CSS-069-23**

From: Community Safety & Security and Administration Committees.

Dated: August 1, 2023

**CREATE AND FILL  
ONE (1) PARALEGAL III POSITION**

WHEREAS, the DCJS has identified a need to increase efforts to prevent, investigate and prosecute gun related crime throughout New York State including Niagara County, and

WHEREAS, in order to achieve this goal it was determined that an increased workload would be required of the District Attorney's Office to review evidence, prepare case material and develop trial plans, and

WHEREAS, current staff is unable to maintain this workload and as a result has caused additional burden to Attorney and support staff, and

WHEREAS, federal Gun Involved Violence Elimination (GIVE) grant funds are available for additional staffing at no cost to the County, now, therefore, be it

RESOLVED, Niagara County accepts GIVE grant funding in the amount of \$328,826 effective July 1, 2023-June 30, 2024, and be it further

RESOLVED, that one (1) Paralegal III position, CSEA Job Group XII at a salary of \$61,192-\$71,083 be created and filled effective August 1, 2023 and be co-terminus with the grant, and be it further

RESOLVED, that the following budget modification be effectuated to the 2023 District Attorney Budget:

INCREASE REVENUE:

CM.02.1989.115 43389.13 Other Public Safety Crime Prevention \$ 36,304.00

INCREASE APPROPRIATIONS:

CM.02.1989.115 71010.00	Position Expense	\$ 25,583.00
CM.02.1989.115 78100.00	Retirement Expense	2,430.00
CM.02.1989.115 78200.00	FICA Expense	1,957.00
CM.02.1989.115 78300.00	Worker's Comp. Expense	645.00
CM.02.1989.115 78400.01	Health Ins. Expense	4,871.00
CM.02.1989.115 78400.05	Health HRA Expense	354.00
CM.02.1989.115 78700.00	NYS Disability Expense	32.00
CM.02.1989.115 78800.00	FLEX 125 Expense	432.00

Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CSS-070-23**

From: Community Safety & Security and Administration Committees.  
Dated: August 1, 2023

**AMENDMENT TO MOTOROLA SOLUTIONS SERVICES AGREEMENT FOR INFRASTRUCTURE REPAIR, TECHNICAL SUPPORT AND FSO ONSITE RESPONSE OF COUNTYWIDE RADIO COMMUNICATION SYSTEM – NIAGARA FASHION MALL AND LEWISTON HIGHWAY SITES**

WHEREAS, Motorola Solutions has provided equipment, software and service for interoperable communications for all Niagara County First Responders and local public works departments, and

WHEREAS, continued customer support, maintenance, equipment support and repair service is essential to the system, and

WHEREAS, customer support services include dispatch services for issue support, total radio network monitoring, onsite infrastructure response for hands-on support, infrastructure repair, advanced replacement for malfunctioning units, technical support 7 days a week, 24 hours a day for Severity 1 issues, Network preventative maintenance and NICE Gold logging equipment maintenance, and

WHEREAS, the provision of the needed services involves a high degree of specialized knowledge, skills, and expertise, and thus constitute “professional services,” and

WHEREAS, Motorola Solutions has provided these professional services during the warranty period of the newly built Niagara Fashion Mall and Lewiston Highway communication towers, said warranty period expiring August 31, 2023, and the uninterrupted provision of these services is critical to the provision of County emergency services, and

WHEREAS, Motorola Solutions has agreed to provide the required services to the two additional sites and remain in full force and effects to the original service agreement S00001019628 in the amount of \$249,415.12 for the timeframe of 9/1/23 through 12/31/27, and

WHEREAS, funding for this service is in the current Fire Coordinator's budget (A.19.3410.74500.01), now therefore, be it

RESOLVED, that the County amend the services agreement with Motorola Solutions (S00001019628), adding the Fashion Mall and Lewiston Highway sites following the expiration of warranty period, to commence 9/1/23 and provide the above professional services to Niagara County's Emergency Management 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 Amended Motorola Solutions Services Agreement.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CSS-071-23**

From: Community Safety & Security and Administration Committees.

Dated: August 1, 2023

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

WHEREAS, the Niagara County Sheriff's Office anticipates retirements from two Deputy Sheriff Lieutenant positions by September 30, 2023, and

WHEREAS, the Sheriff's Office will fill the Lieutenant positions by promotion as of October 1, 2023 which will create two Deputy Sheriff vacancies, and

WHEREAS, all new Deputy Sheriff recruits must attend the next Law Enforcement Academy, which begins on September 5, 2023, and

WHEREAS, due to the timing of the academy and the retirements it is necessary to create two (2) temporary Deputy Sheriff positions, now, therefore, be it

RESOLVED, that two (2) temporary Deputy Sheriff positions be created and filled effective September 3, 2023, at PBA salary Deputy Sheriff Step 1 at an hourly rate of \$23.61 an hour, and, be it further

RESOLVED, that the temporary positions will be abolished upon the anticipated retirements, and be it further,

RESOLVED, that the following budget modification be effectuated:

**DECREASE APPROPRIATIONS:**

A.17.3110.000 71010.00	Position Expense (Position # 329)	\$7,556
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**INCREASE APPROPRIATIONS:**

A.17.3110.000 71010.00	Position Expense (Position # NEW)	\$3,778
A.17.3110.000 71010.00	Positon Expense (Position # NEW 2)	\$3,778

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CSS-072-23**

From: Community Safety & Security and Administration Committees.

Dated: August 1, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE  
SCHOOL RESOURCE OFFICER AGREEMENT WITH BOCES SCHOOL DISTRICT**

WHEREAS, the Niagara County Sheriff's Office has been in an agreement with Niagara Orleans BOCES School District to provide a Deputy Sheriff as a School Resource Officer in exchange for compensation from the School District, and

WHEREAS, the term of the previous agreement was September 1, 2022 through August 31, 2023, and

WHEREAS, school safety remains a high priority for Niagara County and the BOCES School District, and

WHEREAS, the Niagara County Sheriff's Office and the Niagara Orleans BOCES School District would like to enter into a contract for the current school year, now, therefore, be it

RESOLVED, that following the County Attorney's review and approval of an agreement, that the School Resource Officer Agreement may be executed pursuant to the Niagara County Contract Policy

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CSS-073-23**

From: Community Safety & Security and Administration Committees.

Dated: August 1, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE  
SCHOOL RESOURCE OFFICER AGREEMENT WITH NEWFANE CENTRAL SCHOOL DISTRICT**

WHEREAS, the Niagara County Sheriff's Office has been in an agreement with the Newfane Central School District to provide a Deputy Sheriff as a School Resource Office in exchange for compensation from the School District, and

WHEREAS, the term of the previous agreement was September 1, 2022 through August 31, 2023, and

WHEREAS, school safety remains a high priority for Niagara County and the Newfane Central School District, and

WHEREAS, the Niagara County Sheriff's Office and the Newfane Central School District would like to enter into a contract for the current school year, now, therefore, be it

RESOLVED, that following the County Attorney's review, the Newfane Central School District School Resource Officer Agreement may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CSS-074-23**

From: Community Safety & Security and Administration Committees.

Dated: August 1, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION – ACCEPT RED TEAM EXERCISE GRANT**

WHEREAS, the Niagara County Sheriff's Office has been notified by the New York State Homeland Security and Emergency Services Counter Terrorism Office that it would like the Niagara County Sheriff's Office to participate in their Red Team Exercise, and

WHEREAS, the Red Team Exercise is designed to test the effectiveness of Operation Safeguard. Safeguard New York is an outreach initiative designed to educate individuals, community groups and other public and private sector organizations on how to recognize and report suspicious activity. Safeguard New York promotes the "See Something, Say Something" campaign and the State's Terrorism Tip Line, and

WHEREAS, the New York State Homeland Security and Emergency Services will reimburse the Sheriff's Office for the costs incurred with this exercise, now, therefore, be it

RESOLVED, that the County enter into a Letter of Agreement with the New York State Homeland Security and Emergency Services Office which following the County Attorney's review 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	\$4,809
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INCREASE APPROPRIATIONS:

A.17.3645.000 71050.00	Overtime Expense	\$3,582
A.17.3645.000 78100.00	Retirement Expense	863
A.17.3645.000 78200.00	FICA Expense	274
A.17.3645.000 78300.00	Worker's Compensation Expense	90

Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CSS-075-23**

From: Community Safety & Security and Administration Committees.

Dated: August 1, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION – ACCEPT GUN INVOLVED VIOLENCE ELIMINATION GRANT**

WHEREAS, the Niagara County Sheriff's Office has been notified by the New York State Division of Criminal Justice Services that it has been awarded a grant under the Gun Involved Violence Elimination (GIVE) Grant in the amount of \$266,250 for the performance period July 1, 2023 through June 30, 2024, and

WHEREAS, the goal of the GIVE Initiative is the elimination of shootings and homicides, or violent crime where applicable, through the integrated use of evidence-based strategies that are incorporated into the four core elements of GIVE: People, Places, Alignment and Engagement, and

WHEREAS, the GIVE Grant is a partnership with the Niagara County District Attorney's Office and the Niagara Falls Police Department to benefit Niagara County, and

WHEREAS, the GIVE grant funds a Correction Officer position #10442 for a Corrections Intelligence Officer, travel for DCJS sponsored training and conferences, and overtime for additional law enforcement presence in Hot Spot policing, now, therefore, be it

RESOLVED, that following the County Attorney's review the 2023-2024 Gun Involved Violence Elimination Initiative 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.17.3110.000 43389.13	Other Public Safety Crime Prevention	\$140,000
A.17.3150.000 43389.13	Other Public Safety Crime Prevention	\$11,000

INCREASE APPROPRIATIONS:

A.17.3110.000 71050.00	Overtime Expense	\$140,000
A.17.3150.000 71050.00	Overtime Expense	\$ 10,000
A.17.3150.000 74600.03	Training and Education	\$ 1,000

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CSS-076-23**

From: Community Safety & Security and Administration Committees.

Dated: August 1, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE  
EXTEND CONTRACT FOR UNIFORMS**

WHEREAS, the Niagara County Purchasing Office issued Sealed Bid 2020-35 Deputy, Corrections and Emergency Services Police Uniforms which was awarded to Galls LLC on July 28, 2020, and

WHEREAS, the term of the award was from 7/28/20 – 7/27/23 with the option for two (2) one (1) year extensions, and

WHEREAS, the Niagara County Sheriff's Office and Galls LLC wish to exercise the first one(1) year extension with some price increases which are supported by documentation from manufacturers and have been reviewed and accepted by Niagara County Purchasing, now, therefore, be it

RESOLVED, that the award for Deputy, Corrections and Emergency Services Police Uniforms be extended for one year until July 27, 2024

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CSS-077-23**

From: Community Safety & Security and Administration Committees.

Dated: August 1, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE  
EXTEND CONTRACT FOR UNIFORM ACCESSORIES**

WHEREAS, the Niagara County Purchasing Office issued Sealed Bid 2020-36 Deputy and Corrections Accessories for Niagara County Sheriff's Office which was awarded to United Uniform Company, LLC on August 2, 2020, and

WHEREAS, the term of the award was for three (3) years with the option for two (2) one (1) year extensions, and

WHEREAS, the Niagara County Sheriff's Office and United Uniform Company, LLC wish to exercise the first one(1) year extension with some price increases which are supported by documentation from manufacturers and have been reviewed and accepted by Niagara County Purchasing, now, therefore, be it

RESOLVED, that the award for Deputy and Corrections Accessories for Niagara County Sheriff's Office be extended for one year until August 1, 2024

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CSS-078-23**

From: Community Safety & Security and Administration Committees.

Dated: August 1, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE  
STANDARDIZATION OF MAINTENANCE SERVICE CONTRACTS FOR FORENSIC LAB  
EQUIPMENT MANUFACTURED BY SHIMADZU SCIENTIFIC INSTRUMENTS  
SOLE SOURCE DETERMINATION**

WHEREAS, the Niagara County Sheriff's Office has a Forensic Laboratory, which is accredited and whose analysis is critical to criminal prosecutions throughout Niagara County, and

WHEREAS, the Forensic Laboratory is reliant upon specialized and technical equipment for testing, which requires maintenance and software updates and upgrades, and

WHEREAS, the Forensic Laboratory has three GCMS systems and one GCMSMS system which are used for toxicology and seized drugs analysis, and

WHEREAS, the GCMS and GCMSMS systems are manufactured by Shimadzu Scientific Instruments, and

WHEREAS, Shimadzu Scientific Instruments is the sole manufacturer and sole service provider for its own instruments; any other entity that worked on a Shimadzu Scientific Instrument would void the warranty, now, therefore, be it

RESOLVED, that for reasons of accuracy and efficiency of toxicology and seized drug testing in the Sheriff's Office Forensic Laboratory, pursuant to General Municipal Law §103(5), there is need for standardization for the Niagara County Sheriff's Office in the purchase of service agreements for the Shimadzu Scientific Instruments equipment and that the purchase of such be standardized to Shimadzu Scientific Instruments, and be it further

RESOLVED, that it is hereby determined that Shimadzu Scientific Instruments is the sole source for service contracts for the instruments manufactured by Shimadzu Scientific Instruments, and that the Sheriff's Office is hereby authorized to purchase such service agreements directly from Shimadzu Scientific Instruments without the need to solicit for alternate proposals or sealed bids, such purchases to be made in consultation with the Purchasing Department and in accordance with budgetary procedures.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CSS-079-23**

From: Community Safety & Security and Administration Committees.

Dated: August 1, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE  
SECURITAS TECHNOLOGY CORPORATION SINGLE SOURCE  
DESIGNATION FOR SECURITY SYSTEM**

WHEREAS, the Niagara County Legislature passed Resolution #CSS-049-23 on April 25, 2023 for single source designation of Stanley Security (now Securitas Technology Corporation) for the Niagara County Sheriff's Office Correctional Facility integrated security system card reader upgrades for some of the doors of the jail, and

WHEREAS, the Niagara County Sheriff's Office has Capital Project H789 to replace the outdated security system which handles security for the Sheriff's Office, Jail and Harmon Building because it is outdated, and

WHEREAS, it is imperative that the security system within the Niagara County Jail be fully integrated for added security, and

WHEREAS, the Sheriff's Office wishes to complete all needed upgrades to the security system within the Niagara County Jail using Securitas Technology Corporation to ensure an effective integrated security system within the Jail, now, therefore, be it

RESOLVED, that the Niagara County Sheriff's Office be authorized to waive the requirement for Sealed Bids or Request for Proposal to upgrade the Security System in the Niagara County Jail and that Securitas Technology Corporation be recognized as the single source provider for the security system of the Niagara County Jail.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CSS-080-23**

From: Community Safety & Security and Administration Committees.

Dated: August 1, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE  
AWARD CONTRACT FOR RFP 2023-46 WEBSITE DEVELOPMENT  
FOR NIAGARA COUNTY SHERIFF'S OFFICE**

WHEREAS, the Niagara Legislature approved Resolution #CSS-003-23 on January 17, 2023 to accept the FY2022 Targeted Violence and Terrorism Prevention Grant, and

WHEREAS, the grant must be used to support the continued development of the Niagara Threat Advisory Group (NITAG), which will include development of a website and outreach to the community, and

WHEREAS, the Niagara County Purchasing Office issued Request for Proposal 2023-46 Website Development for Niagara County Sheriff's Office, and

WHEREAS, proposals were received from Acuta Digital, Blue Whale App, Froztech, J Fitzgerald Group, Niki Jones Agency and OGO Incorporated, and

WHEREAS, all of the proposals were reviewed and scored according to the scoring matrix in the Request for Proposal, and

WHEREAS, the proposal with the highest score was from the J Fitzgerald Group in the amount of \$92,750.00, now, therefore, be it

RESOLVED, that RFP 2023-46 Website Development for Niagara County Sheriff's Office be awarded to J Fitzgerald Group, and be it further

RESOLVED, that following the County Attorney's review, the Website Development for Niagara County Sheriff's Office contract with J Fitzgerald Group may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CSS-081-23**

From: Community Safety & Security and Administration Committees.

Dated: August 1, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE  
ACCEPT OFFICE OF VICTIM SERVICES GRANT**

WHEREAS, the Niagara County Legislature passed Resolution #CSS-055-22 on July 25, 2022 to accept a multiple year grant from the New York State Office of Victim Services for the term of October 1, 2022 through September 30, 2025, and

WHEREAS, the grant award for October 1, 2023 through September 30, 2024 is \$302,826.18 with the match requirement waived for this contract year, and

WHEREAS, this grant funds the Niagara County Sheriff's Office Victim Assistance Unit with the personnel and services needed to provide legal, financial, safety and support services and referrals to Niagara County residents who are victims of crimes, now, therefore, be it

RESOLVED, that following the County Attorney's review, the Office of Victim Services grant shall be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CW-027-23**

From: Committee of the Whole.

Dated: August 1, 2023

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND THE NIAGARA COUNTY  
SNOWMOBILE FEDERATION OF SNOWMOBILE CLUBS**

WHEREAS, the Niagara County Snowmobile Federation of Snowmobile Clubs has requested the County of Niagara to agree to act as a municipal sponsor for a grant available through the New York State Office of Parks, Recreation and Historic Preservation Snowmobile Trail Fund, and

WHEREAS, the grant would assist the Niagara County Snowmobile Federation of Snowmobile Clubs in maintaining and operating safe recreational snowmobile trails already existing in the County of Niagara, and

WHEREAS, this grant would assist in grooming and coordinating trails already existing or to be added by lease or other agreements with property owners, and

WHEREAS, this grant will build and maintain a better, safer trail system, which will in turn bring more snowmobiles here, adding dollars to the County economy, 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 terms and conditions of the agreement between the County of Niagara and the Niagara County Snowmobile Federation of Snowmobile Clubs as appears in the proposed agreement, attached as part of this resolution, 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 Robins, seconded by Bradt.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. CW-028-23**

From: Committee of the Whole.

Dated: August 1, 2023

**IMPOSITION OF ADDITIONAL ONE PERCENT (1%) SALES AND  
USE TAX PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF  
NEW YORK AND CHAPTER 248 OF LAWS OF 2023**

WHEREAS, the State of New York has enacted legislation allowing the County of Niagara to impose an additional one percent (1%) rate of sales and compensating use taxes from March 1, 2003 to November 30, 2005, and enacted legislation allowing the county of Niagara to continue to impose the additional one percent (1%) rate from December 1, 2005 to November 30, 2007, and enacted legislation allowing the county of Niagara to continue to impose the additional 1% rate from December 1, 2007 to November 30, 2009, and enacted legislation allowing the county of Niagara to continue to impose the additional 1% rate from December 1, 2009 to November 30, 2011, and enacted legislation allowing the county of Niagara to continue to impose the additional 1% rate from December 1, 2011 to November 30, 2013, and enacted legislation allowing the county of Niagara to continue to impose the additional 1% rate from December 1, 2013 to November 30, 2015, and enacted legislation allowing the county of Niagara to continue to impose the additional 1% rate from December 1, 2017 to November 30, 2020, and enacted legislation allowing the county of Niagara to continue to impose the additional 1% rate from December 1, 2020 to November 30, 2023, and enacted legislation allowing the county of Niagara to continue to impose the additional 1% rate from December 1, 2023 to November 30, 2025, all in addition to the three percent (3%) said County is authorized to impose, and to dedicate the revenues from the additional rate to pay the County's share of Medicaid costs, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution FN-005-03 enacted January 21, 2003 and by imposition resolution FN-006-03 enacted January 22, 2003, enacted and imposed an additional one percent (1%) sales and use taxes pursuant to Article 29 of the Tax Law of the State of New York and Chapter 4 of Laws of 2003 effective March 1, 2003 and ending November 30, 2005, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution AD-017-05 enacted April 19, 2005 and by imposition resolution AD-027-05 enacted July 12, 2005, enacted and imposed an extension of the additional one percent (1%) sales and use taxes pursuant to Article 29 of the Tax Law of the State of New York and Chapter 91 of Laws of 2005 effective December 1, 2005 and ending November 30, 2007, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution AD-017-07 enacted May 1, 2007 and by imposition resolution CW-001-07 enacted August 7, 2007, enacted and imposed an extension of the additional 1% sales and use taxes pursuant to Article 29 of the Tax Law of the State of New York and Chapter 460 of Laws of 2007 effective December 1, 2007 and ending November 30, 2009, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution AD-012-09 enacted May 5, 2009, and by imposition resolution CW-001-09 enacted July 28, 2009, enacted and imposed an extension of the additional 1% sales and use taxes pursuant to Article 29 of the Tax Law of the State of New York and Chapter 140 of Laws of 2009 effective December 1, 2009 ending November 30, 2011, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution AD-015-11 enacted May 17, 2011, and by imposition resolution CW-001-11 enacted August 22, 2011, enacted and imposed an extension of the additional 1% sales and use taxes pursuant to Article 29 of the Tax Law of the State of New York and Chapter 240 of Laws of 2011 effective December 1, 2011 ending November 30, 2013, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution AD-009-13 enacted May 21, 2013, and by imposition resolution AD-019-13 enacted August 6, 2013, enacted and imposed an extension of the additional one percent (1%) rate of sales and use taxes pursuant to Article 29 of the Tax Law of the State of New York and Chapter 219 of Laws of 2013 effective December 1, 2013 ending November 30, 2015, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution CW-009-15 enacted May 19, 2015, and by imposition resolution CW-013-15 enacted September 15, 2015, enacted and imposed an extension of the additional one percent (1%) rate of sales and use taxes pursuant to Article 29 of the Tax Law of the State of New York and Chapter 183 of Laws of 2015 effective December 1, 2015 ending November 30, 2017, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution CW-003-17 enacted May 2, 2017, requested the New York Legislature to amend the Tax Law to authorize Niagara County to continue to impose said additional one percent (1%) rate of sales and use taxes from December 1, 2017 to November 30, 2019, and

WHEREAS, the New York Legislature by passage of A40001 Part A subpart cc, June 28, 2017, amended the Tax Law to authorize such extension in relation to continuing to authorize Niagara County to impose an additional rate of sales and compensating use tax for such county for the period ending November thirtieth, two thousand and twenty, and

WHEREAS, the New York Legislature, by passage of Chapter 61 of Laws of 2017, amended the Tax Law to authorize such extension, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution CW-007-20 enacted March 10, 2020 requested the New York Legislature to amend the Tax Law, to authorize Niagara County to continue to impose said additional one percent (1%) rate of sales and use taxes from December 1, 2020 to November 30, 2023 and

WHEREAS, the New York Legislature, by passage of S.7508-B on April 3, 2020, amended the Tax Law section 1. Clause 29 of subparagraph (i) of the opening paragraph of section 1210 of the tax law as amended by section 1 of subpart cc of subpart C of chapter 58 of the Laws of the Laws of 2020 to authorize such extension in relation to continuing to authorize Niagara county to impose an additional rate of sales and compensating use tax for such county for the period ending November thirtieth, two thousand [twenty] twenty-three, and

WHEREAS, the Niagara County Legislature, by Home Rule Message Resolution CW-008-23 enacted April 25, 2023 requested the New York Legislature to amend the Tax Law, to authorize Niagara County to continue to impose said additional one percent (1%) rate of sales and use taxes from December 1, 2023 to November 30, 2025 and

WHEREAS, the New York Legislature, by passage of S6064 on June 7, 2023, amended the Tax Law section 1. Clause 29 of subparagraph (i) of the opening paragraph of section 1210 of the tax law as amended by section 1 of subpart cc of part A of chapter 248 of the Laws of 2023 to authorize such extension in relation to continuing

to authorize Niagara county to impose an additional rate of sales and compensating use tax for such county for the period ending November thirtieth, two thousand twenty-five, and

WHEREAS, the New York Legislature, by passage of Chapter 248 of Laws of 2023, amended the Tax Law to authorize such extension, now, therefore, be it

RESOLVED, by the County Legislature of the County of Niagara, New York as follows:

SECTION 1. Section 4-A of a resolution enacted by the Legislature of the County of Niagara on December 3, 1968, as amended, imposing sales and compensating use taxes, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and shall be paid an additional one percent rate of sales and compensating use taxes, for the period beginning March 1, 2003, and ending November 30, 2025. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating to or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exceptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (B) of subdivision (1) of section 11 of a resolution enacted by the Legislature of the County of Niagara on December 3, 1968, as amended, imposing sales and compensating use taxes, is amended to read as follows:

B) With respect to the additional tax of one percent imposed for the period beginning March 1, 2003, and ending November 30, 2025, in respect to the use of property used by the purchaser in this County prior to March 1, 2003.

SECTION 3. Subdivision (d) of section 14 of a resolution enacted by the Legislature of the County of Niagara on December 3, 1968 as amended, imposing sales and compensating use taxes, is amended to read as follows:

(d) Notwithstanding any contrary provision of the law, if the County imposes the additional one percent rate of sales and compensating use taxes authorized by section 1210 of the New York State Tax Law for all or any portion of the period beginning March 1, 2003, and ending November 30, 2025, the County shall use all net collections from such additional one percent rate to pay the County's expenses for Medicaid. The net collections from the additional one percent rate imposed pursuant to such section 1210 shall be deposited in a special fund to be created by the County separate and apart from any other funds and accounts of the County. Any and all remaining net collections from such additional one percent tax, after the Medicaid expenses are paid, shall be deposited by the County in the County's general fund for any County purpose.

SECTION 4. This enactment shall take effect December 1, 2023.

Moved by Andres, seconded by Grozio.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. ED-006-23**

From: Economic Development and Administration Committees.

Dated: August 1, 2023

**AUTHORIZATION TO CONVEY 5222 JUNCTION ROAD, CAMBRIA, NY TO THE  
NIAGARA ORLEANS LAND IMPROVEMENT CORPORATION**

WHEREAS, pursuant to Section 902 of the Real Property Tax Law of the State of New York the Niagara County Treasurer, acting in his capacity as Tax Enforcing Officer, acquired a tax lien on the following property commonly known as 5222 Junction Road, Cambria NY (SBL # 121.00-2-25), and

WHEREAS, the Property is a tax delinquent commercial parcel that requires significant environmental remediation, and

WHEREAS, Section 1616 of the Not-for-Profit Law of the State of New York authorizes a municipality to enter into a contract to sell some or all of the delinquent tax liens held by it to a land bank, and

WHEREAS, the Niagara County Treasurer has requested legislative approval to transfer the above tax lien to the Niagara Orleans Land Improvement Corporation ("NORLIC") with the understanding that the Property will be put back on the tax rolls into a productive use, and

WHEREAS, the above Property if foreclosed upon by the County are not needed for municipal purposes, and

WHEREAS, the benefits accruing the County of Niagara (avoidance of the costs of environmental remediation, demolition and other expenses) are in excess of the potential auction value of the properties, now, therefore, be it

RESOLVED, pursuant to County Law Section 215 and Real Property Tax Law Section 902, Niagara County is hereby, authorized to enter into a contract with NORLIC to sell the tax lien on 121.00-2-25, for one and no more dollars, and be it further

RESOLVED, that following the County Attorney's review, a contract, and all other reasonable and necessary title transfer documents shall be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. ED-008-23**

From: Economic Development Committee.

Dated: August 1, 2023

**APPROVAL OF LOW COST POWER BENEFIT TO EDWARDS VACUUM, INC.  
UNDER THE AGREEMENT FOR THE SALE & PURCHASE OF  
NIAGARA PROJECT POWER & ENERGY (ASPNPPE)**

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

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

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

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

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

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

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

WHEREAS, the County of Niagara has previously awarded to Edwards Vacuum, Inc. for this same project under resolution ED-011-20, 120 kw (at 70% load factor), which agreement will expire on July 30, 2023 and for which Edwards Vacuum, Inc. has met each part of the previous application, and

WHEREAS, the Empower Niagara Board has reviewed the renewal request of Edwards Vacuum, Inc. for the use of low cost power to allow it to remain competitive in Niagara County and Edwards Vacuum, Inc. has met or exceeded each part of the previous application, including undertaking a major expansion to accommodate its growing business needs, introducing advanced technologies, increasing productivity and creating more job opportunities, and

WHEREAS, Edwards Vacuum, Inc. has achieved remarkable revenue growth, surpassing initial projections; signed a 15-year lease for its expanded facility which has demonstrated a long-term commitment to the region, and has installed electric vehicle charging stations on its premises, which all have a positive economic and environmental impact on the community, and

WHEREAS, Edwards Vacuum, Inc. has met or exceeded all the criteria qualifying its original project for consideration and the Empower Niagara Board is recommending approval of a three-year extension of the agreement, and

WHEREAS, the demand usage of Edwards Vacuum, Inc. will remain at 120kw (at 70% load factor) of low cost power, and

WHEREAS, the approval of the Edwards Vacuum, Inc. original application will not only maintain economic development in Niagara County, but also assist Edwards Vacuum, Inc. to remain competitive in its manufacturing and distribution of vacuum systems for the semiconductor, solar, and LED industries, and

WHEREAS, the Empower Niagara Board recommends the approval of the extension of low cost power allocation of 120kw (at 70% load factor) for a period of three (3) years commencing July 31, 2023 to Edwards Vacuum, Inc., now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby approves Edwards Vacuum Inc.’s request for a three-year extension of low cost power benefits from Niagara County, pursuant to low cost power allocation received through the June 25, 2005 HCRSA and ASPNPPE, and be it further

RESOLVED, that following the County Attorney’s review, the Chairman of the Legislature be, and hereby is,

authorized to execute the Empower User Agreement for Low Cost Power with Edwards Vacuum, Inc. for an extension of 120 kw (at 70% load factor) of low cost power for an additional three-year period.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-110-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**BUDGET MODIFICATION FOR SLUDGE LAGOON CLEANING  
NIAGARA COUNTY WATER DISTRICT**

WHEREAS, on Thursday, June 15, 2023 at 4:00 p.m., a public hearing was held at the Niagara County Water District Service Center to consider the appropriation of \$1,500,000.00 from the Niagara County Water District's reserve-sludge lagoon fund for the payment of lagoon cleaning and removal of water treatment residuals at the south lagoon located at the water treatment plant, and

WHEREAS, no interested parties appeared to address the Board, and

WHEREAS, the Niagara County Water District Administrative Board has approved the budget modification listed below, now, therefore, be it

RESOLVED, by the County Legislature of the County of Niagara, New York, that the following budget modification be effectuated:

INCREASE REVENUE:

FXS.40511.00	Appropriated Reserve	\$1,500,000
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INCREASE APPROPRIATIONS:

FXS.31.9901.000 79010.00	Contribution to other funds	\$1,500,000
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INCREASE REVENUE:

FX.31.9901.000 45031.31	Interfund Transfers from Sludge Reserves	\$1,500,000
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INCREASE APPROPRIATIONS:

FX.31.8330.000 74700.02	Sludge Disposal	\$1,500,000
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Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-111-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**BUDGET MODIFICATION  
WATER – RAW WATER PUMP STATION UPGRADES**

WHEREAS, Niagara County Water District Administrative Board authorized the Administrative Director to go to bid for the Raw Water Pump Station Upgrades, and

WHEREAS, bids received were above the estimated project cost, and

WHEREAS, the Niagara County Water District Administrative Board has accepted the bids, under Contract No. 22-6, WPN 3146-21-03, and

WHEREAS, there are sufficient funds in the Water District's Capital Reserve Fund to cover the balance of the cost of this project, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE APPROPRIATED RESERVE:

FXH 40511.00	Appropriated Capital Reserve	\$2,150,000
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INCREASE APPROPRIATIONS:

FXH.31.9950.000 79010.00	Transfer to Capital Construction	\$2,150,000
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INCREASE REVENUE:

H709.31.8397.000 45031.10	Interfund Transfers from Capital Reserves	\$2,150,000
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INCREASE APPROPRIATIONS

H709.31.8397.000 72100.27	Water – Raw Water Pump Station Upgrades	\$2,150,000
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Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-112-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**AWARD OF CONTRACT – DATA CABLING PROJECT**

WHEREAS, the Information Technology Department has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Data Cabling Project at 111 Main Street, Lockport, NY and 199-225 S. Niagara Street, Lockport, NY facilities, and

WHEREAS, funds are available in account number H597.15.1650.000 72100.26, Information Technology Systems – Capital, and

WHEREAS, the bids were publicly opened and read by our Purchasing Department on July 18, 2023, and the results are tabulated below:

- |    |   |              |
|----|---|--------------|
| 1. | Park Place Installations, Inc.<br>255 Great Arrow Ave, Suite 203<br>Buffalo, NY 14207                       | \$86,324.49  |
| 2. | Garnet Technology Solutions, Inc.<br>2811 US Route 9<br>Valatie, NY 12184                                   | \$99,035.00  |
| 3. | Working Knowledge Cabling & Communication Services<br>435 Lawrence Bell Drive, Suite 3<br>Buffalo, NY 14221 | \$140,467.00 |

WHEREAS, Purchasing and Information Technology examined the bid proposals, 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, and

RESOLVED, that the contract for the Data Cabling Project be awarded to the lowest responsible bidder, Park Place Installations, Inc., and not to exceed \$86,324.49 and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature or County Manager is hereby authorized and directed to execute the required documents pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-113-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND  
THE NIAGARA FRONTIER CROSS COUNTRY CLUB**

WHEREAS, the Niagara Frontier Cross Country Club has requested that the County Of Niagara grant them exclusive rights to operate a cross country program in an area situated in the county owned property at Clyde L. Burmaster/Bond Lake Park, and

WHEREAS, the Niagara Frontier Cross Country Club has requested to use the Warming House and Clyde L. Burmaster/Bond Lake Park trails Tuesday 9/26/23, 10/3/23, 10/10/23, and 10/17/23.

WHEREAS, this program benefits the residents of the Town of Wheatfield in addition to Niagara County as a whole, and

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

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

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Niagara Frontier Cross Country Club, 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 Niagara Frontier Cross Country 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 Niagara Frontier Cross Country Club agreement may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-114-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA  
AND THE OLCOTT LION'S CLUB**

WHEREAS, the Olcott Lions Club has requested that the County of Niagara grant them permission to use the Lions Club Pavillion and Shelter #5 at Krull Park for the purpose of holding The Olcott Lions Club Kindergarten Round-up, and

WHEREAS, this event benefits the residents of the Town of Newfane and Niagara County as a whole, and

WHEREAS, it is the wish of the Olcott Lion's Club to hold the Olcott Lions Club Kindergarten Round-up on August 26, 2023 and,

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

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Olcott Lion's Club, 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 Olcott Lion's 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 required documents may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-115-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**ABOLISH GENERAL REPAIR PERSON II POSITION/CREATE & FILL HVAC TECHNICIAN  
POSITION – BUILDINGS AND GROUNDS**

WHEREAS, the duties of a General Repair Person II do not meet the present needs of the HVAC unit of Buildings and Grounds, and

WHEREAS, the duties of an HVAC Technician represent the duties necessary for the daily operations of the department, and

WHEREAS, the change reflects no cost increase to the County, now, therefore, be it

RESOLVED, that effective August 6, 2023, the position of General Repair Person II, position number 13593, AFSCME Job Group 13 at \$24.14 to \$26.95 per hour, be abolished, and be it further

RESOLVED, that effective August 6, 2023, the position of HVAC Technician, AFSCME Job Group 13 at \$24.14 to \$26.95 per hour, be created and filled.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-116-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**COURTHOUSE HVAC IMPROVEMENTS, PHASE I  
CHANGE ORDER NO. 1 - FINAL**

WHEREAS, Resolution No. IF-130-22, dated October 18, 2022, authorized the contract for the Court House HVAC Improvements, Phase I Project to Greater Niagara Mechanical, 7311 Ward Road, North Tonawanda, NY 14120, for a contract amount of \$368,300, and

WHEREAS, it is necessary to decrease the contract in the amount of \$23,065, as the project is now complete, for a revised contract amount of \$345,235, and

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

RESOLVED, that Change Order No. 1-Final to decrease the contract by \$23,065 for the Courthouse HVAC Improvements, Phase I Project, for a revised contract amount of \$345,235, be approved, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-117-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**KRULL PARK SHORELINE REHABILITATION PROJECT  
DESIGN SERVICES CONTRACT – CHANGE ORDER NO. 5**

WHEREAS, Resolution No. IF-127-19, dated November 19, 2019, awarded the design services contract for the Krull Park Shoreline Rehabilitation project to WSP USA, 50 Lakefront Blvd, Suite 111, Buffalo, NY 14202, for a contract amount of \$375,979, and

WHEREAS, Resolution No. IF-102-21 dated September 21, 2021, extended the contract completion date to December 31, 2022, at no additional cost to the county, to allow for final design services, and

WHEREAS, Resolution No. IF-158-22, dated December 6, 2022, increased the contract by \$184,490, for construction administration and construction inspection, for a total contract amount of \$560,469, and

WHEREAS, Resolution No. IF-004-23, dated January 17, 2023, authorized the extension of the contract to May 31, 2024, at no additional cost to the County, and

WHEREAS, Resolution No. IF-089-23, dated May 16, 2023, increased the contract by \$110,137.50, due to the project schedule being extended due to contractor challenges with the project and the need for additional inspections and site supervision, for a total contract amount of \$670,606.50, and

WHEREAS, it is necessary to increase the contract by \$93,458, due to the project schedule being extended to September due to contractor challenges with the project additional inspections and site supervision, for a total contract amount of \$764,064.50, 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, the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE

H705.15.7110.000 43960.02 NYS Emergency Disaster Assist - DPW \$525,142

INCREASE ESTIMATED APPROPRIATIONS

H705.15.7110.000 72400.00 Land Improvements \$525,142

and be it further

RESOLVED, that the contract to WSP USA, 50 Lakefront Blvd, Suite 111, Buffalo, NY 14202, be, increased by \$92,000, for a total contract amount of \$764,064.50, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-118-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**ANGELO DELSIGNORE WINDOW PROJECT  
CLOSE CAPITAL PROJECT**

WHEREAS, all work has been completed according to plans and specifications for the Angelo DelSignore Civic Building Curtain Wall/Window replacement project, and

WHEREAS, funds remain in account H623.15.1620.000 72200.01 – Building Improvements, and

WHEREAS, funds are required in the Court House, HVAC Phase II project, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

DECREASE ANTICIPATED REVENUE:

H623.15.1620.000 45031.00 Transfer from Operating \$165,686.01

DECREASE APPROPRIATIONS:

H623.15.1620.000 72200.01 Building Improvements \$165,686.01

INCREASE ANTICIPATED REVENUE:

H763.15.1620.000 45031.00 Transfer from Operating \$165,686.01

INCREASE APPROPRIATIONS:

H763.15.1620.000 72200.01 Building Improvements \$165,686.01

and be it further

RESOLVED, that the following Capital Project be closed:

H623 – AD Civic Bldg Window Replacement  
Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-119-23**

From: Infrastructure & Facilities and Administration Committees.  
Dated: August 1, 2023

**PURPLE HEART VETERANS MONUMENT CHANGE ORDER NO. 1**

WHEREAS, Resolution No. IF-072-23, dated April 25, 2023, awarded the contract for the Purple Heart Veterans Monument to Mark Cerrone, 2368 Maryland Ave, Niagara Falls, NY 14305, in the amount of \$129,000, and

WHEREAS, it is necessary to extend the contract date to August 31, 2023, at no additional cost to the County, and

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

RESOLVED, that Change Order No. 1 to extend the contract with Mark Cerrone (2368 Maryland Ave, Niagara Falls, NY 14305) to August 31, 2023, at no additional cost to the County, shall be, executed pursuant to Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-120-23**

From: Infrastructure & Facilities and Administration Committees.  
Dated: August 1, 2023

**RESCIND RESOLUTION IF-101-23 TO AWARD CONSULTANT CONTRACT  
CARMEN ROAD BRIDGE OVER GOLDEN HILL CREEK-SOUTH BRIDGE REPLACEMENT**

WHEREAS, Resolution No. IF-101-23, dated June 20, 2023, awarded consultant services for the Carmen Road Bridge over Golden Hill Creek – South, to Mott MacDonald NY Inc., 438 Main Street, Suite 300, Buffalo, NY 14202, and

WHEREAS, the Department of Public Works was recently notified, that the Carmen Road Bridge over Golden Hill Creek – South will be fully funded for replacement through the 2023 Bridge NY program, and

WHEREAS, funds are now available in H583.15.5197.000 72600.02 to be allocated to allow for the design of the Gasport Road Bridge over Eighteen Mile Creek, now, therefore, be it

RESOLVED, that Resolution No. IF-101-23, to award the consultant services contract for the Carmen Road Bridge over Golden Hill Creek-South Bridge Replacement Project to Mott MacDonald NY Inc., 438 Main Street, Suite 300, Buffalo, NY 14202, for a contract amount not to exceed \$202,520, be rescinded, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE ANTICIPATED REVENUE:

HXXX.15.5197.000 45031.10	Transfer from Capital Reserve	\$185,000
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HXXX.15.5197.000 43501.00 Consolidated Highway Aid \$ 50,000

INCREASE APPROPRIATIONS:

HXXX.15.5197.000 72600.02 Infrastructure Bridges \$235,000

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-121-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**BRIDGE WASHING AND DECK SEALING OF 137 BRIDGES  
VARIOUS TOWNS IN NIAGARA COUNTY  
LOCAL PROJECT AGREEMENT**

WHEREAS, the Bridge Washing and Deck Sealing of 137 Bridges in Various Towns in Niagara County (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 \$190,000 is hereby appropriated in account D.15.5120.000 74800.06 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 Chairman of the Legislature be, and hereby is, authorized to execute the required documents, and be it further

RESOLVED, that this Resolution shall take effect immediately.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-122-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**BRIDGE DECK OVERLAYS OF SIX (6) BRIDGES  
VARIOUS TOWNS IN NIAGARA COUNTY LOCAL PROJECT AGREEMENT**

WHEREAS, the Bridge Deck Overlays of 6 Bridges in Various Towns in Niagara County (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 following budget modification be effectuated to reflect the funding levels set forth by Schedule A in the agreement:

INCREASE REVENUE:

D.15.5120.000 43591.00	State Aid Cap Const Hwy Revenue	\$40,800
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INCREASE APPROPRIATIONS:

D.15.5120.000 74800.06	Maintenance Repairs and Maintenance	\$40,800
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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 Chairman of the Legislature be, and hereby is, authorized to execute the required documents, and be it further

RESOLVED, that this Resolution shall take effect immediately.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-123-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**AWARD OF CONTRACT – BRIDGE WASHING AND DECK SEALING  
2023/2024**

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 2023/2024 Project, and

WHEREAS, funds are available in account number D.15.5120.000 74800.06, Bridge Maintenance, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on July 20, 2023, as tabulated below:

- |    |                             |               |
|----|-----------------------------|---------------|
| 1. | Hunting Valley Construction | \$ 214,968.00 |
|    | 825 Rein Road               |               |
|    | Cheektowaga, NY 14225       |               |

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 Bridge Washing and Deck Sealing 2023/2024 Project be awarded to the lowest responsible bidder, Hunting Valley Construction, 825 Rein Road, Cheektowaga, NY 14225, in the amount of \$214,968.00, 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. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-124-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

## AWARD OF CONTRACT – BRIDGE DECK OVERLAYS 2023

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Bridge Deck Overlays 2023 Project, and

WHEREAS, funds are available in account number D.15.5120.000 74800.06, Bridge Maintenance, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on July 20, 2023 as tabulated below:

- |    |  |              |
|----|--|--------------|
| 1. | Thomann Asphalt Paving Corp.<br>56 Gunnville Road<br>Lancaster, NY 14086     | \$180,847.00 |
| 2. | Milherst Construction Inc.<br>10025 County Road<br>Clarence Center, NY 14032 | \$199,207.25 |
| 3. | Edbauer Construction<br>2790 Clinton Street<br>West Seneca, NY 14224         | \$415,255.00 |

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 Bridge Deck Overlays 2023 Project be awarded to the lowest responsible bidder, Thomann Asphalt Paving Corp., 56 Gunnville Road, Lancaster, NY 14086, in the amount of \$180,847.00, 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. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

### **Resolution No. IF-125-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

## AWARD OF CONTRACT – KRULL PARK PAVING PROJECT

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Krull Park Paving Project, and

WHEREAS, funds are available in account number H720.15.7110.000 72400.00, Park Pavement Improvements, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on July 20, 2023 as tabulated below:

2.	Amherst Paving 330 Meyer Road Amherst, NY 14226	\$340,638.00
3.	J & D's Seal Tech Corp. 138 Chandler Street Buffalo, NY 14207	\$341,233.05
4.	American Paving & Excavating 5880 Thompson Road Clarence Center, NY 14032	\$355,067.65
5.	Milherst Construction Inc. 10025 County Road Clarence Center, NY 14032	\$359,833.40
6.	Louis Del Prince & Sons 580 Cayuga Road Cheektowaga, NY 14225	\$385,615.75
7.	Scott Lawn Yard 3305 Haseley Drive Niagara Falls, NY 14304	\$386,990.00
8.	Thomann Asphalt Paving Corp. 56 Gunnville Road Lancaster, NY 14086	\$395,185.75
9.	Mark Cerrone Inc. 2368 Maryland Avenue Niagara Falls, NY 14305	\$412,000.30
9.	Occhino Corp. 2650 Seneca Street West Seneca, NY 14224	\$418,735.20
10.	Anastasi Trucking & Paving 4430 Walden Avenue Lancaster, NY 14086	\$422,096.50
11.	D & H Paving 485 Kennedy Road Buffalo, NY 14227	\$444,432.56
12.	Buffalo Asphalt Milling Corp.** 461 Tonawanda Street Buffalo, NY 14207	\$289,019.10

\*\*non-responsive bidder

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 Krull Park Paving Project be awarded to the lowest responsible bidder, Amherst Paving, 330 Meyer Road, Amherst, NY 14226, in the amount of \$340,638.00, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement for the Krull Park Paving Project may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-126-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**AWARD CONSULTANT CONTRACT  
GASPORT ROAD BRIDGE OVER EIGHTEEN MILE CREEK BRIDGE REPLACEMENT**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Gasport Road Bridge over Eighteen Mile Creek Bridge Replacement Project, and

WHEREAS, funds are available in account HXX.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 Gasport Road Bridge over Eighteen Mile Creek Bridge Bridge Replacement Project be awarded to Mott MacDonald NY Inc., 438 Main Street, Suite 300, Buffalo, NY 14202, for a contract amount not to exceed \$202,520, 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. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-127-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**AWARD OF CONTRACT – DRAINAGE FOR NIAGARA COUNTY  
GOLF COURSE DRIVING RANGE PROJECT**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Golf Course Driving Range Drainage Project, and

WHEREAS, funds are available in account number H770.15.7110.000 72400.00, Land Improvements, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on June 1, 2023, as tabulated below:

- |    |  |              |
|----|--|--------------|
| 1. | Palladino Excavating & Concrete<br>5653 Wendy Circle<br>Lockport, NY 14094 | \$135,000.00 |
| 2. | NFP and Sons Inc.<br>7311 Ward Road<br>North Tonawanda, NY 14120           | \$158,000.00 |

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 Drainage for Niagara County Golf Course Driving Range Project be awarded to the lowest responsible bidder, Palladino Excavating & Concrete, 5653 Wendy Circle, Lockport, NY 14094, in the amount of \$135,000, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement for the Drainage for Niagara County Golf Course Driving Range Project may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IF-128-23**

From: Infrastructure & Facilities and Administration Committees.

Dated: August 1, 2023

**ACCEPTANCE OF RIGHT-OF-WAY FROM  
NEW YORK STATE DEPARTMENT OF TRANSPORTATION  
TOWNLINE AND STONE ROADS, TOWNS OF LOCKPORT AND CAMBRIA**

WHEREAS, New York State Department of Transportation has instituted a project, for the NY Route 104 & NY Route 93 Intersection Improvements, in the Towns of Lockport and Cambria, Niagara County, PIN 5045.27, and

WHEREAS, the New York State Department of Transportation requires the County of Niagara to agree to accept ownership of any property acquired in connection with this project, and

WHEREAS, the County of Niagara will accept the following parcel: DRAWING NO. GNP-02, SHEET NO. 55, available in the Niagara County Department of Public Works, and

WHEREAS, the New York State Department of Transportation further requests that the County of Niagara executes and files all documents necessary in order to facilitate the transfer of the parcels, 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 County of Niagara hereby agrees to accept acquired property from the State or its agencies and to keep the property for the length of time required; 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. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IL-080-23**

From: Legislators Richard E. Abbott, William J. Collins, Anthony J. Nemi, Shawn A. Foti and Economic Development Committee.

Dated: August 1, 2023

**RESOLUTION IN SUPPORT OF THE LOCKPORT ELKS LODGE #41  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Lockport Elks Lodge #41 located at 6791 N Canal Road in Lockport NY and the County of Niagara, and

WHEREAS, the Lockport Elks Lodge #41 is a service organization that supports community efforts for all that is good and responsible, and

WHEREAS, the Lockport Elks Lodge #41 conducts fundraising activities to support their community efforts where all are welcome to attend, and

WHEREAS, the Lockport Elks Lodge #41 is concerned about the health and safety of their members and non-members that may congregate at their facility, and

WHEREAS, the Lockport Elks Lodge #41 proposes purchasing an AED device for their facility, and

WHEREAS, the Lockport Elks Lodge #41 will need funds for the purchase, installation and training in use of the AED, now, therefore, be it

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

RESOLVED, that Niagara County supports the Lockport Elks Lodge #41 by appropriating monies from said Community Partnership Program Fund as follows:

Lockport Elks Lodge #41

\$2,500.00

Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IL-081-23**

From: Legislator Christopher Voccio and Economic Development Committee.

Dated: August 1, 2023

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

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

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

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

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

St. Joseph's Outreach	\$750.00
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Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IL-082-23**

From: Legislator Christopher Voccio and Economic Development Committee.

Dated: August 1, 2023

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

WHEREAS, Lighthouse Women's and Children's Center is an important organization that provides multiple services to women and children in Niagara Falls, and

WHEREAS, Lighthouse Women's and Children's Center is in need of funding to continue helping people in a multitude of ways, now, therefore, be it

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

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

Lighthouse Women's and Children's Center	\$750.00
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Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IL-083-23**

From: Legislators Christopher A. Robins, Christopher Voccio, Mark J. Grozio, Jeffrey Elder and Administration Committee.

Dated: August 1, 2023

**RESOLUTION IN SUPPORT OF THURSDAYS ON THIRD THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Downtown Niagara Falls Business Association (DNFBA) not for profit organization, in cooperation with, "The Gold Bar" 435 Third St., is hosting a concert series on Thursdays in August 2023, and

WHEREAS, this concert series will attract WNY locals as well as tourists to our great city, and

WHEREAS, the concert will bring much needed business to Third Street, now, therefore, be it

RESOLVED, that Niagara County's 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 Thursdays on Third concert series by appropriating monies from said Community Partnership Program Fund as follows:

Thursdays on Third \$4,000.00  
Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IL-084-23**

From: Legislator Christopher A. Robins and Economic Development Committee.  
Dated: August 1, 2023

**RESOLUTION IN SUPPORT OF THE YOUTH SPORTS ALLIANCE  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Youth Sports Alliance, is a not-for-profit organization that offers children of Niagara Falls an opportunity to learn baseball from the Niagara Power baseball team, and

WHEREAS, Youth Sports Alliance, and the Niagara Power is an asset to the City of Niagara Falls, and

WHEREAS, the Youth Sports Alliance, has donated equipment and training to our Niagara Falls Little Leagues, 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 Youth Sports Alliance by appropriating monies from said Community Partnership Program Fund as follows:

Youth Sports Alliance \$1,000.00  
Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IL-085-23**

From: Legislator Christopher A. Robins and Economic Development Committee.  
Dated: August 1, 2023

**RESOLUTION IN SUPPORT OF LT. DAVID W. KINNEY MEMORIAL FUND  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Lt. David W. Kinney Memorial Fund, is a not-for-profit organization that's main purpose is to help and support local youth participation in Western NY, and

WHEREAS, the Lt. David W. Kinney Memorial Fund, is an asset to the City of Niagara Falls and Niagara County, and

WHEREAS, the Lt. David W. Kinney Memorial Fund, has donated equipment and training to Niagara Falls Little Leagues, Niagara Falls Jr. Football Club, Niagara Falls Wrestling Club, Fight Sport Training Complex and Miracle League of Western NY, 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 Lt. David W. Kinney Memorial Fund by appropriating monies from said Community Partnership Program Fund as follows:

Lt. David W. Kinney Memorial Fund \$1,000.00  
Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IL-086-23**

From: Legislator Jeffrey Elder and Economic Development Committee.  
Dated: August 1, 2023

**RESOLUTION IN SUPPORT OF THE POTTERS HOUSE CHRISTIAN COMMUNITY CHURCH  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Potters House Christian Community Church is a 501(c) (3) nonprofit dedicated to enlarge and advance the word of the kingdom of God, and

WHEREAS, the Potters House Christian Community Church ministers the gospel through preaching the word which breaks the yoke of bondage and set captives free, and

WHEREAS, the Potters House Christian Community Church, is a historic building, located in the heart of the City of Niagara Falls, NY, and

WHEREAS, this facility is in dire need of repairs due to its age, 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 Potters House Christian Community Church by appropriating monies from said Community Partnership Program Fund as follows:

The Potters House Christian Community Church \$2,000.00  
Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IL-087-23**

From: Legislator Jeffrey Elder and Economic Development Committee.  
Dated: August 1, 2023

**RESOLUTION IN SUPPORT OF THE NIAGARA GOSPEL MISSION  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Gospel Mission, is a 501(c) (3) nonprofit committed to making a difference in the City of Niagara Falls, New York, and surrounding communities by meeting the spiritual and practical needs of homeless and hurting men to find help and the support they need to change their lives, and

WHEREAS, the Niagara Gospel Mission also reaches out to the poor and needy in the City of Niagara Falls by offering basic needs such as meals and clothing, and

WHEREAS, the Niagara Gospel Mission opened the “Liberty Suite”, which is an emergency shelter specifically designated for homeless veterans, now, therefore, be it

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

RESOLVED, that Niagara County supports The Niagara Gospel Mission, by appropriating monies from said Community Partnership Program Fund as follows:

The Niagara Gospel Mission	\$1,200.00
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Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IL-088-23**

From: Legislator Jeffery Elder and Economic Development Committee.  
Dated: August 1, 2023

**RESOLUTION IN SUPPORT OF THE NIAGARA COMMUNITY ACTION PROGRAM, INC.  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Community Action Program, Inc., is a 501(c) (3) nonprofit dedicated to serve the County of Niagara in developing, conducting and administering a community action plan, and

WHEREAS, the purpose of the Community Action Plan, is to initiate, strengthen, supplement, and coordinate efforts to eliminate poverty by making available to the poor, opportunities for education and training, employment, and other services designed to aid them in their struggle against poverty, and

WHEREAS, the Niagara Community Action Program, contracts with other agencies for the conduct and administration of community programs, now, therefore, be it

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

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

The Niagara Community Action Program Inc.	\$1,200.00
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Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IL-089-23**

From: Legislators Rebecca J. Wydysh, Irene M. Myers and Economic Development Committee.  
Dated: August 1, 2023

**RESOLUTION IN SUPPORT OF THE HISTORICAL ASSOCIATION OF LEWISTON, INC.  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Historical Association of Lewiston, Inc. is a not-for-profit organization dedicated to preserving and promoting the rich heritage of the Lewiston area through community events and its maintenance of the Lewiston Museum, and

WHEREAS, the association has planned its annual Lewiston Jeopardy fundraiser event for September 14, 2023, and

WHEREAS, the event will bring together association members, local leaders, and residents for a night of trivia and fun, while raising funds for the ongoing work of the Historical Association of Lewiston, Inc. and the Lewiston Museum, and

WHEREAS, the Niagara County Legislature wishes to support the continuation of programs and projects that enhance our local quality of life, protect our cherished historical landmarks and buildings, and promote our unique and valued heritage assets, 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 Historical Association of Lewiston, Inc. by appropriating monies from said Community Partnership Fund as follows:

Historical Association of Lewiston, Inc.	\$1,000.00
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Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IL-090-23**

From: Legislators Richard L. Anders, Randy R. Bradt, Jesse P. Gooch and Economic Development Committee.  
Dated: August 1, 2023

**RESOLUTION IN SUPPORT OF THE NORTH TONAWANDA NATIONAL LITTLE LEAGUE, INC. THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, North Tonawanda National Little League is a nonprofit youth organization and chartered member of Little League Baseball under the rules and regulations set forth by Little League Baseball Incorporated, and

WHEREAS, Little League Baseball is made possible by volunteers, sponsors and participation fees within the North Tonawanda and surrounding communities, and

WHEREAS, the goal of the North Tonawanda National Little League is to provide the community with an educational athletic organization that provides enjoyment and fun by all involved, 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 National Little League, Inc. by appropriating monies from said Community Partnership as follows:

North Tonawanda National Little League, Inc.	\$9,000.00
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Moved by Bradt, seconded by Robins.  
Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**Resolution No. IL-091-23**

From: Legislators Randy R. Bradt, Richard L. Andres, Jesse P. Gooch and Administration Committee.  
Dated: August 1, 2023

**A RESOLUTION TO SUPPORT A RAT MITIGATION PROGRAM IN NORTH TONAWANDA**

WHEREAS, Niagara County is committed to protecting the public health of our communities, and

WHEREAS, like many urban areas, the City of North Tonawanda has been attempting to deal with a significant rat problem, and

WHEREAS, North Tonawanda plays a significant role in driving our regional economy and this rodent issue could negatively impact that, and

WHEREAS, as such, the County of Niagara believes it is important to help the City of North Tonawanda address this issue, now, therefore, be it

RESOLVED, that Niagara County will allocate \$30,000 to the City of North Tonawanda to further help support rat mitigation efforts, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE APPROPRIATED FUND BALANCE:

A 40599.00	Appropriated Fund Balance	\$30,000
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INCREASE APPROPRIATION:

A.01.1010.000 74500.01	Contractual Expenses	\$30,000
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Moved by Bradt, seconded by Robins.

Adopted. 13 Ayes, 0 Noes, 2 Absent – Hill, Nemi.

**APPOINTMENTS:**

**Appt.**

WORKFORCE DEVELOPMENT BOARD:

Katie Thompson, Senior Vice President Matrix Imaging 6341 Inducon Drive E, Sanborn 14132	08/01/23
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INDUSTRIAL DEVELOPMENT AGENCY:

Mark D. Berube	08/01/23
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Ryan J. Mahoney	08/01/23
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David J. Masse, CFA	09/01/23
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Anne E. McCaffrey	09/01/23
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Moved by Bradt, second by Voccio.

Approved.

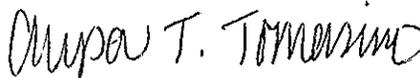
Moved by Collins, second by Myers to enter into Executive Session at 6:44 p.m. to discuss Personnel Issues/ Contract Negotiations.

Moved by Bradt, second by Voccio to adjourn Executive Session at 7:33 p.m.

Moved by Myers, seconded by Godfrey that the Board adjourn.

The Chairman declared the Board adjourned 7:34 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, Clerk