

A public hearing was held pursuant to ED-017-24, adopted by the Legislature on August 6, 2024, for the purpose of hearing public comments on Griffon Brewing Inc. Community Development Block Grant. Legislator Godfrey opened the hearing 5:50 p.m. and closed it at approximately 5:54 p.m.

## **OFFICIAL RECORD**

Lockport, New York  
September 17, 2024

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

Clerk Tomasino called the roll. All Legislators were present with the exception of Legislators Gooch, Myers and Nemi.

Chairman Wydysh called Legislator Hill and Sheriff Filicetti to the lectern to read a proclamation declaring September 15th-21st, 2024 as Sheriffs Week in Niagara County.

Sheriff Filicetti gave a presentation on Safe Communities.

NIMAC Chairman John Cooper, Sr., to provide the NIMAC yearly update.

No citizens spoke on the Agenda.

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

**Resolution No. IF-158-24 was read at this time. (Appears in numerical order)**

### **Resolution No. AD-020-24**

From: Administration Committee.

Dated: September 17, 2024

## **RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE CITY OF LOCKPORT FOR 2022 AND 2023 CITY IN REM PROCEEDINGS**

WHEREAS, the City of Lockport has instituted In Rem actions under Niagara County Supreme Court Index #E176714/2022 and #E178984/2023, for the foreclosure of certain tax liens for the year 2021 and 2022 against various parcels of land situate within the City of Lockport, New York, pursuant to the provisions of Article 11, Title 3 of the Real Property Tax Law of the State of New York, and

WHEREAS, the provisions of said law authorize and empower tax districts having an interest in various parcels to enter into an agreement making provisions for conveyance of said parcels without public sale, and upon such terms as said districts may agree upon between themselves, and

WHEREAS, the parties hereto have conferred and negotiated as to the method of handling the various parcels included in said action, and

WHEREAS, the parties wish to memorialize their agreement with the execution of an Inter-Municipal Cooperation Agreement, a copy of which is incorporated by reference, now, therefore, be it

RESOLVED, that the Chairman be and is hereby authorized and directed to enter into an inter-municipal cooperation agreements with the City of Lockport regarding the City of Lockport 2021 In Rem action filed with

the Niagara County Supreme Court under Index #E176714/2022 and 2022 In Rem action filed with the Niagara County Supreme Court under Index #3178984/2023.

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. AD-021-24**

From: Administration Committee.

Dated: September 17, 2024

**PURCHASE OF IN REM PROPERTY**

WHEREAS, online bidding took place from July 17, 2024 commencing at noon through July 31, 2024, at 10:00 am for the public auction for the sale of properties acquired by the County of Niagara by its In Rem Action, and

WHEREAS, as a result of said auction, the attached list of properties were struck down to each of the named individuals for the price indicated for each parcel, said price being the highest bid price received, now, therefore, be it

RESOLVED, that the purchase offers set forth in the attached list be, and the same hereby are, accepted and the Chairman of the legislature is hereby authorized and directed to execute suitable quit-claim deeds, subject to the approval of the County Attorney, upon the receipt by the County Treasurer of the entire balance due on the purchase price of said properties, at which time said deeds, as provided in the terms of sale shall be recorded in the Niagara County Clerk's Office in the name of the respective purchaser.

**N.C. IN-REM 2021 AUCTION**

Index #176239/2021

Lot#	Serial#	SBL#	Purchaser	Bid Price
4	2021-049	124.04-2-12	Scott DePaolo	\$ 18,100.00
5	2021-050	124.04-2-16	Scott DePaolo	\$ 13,100.00
6	2021-051	124.04-2-17	Yen Ko Romero Lay	\$ 14,100.00
9	2021-064	14.16-1-21	Brian K Sebastian	\$ 92,600.00
10	2020-057	14.20-1-52	Caleb D Schlabach	\$ 41,406.00
11	2020-058	14.20-1-53	Caleb D Schlabach	\$ 36,494.00
13	2020-108	144.26-3-21.2	Rivera Puerari Inventment LLC	\$ 3,050.00
14	2020-114	144.26-5-49	Masudur Rahman	\$ 3,000.00
15	2021-092	145.07-3-53	Roger Alford Thompson	\$ 8,100.00
16	2021-097	145.16-3-13	Pavel Schirca	\$ 6,900.00
17	2021-098	145.20-3-41	Shahidullah Dulal	\$ 860.00
18	2021-099	145.20-3-75	Shahidullah Dulal	\$ 790.00
19	2020-132	146.17-4-56	Myriam Bigaud-Ambroise	\$ 1,575.00
20	2018-242	18.06-1-36	Rivera Puerari Inventment LLC	\$ 3,750.00
21	2021-103	164.03-3-41	Matthew Cole	\$ 6,600.00
23	2021-109	59.07-2-30	Gordon Alan McCombs	\$ 1,525.00
24	2020-169	85.20-2-18	David Snediker	\$ 71,000.00
25	2021-120	98.00-1-81	Dominick L Ciliberto	\$ 65,900.00
26	2021-126	111.00-2-51	John Brancato Jr	\$ 27,100.00
27	2021-131	127.00-1-61.12	Masudur Rahman	\$ 34,100.00
29	2017-249	163.18-1-18	Shahidullah Dulal	\$ 52.50
30	2021-167	21.16-1-21.1	Matthew Cole	\$ 2,025.00
33	2021-175	62.04-3-35	Kenneth Watson	\$ 17,300.00

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. AD-022-24**

From: Administration Committee.

Dated: September 17, 2024

**NIAGARA COUNTY INVENTORY APPRAISAL**

WHEREAS, a proposal has been received from Industrial Appraisal Company to conduct a 2025 on-site inspection and appraisal of Niagara County properties to include buildings & permanent fixtures, machinery and equipment, for the purpose of establishing current insurance valuation, for a professional services fee of \$59,150.00, and

WHEREAS, a change of providers from Industrial Appraisal at this time would result in a higher fee due to a lack of baseline values on property and cost of initial necessary field work, and

WHEREAS, Industrial Appraisal is a company of nationwide renown in the insurance industry with "gold standard" processes and vast expert testimony experience in legal proceedings, and

WHEREAS, the Administration Committee recommends that said appraisal be completed, now, therefore, be it

RESOLVED, that waiver of the request for proposal process is granted for this vendor and said amount is authorized to be paid from the Property and Casualty Loss Fund, 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. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CS-045-24**

From: Community Services and Administration Committees.

Dated: September 17, 2024

**NIAGARA COUNTY DEPARTMENT OF SOCIAL SERVICES  
CREATE EMPLOYMENT CASE MANAGER POSITION**

WHEREAS, the Niagara County Department of Social Services (NCDSS) is committed to helping families through the administration of state and federally funded programs, and

WHEREAS, the New York State Office of Temporary and Disability Assistance has made Temporary Assistance for Needy Families (TANF) funding available to local social services districts for Family Case Management Services to support the needs of families whose circumstances require a more intensive level of case management and specialized services to achieve financial stability and well-being, including households with complex needs such as mental health conditions, developmental disabilities, substance use disorders and homelessness, and

WHEREAS, NCDSS believes that the Employment Case Manager job title includes the appropriate work experience, knowledge, skills and ability for an individual to perform the case management services as required through TANF funding, and

WHEREAS, individuals and families determined to be in need of these services would be directed to the Family-Centered Services Employment Case Manager through referrals by their worker when complicated barriers are identified and the client/family is struggling to complete their Independent Living and Employment Plans, now, therefore, be it,

RESOLVED, that one (1) Employment Case Manager Position, Job Group 10, step 1 at \$29.46 - \$34.20 hourly, be created and filled effective September 30, 2024, and be it further

RESOLVED, that the following budget modifications be effectuated to the Social Services 2024 Budget:

**INCREASE APPROPRIATION:**

A.22.6010.000.71010.00 xxxx	Employment Case Manager	\$ 13,817
A.22.6010.000.78100.00	Retirement Expense	\$ 1,499
A.22.6010.000.78200.00	FICA	\$ 1,057
A.22.6010.000.78300.00	Worker's Comp	\$ 298
A.22.6010.000.78400.01	Insurance, Health Active Hospital/Medical	\$ 2,631
A.22.6010.000.78400.05	Insurance HRA Employer Contribution	\$ 213
A.22.6010.000.78700.00	Disability	\$ 26
A.22.6010.000.78800.00	Flex 125 Employer Contribution Expense	\$ 446

**INCREASE REVENUE:**

A.22.6010.000.44610.00	DSS Administration Revenue	\$ 19,987
------------------------	----------------------------	-----------

Moved by Bradt, seconded by Robins.  
Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CS-046-24**

From: Community Services and Administration Committees.

Dated: September 17, 2024

**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 2024 budget:

**INCREASE REVENUE:**

A.22.6010.000 43610.01	DSS Admin General	\$ 559,265
------------------------	-------------------	------------

INCREASE APPROPRIATION:

A.22.6010.000 74500.01 Contractual Exp-Contractual \$ 559,265

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CS-047-24**

From: Community Services and Administration Committees.

Dated: September 17, 2024

**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 2024 budget:

INCREASE REVENUE:

A.22.6010.000 44610.00 DSS Admin Revenue \$ 125,000

INCREASE APPROPRIATION:

A.22.6010.000 74500.01 Contractual Exp-Contractual \$ 125,000

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CS-048-24**

From: Community Services and Administration Committees.

Dated: September 17, 2024

**NIAGARA COUNTY EMPLOYMENT & TRAINING DEPARTMENT BUDGET MODIFICATION  
ACCEPT 2024/2025 YOUTH EMPLOYMENT PROGRAM (YEP) FUNDING**

WHEREAS, the Niagara County Workforce Development Board (NCWDB) has been selected by the Niagara County Department of Social Services to administer the 2024-2025 New York State Youth Employment Program (YEP) funded by the Office of Temporary and Disability Assistance (OTDA), and

WHEREAS, the total Niagara YEP allocation amount of \$1,036,952 will cover program expenses from September 1, 2024 through June 30, 2025, and

WHEREAS, the Niagara County Employment & Training (NCET) Department will perform the management and oversight of this youth employment program, and

WHEREAS, an amount of \$436,952 is requested for program operations from September to December 2024, with the remainder of the allocation to be budgeted in 2025, now, therefore, be it

RESOLVED, that the NCWDB and NCET are authorized to accept this award and operate the 2024-2025 Youth Employment Program (YEP), and be it further

RESOLVED, that the 2024 NCET Department Budget be modified as follows:

**INCREASE REVENUE:**

CD.29.6291.000 44089.02	Other TANF Revenue	\$ 436,952
-------------------------	--------------------	------------

**INCREASE APPROPRIATIONS:**

CD.29.6291.000 74500.01	Contractual Expenses	\$ 436,952
-------------------------	----------------------	------------

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CS-049-24**

From: Community Services and Administration Committees.

Dated: September 17, 2024

**MH BUDGET MODIFICATION – PARTICIPATE IN HEALTHCARE WORKERS BONUS**

WHEREAS, Governor Hochul launched the Health Care Worker Bonus Program pursuant to Part ZZ of Chapter 56 of the Laws of 2022, and

WHEREAS, the Health Care Worker Bonus Program allows qualified employers to issue bonus payments to frontline health care workers to "recruit, retain, and reward health care and mental hygiene workers" meeting specified eligibility requirements, and

WHEREAS, the bonus amounts will be commensurate with the number of hours worked by eligible workers covered by the Health Care Worker Bonus Program during the five designated vesting periods for up to a total of \$3,000 per covered worker, and

WHEREAS, the final vesting period designated as Period 5: 10/1/23 – 3/31/24, and

WHEREAS, qualified employees who work at least 20 hours but no more than 30 hours per week are eligible for a bonus of \$500, qualified employees who work at least 30 but no more than 35 hours per week are eligible for a bonus of \$1,000, qualified employees who work at least 35 hours per week are eligible for a bonus of \$1,500, and

WHEREAS, qualified employees are eligible for up to two vesting periods and the maximum any qualified employee may receive is \$3,000, and

WHEREAS, the funds to pay for this initiative will be paid by the NYS Frontline Health Care Worker Bonus Program, and

WHEREAS, eligible frontline direct care health and mental hygiene care workers are designated by title within the regulation, and

WHEREAS, Niagara County is designated as a qualified employer and must provide eligible employees with an Employee Attestation Form which must be completed and returned to Niagara County administration

prior to submitting claims for bonus payments, and

WHEREAS, Niagara County as a qualified employer must submit timely claims to NYS and must pay timely approved and funded bonus amounts to qualified employees based on the number of hours worked during the applicable vesting periods, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated to the 2024 County budget:

INCREASE REVENUE:

A.21.4310.000 43489.07	NYS Healthcare Worker's Bonus	\$12,918
------------------------	-------------------------------	----------

INCREASE APPROPRIATIONS:

A.21.4310.000 71015.00	NYS Healthcare Worker's Bonus	\$12,000
------------------------	-------------------------------	----------

A.21.4310.000 78200.00	FICA Expense	\$ 918
------------------------	--------------	--------

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CS-050-24**

From: Community Services and Administration Committees.

Dated: September 17, 2024

**2024 CONTRACT STATE AID COLA/MINIMUM WAGE - MENTAL HEALTH DEPARTMENT**

WHEREAS, the New York State Office of Mental Health (OMH) and New York State Office of Addiction Services and Supports (OASAS) has approved additional State Aid COLA/Minimum Wage for the calendar year of 2024 for various 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 APPROPRIATED FUND BALANCE:

A 40599.00	Appropriated Fund Balance	\$ 832
------------	---------------------------	--------

INCREASE REVENUES:

A.21.4322.412.43490.09	Mental Health Association	\$ 3,820
------------------------	---------------------------	----------

A.21.4322.413.43490.12	WNY Independent Living	\$ 3,521
------------------------	------------------------	----------

A.21.4322.414.43490.10	Northpointe Council	\$ 50,102
------------------------	---------------------	-----------

A.21.4322.424.43490.10	Cazenovia Recovery	\$ 42,654
------------------------	--------------------	-----------

A.21.4322.425.43490.10	BestSelf Behavioral Health	\$ 5,381
------------------------	----------------------------	----------

CM.21.4322.415.43490.01	Mental Health Programs	\$ 71,189
-------------------------	------------------------	-----------

(Community Missions (CMI), Dale Association, Mental Health Association (MHA), United Cerebral Palsy, Spectrum)

CM.21.4322.415.43490.05	Reinvestment Programming (CMI, MHA, New Directions)	\$ 23,528
-------------------------	---	-----------

CM.21.4322.415.43490.08	Community Support Services (Community Missions, MHA)	\$ 37,710
-------------------------	--	-----------

CM.21.4322.416.43489.04	Case Management Programs (Community Missions)	\$ 27,285
-------------------------	---	-----------

CM.21.4322.423.43490.14	Supported Housing (Community Missions, DePaul)	\$ 22,212
-------------------------	--	-----------

INCREASE APPROPRIATIONS:

A.21.4322.412.74500.01	Mental Health Association	\$ 4,652
------------------------	---------------------------	----------

A.21.4322.413.74500.01	WNY Independent Living	\$ 3,521
------------------------	------------------------	----------

A.21.4322.414.74550.08	Northpointe Council	\$ 50,102
------------------------	---------------------	-----------

A.21.4322.424.74500.08	Cazenovia Recovery	\$ 42,654
A.21.4322.425.74500.01	BestSelf Behavioral Health	\$ 5,381
CM.21.4322.415.74500.01	Community Support/MH Services Programs	\$ 108,899
	(Community Missions, Dale Association, Mental Health Association, United Cerebral Palsy, Spectrum)	
CM.21.4322.415.74550.06	Reinvestment Programming (CMI, MHA, New Directions)	\$ 23,528
CM.21.4322.416.74500.01	Case Management Programs (Community Missions, MHA)	\$ 27,285
CM.21.4322.423.74500.01	Supported Housing (Community Missions, DePaul)	\$ 22,212

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

#### **Resolution No. CS-051-24**

From: Community Services and Administration Committees.

Dated: September 17, 2024

### **BUDGET MODIFICATION-ACCEPT STATE SEPTIC REPLACEMENT PROGRAM FUNDS ENVIRONMENTAL DIVISION- DEPARTMENT OF HEALTH**

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

WHEREAS, the NYS Environmental Facilities Corporation awarded the Niagara County Department of Health a three year award 4/1/24 – 3/31/27 totaling \$200,000 to reimburse Property Owner grant awardees for septic system installation, replacement or upgrades, and

WHEREAS, the Environmental Division of the Department of Health acknowledges a need for these septic projects in Niagara County properties, and

WHEREAS, funds to support Niagara County Property Owner septic projects is available, now, therefore, be it

RESOLVED, the following budget modification be made:

#### **INCREASE REVENUE:**

A.20.4090.000 43489.06 Other health healthy community initiatives	\$200,000
---	-----------

#### **INCREASE APPROPRIATIONS:**

A.20.4090.000 74500.01 Contractual	\$200,000
------------------------------------	-----------

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

#### **Resolution No. CS-052-24**

From: Community Services and Administration Committees.

Dated: September 17, 2024

### **BUDGET MODIFICATION-ACCEPT NYSDOH LEAD RENTAL REGISTRY FUNDS CREATE AND FILL PH SANITARIAN AND SUPERVISORY PH SANITARIAN POSITIONS ENVIRONMENTAL DIVISION- DEPARTMENT OF HEALTH**

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

WHEREAS, the NYS Department of Health awarded the Niagara County Department of Health a five year contract 4/1/24 – 3/31/29 (\$557,000 annually) for the new state Lead Rental Registry program, and



WHEREAS, the Environmental Division of the Department of Health must prepare to implement Section 1377 of Title 10 of the NYS Public Health Law mandation, and

WHEREAS, it is determined to begin the Lead Registry program one Public Health Sanitarian and one Supervisory Public Health Sanitarian will be needed with three additional sanitarians next year, and

WHEREAS, positions will be no cost to the county and co-terminus with the grant, and

WHEREAS, the Department of Health requests approval to accept NYS Lead Registry funding, now, therefore, be it

RESOLVED, that one Public Health Sanitarian, CSEA Job Group 11, Step 1, position # to be determined, salary range \$32.04-37.09 and, one Supervisory Public Health Sanitarian, CSEA Job Group 12, Step 1, position to be determined, salary range \$34.37-39.92 be created and filled effective September 29, 2024 with three Sanitarians to be created and filled in the 2025 budget, and be it further

RESOLVED, the following budget modification be made:

INCREASE REVENUE:

CM.20.4070.427 43450.03	Other Lead Grant	\$557,000.00
-------------------------	------------------	--------------

INCREASE APPROPRIATIONS:

CM.20.4070.427 71010.00	Positions # to be determined	\$160,671.00
CM.20.4070 427 71050.0	overtime	\$ 5,000.00
CM.20.4070 427 72100.14	misc equipment	\$ 95,000.00
CM.20.4070 427 72100.01	Furniture & Fixtures	\$ 8,100.00
CM.20.4070 427 72100.05	Computer Equip	\$ 18,000.00
CM.20.4070 427 72100.12	Cars, Van, Light Trucks	\$ 31,620.00
CM.20.4070 427 74200.02	Copier Rental	\$ 425.00
CM.20.4070 427 74250.01	Office Supplies	\$ 1,600.00
CM.20.4070 427 74300.03	Travel, Mileage	\$ 1,000.00
CM.20.4070 427 74300.02	Travel routine	\$ 5,000.00
CM.20.4070 427 74300.06	Uniforms & Clothing	\$ 1,782.27
CM.20.4070 427 74375.01	Advertising & Promo	\$ 8,000.00
CM.20.4070 427 74375.03	Phone System	\$ 500.00
CM.20.4070 427 74500.01	Contractual	\$ 24,000.00
CM.20.4070 427 74600.03	Training	\$ 8,000.00
CM.20.4070 427 74650.11	Physical exams	\$ 775.00
CM.20.4070 427 74675.01	Central Postage	\$ 30,079.68
CM.20 4070 427 74675.06	MILOR	\$ 15,000.00
CM.20.4070 427 74675.07	IT Services	\$ 9,000.00
CM.20.4070 427 74725.02	Other Lab Services	\$ 24,505.00
CM.20.4070 427 74750.21	Gas & Oil	\$ 1,000.00
CM.20.4070 427 74800.06	Maintenance & repairs	\$ 22,000.00
CM.20.4070 427 74800.10	Furniture <\$500	\$ 3,500.00
CM.20.4070 427 74800.11	vehicle Maintenance	\$ 500.00
CM.20.4070 427 78100.00	Retirement	\$ 17,673.77
CM.20.4070 427 78200.00	FICA	\$ 12,291.31
CM.20.4070 427 78300.00	Worker's Comp	\$ 4,048.90
CM.20.4070 427 78400.01	Active Health Ins.	\$ 43,030.27
CM.20.4070 427 78400.05	HRA	\$ 2,250.00

CM.20.4070.427 78700.00	Disability	\$ 377.80
CM.20.4070 427 78800.00	Flex	\$ 2,270.00

Moved by Bradt, seconded by Robins.  
Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CSS-083-24**

From: Community Safety & Security and Administration Committees.  
Dated: September 17, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
ACCEPT HIGHWAY TRAFFIC SAFETY GRANT**

WHEREAS, the Niagara County Sheriff's Office has been awarded a Highway Traffic Safety Grant from the New York State Governor's Traffic Safety Committee in the amount of \$102,103 for the performance period October 1, 2024 through September 30, 2025, and

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

WHEREAS, the funds are used for Highway Safety education by funding position #6247 Traffic Safety Educator position, to educate pre-K and school aged children on bicycle and car safety, and to educate the public in an effort to reduce the number of crashes, injuries and deaths on the roads in Niagara County, and

WHEREAS, the funds are included in the 2024 budget and will be included in the 2025 budget, now, therefore, be it

RESOLVED, that the Traffic Safety Educator position continue to be co-terminus with the grant, and be it further

RESOLVED, that following the County Attorney's review, the Highway Traffic Safety Grant may be executed pursuant to the Niagara County Contract Policy

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CSS-084-24**

From: Community Safety & Security and Administration Committees.  
Dated: September 17, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
AXON CONTRACT ADDENDUM**

WHEREAS, the Niagara County Legislature passed Resolution CSS-038-19 on June 18, 2019 for standardization and sole source designation of Axon for the purchase of in-car cameras, body cameras, related hardware, software and digital storage, and

WHEREAS, the Niagara County Legislature passed Resolution CSS-037-22 approving a 5 year contract with Axon Enterprise, Inc. for in-car camera, body cameras, related hardware, software, digital storage services and professional services, and

WHEREAS, the Niagara County Sheriff's Office has added four (4) patrol vehicles which need the in-car camera system, and,

WHEREAS, Axon Enterprise has provided an estimate to add four (4) in-car camera systems to the existing 5 year contract for a total of \$44,090.76 over 33 months, now, therefore, be it

RESOLVED, that it is hereby determined that Axon continues to be the standardized sole source for in-car camera systems for the Niagara County Sheriff's Office and that the Sheriff's Office is hereby authorized to purchase such equipment and services directly from Axon without the need to solicit for alternate proposals or sealed bids with an addendum to the current 5 year contract to be executed pursuant to the Niagara County Contract Policy

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CSS-085-24**

From: Community Safety & Security and Administration Committees.

Dated: September 17, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION – AWARD OF NIAGARA COUNTY JAIL KITCHEN PLUMBING  
RENOVATIONS PROJECT AND TRANSFER OF FUNDS**

WHEREAS, the Niagara County Department of Public Works – Engineering issued a bid on behalf of the Niagara County Sheriff's Office for the Niagara County Jail Kitchen Plumbing Renovations under Capital Project H725 – Jail/Plumbing Fixtures, and

WHEREAS, the following three bids were received:

Camtec Plumbing	\$283,250
Willett Builders Inc	\$228,000
Essential Construction	\$158,000

WHEREAS, additional funds are needed under Capital Project H725 in order to complete the project as bid as well as complete the floor repair once the plumbing project is finished, and

WHEREAS, Capital Project H727 Sheriff Equipment Power Backups is under budget, now, therefore be it

RESOLVED, that the Niagara County Jail Kitchen Plumbing Renovations project be awarded to Essential Construction in the amount of \$158,000, and be it further

RESOLVED, that following the County Attorney's review, the Niagara County Jail Kitchen Plumbing Renovations project contract with Essential Construction may be executed pursuant to the Niagara County Contract Policy, and be it further

RESOLVED, that the following budget modification be effectuated:

**DECREASE ESTIMATED REVENUE:**

H727.17.3197.000 45031.10	Interfund Transfers from Capital Reserves	\$38,000
---------------------------	---	----------

**DECREASE APPROPRIATIONS:**

H727.17.3197.000 72100.14	Machinery & Equipment Miscellaneous Equip.	\$38,000
---------------------------	--	----------

**INCREASE ESTIMATED REVENUE:**

H725.17.3197.000 45031.10	Interfund Transfers from Capital Reserves	\$38,000
---------------------------	---	----------

**INCREASE APPROPRIATIONS:**

H725.17.3197.000 72200.01	Building Improvements	\$38,000
---------------------------	-----------------------	----------

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CSS-086-24**

From: Community Safety & Security and Administration Committees.

Dated: September 17, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
BUDGET MODIFICATION - ACCEPT HIGHWAY SAFETY  
GRANT FOR FORENSIC LABORATORY**

WHEREAS, the Niagara County Sheriff's Office has been awarded a Highway Safety Grant for the Forensic Laboratory from the New York State Governor's Traffic Safety Committee in the amount of \$37,500 for the performance period October 1, 2024 through September 30, 2025, and

WHEREAS, the Niagara County Sheriff's Office Forensic Laboratory is going to assist in raising people's awareness in drugged driving and reduce traffic fatalities by providing timely toxicology services and by participating in data sharing with ITSMR, and

WHEREAS, the Forensic Lab will use the funds to accomplish these goals by purchasing more costly supplies and equipment for the Toxicology unit's analysis in driving involved cases, and

WHEREAS, the 2024 budget needs to be amended to include the costs and revenue for the equipment to be purchased in 2024 and the balance of the grant will be included in the 2025 budget, now, therefore, be it

RESOLVED, that following the County Attorney's review, the Highway Safety Grant for the Forensic Laboratory 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 44389.07	Other Public Safety Forensic Lab	\$2,500
------------------------	----------------------------------	---------

**INCREASE APPROPRIATIONS:**

A.17.3110.000 72100.04	Lab Equipment	\$2,500
------------------------	---------------	---------

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CSS-087-24**

From: Community Safety & Security and Administration Committees.

Dated: September 17, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
CHANGE TO AMENDMENT OF SECURUS CONTRACT FOR  
INMATE COMMUNICATIONS SERVICES**

WHEREAS, the Niagara County Legislature passed Resolution CSS-033-21 on March 23, 2021 to enter into a contract with Securus Technologies, LLC for inmate communication services at the Niagara County Jail, and

WHEREAS, the Niagara County Legislature passed Resolution CSS-041-22 on June 21, 2022 to extend the contract until October 14, 2025 with the addition of a full time onsite administrator for the Securus System at no charge to the County, and

WHEREAS, the Niagara County Legislature passed Resolution CSS-048-22 on August 2, 2022 to amend the Securus Contract to add Video Relay Services (VRS) at a cost of \$2,000 per year to the services available to incarcerated individuals at the Niagara County Jail through the Securus System to allow deaf and hard-of-hearing incarcerated individuals the ability to communicate via a videoconferencing system which is within ADA Compliance, and

WHEREAS, the Niagara County Legislature passed Resolution CSS-067-24 to amend the Securus contract to delete the \$2,000 annual cost to the County for the VRS System which will continue to be provided to the incarcerated individuals with the cost being absorbed by Securus Technologies, and

WHEREAS, in July 2024 the Federal Communications Commission issued its final regulations implementing the Martha-Wright Reed Act (the "2024 FCC Order") which if this 2024 order goes into effect will impact maximum calling rates, the charging of ancillary and other fees, commissions that can be paid to agencies, the types of allowable reimbursement payments that can be made to agencies, and the types of in-kind services providers may not offer to agencies, and

WHEREAS, prior to the amendment being fully executed, Securus Technologies submitted a revised version of the amendment which includes language that if and when the Martha-Wright Reed Act (the "2024 FCC order") goes into effect in whole or part, the terms of the agreement with Securus will be modified automatically as of the relevant Order compliance date as necessary to comply with the 2024 FCC Order and without the need for a written modification of the agreement, now, therefore, be it

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

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CSS-088-24**

From: Community Safety & Security and Administration Committees.

Dated: September 17, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
FILL CRIME ANALYST POSITION WITH RESIDENCY WAIVER**

WHEREAS, the Niagara County Sheriff's Office has a Crime Analyst position which is important to the Sheriff's Office for data analysis for crimes in Niagara County, and

WHEREAS, the Crime Analyst position works in the Niagara Crime Analysis Center and works heavily with technology for data analysis, and

WHEREAS, the Crime Analyst has transferred from the Sheriff's Office, and

WHEREAS, due to the technical nature of the position it has been challenging to find an appropriate candidate, now, therefore, be it

RESOLVED, that the Niagara County Sheriff's Office be granted a one-time residency waiver to fill the Crime Analyst position if the most qualified candidate resides outside of Niagara County

Moved by Bradt, seconded by Robins.  
Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CSS-089-24**

From: Community Safety & Security and Administration Committees.

Dated: September 17, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
MCP ACQUISITION CONTRACT RADIO TOWER CHANGE ORDER #1**

WHEREAS, the Niagara County Legislature passed Resolution #CSS-073-24 on 08/06/24 to waive the Request for Proposal and enter into a professional services contract with MCP Acquisition Corporation DBA Mission Critical Partners ("Mission Critical") for radio tower design, procurement and construction services for a new communications tower in Niagara County in the amount of \$149,468, and

WHEREAS, the Niagara County Sheriff's Office would like to add Tower Design and Budgetary Estimates services to the Mission Critical contract to include but not limited to primary engineering review, preliminary tower loading drawing, preliminary compound layout, review of local zoning requirements, review of wetland and flood plain maps, budgetary estimates, and site engineering, design and preparation for a change order amount of \$39,270, and

WHEREAS, the Radio Tower Project will be paid for out of Statewide Interoperable Communications Grants, 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 finds that the services to be provided by Mission Critical consist of "professional services" and further waives the RFP requirement and/or requirement that additional cost proposals be sought or obtained, and be it further

RESOLVED, that following the County Attorney review and approval of the contract, that the Mission Critical contract for Radio Tower Design, Procurement and Construction Services, including Change Order #1 may be executed pursuant to the Niagara County Contract Policy

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CSS-090-24**

From: Community Safety & Security and Administration Committees.

Dated: September 17, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
SOLE SOURCE STANDARDIZATION OF GENERAL SECURITY FOR LENEL ACCESS CONTROL  
SYSTEMS IN NIAGARA COUNTY SHERIFF'S OFFICE, JAIL AND HARMON BUILDING**

WHEREAS, the Niagara County Sheriff's Office has Capital Project H726 Jail Entrances Security System to make needed upgrades to the security of the entrances to the Niagara County Sheriff's Office, Jail and Harmon Building, and

WHEREAS, the Niagara County Sheriff's Office Communications Center and IT Department are located within the Public Safety Training Facility, and

WHEREAS, it is more efficient and practical to have one security system for all of these public safety buildings which can be accessed using one fob or card which is programmed to each individual's appropriate access capabilities, and

WHEREAS, General Security has installed Lenel Access Control Systems card reader system at the Public Safety Training Facility and is working on the gate security project at that building, and

WHEREAS, the Sheriff's Office would have to use General Security Lenel Access Control System in order to integrate the security systems at the Sheriff's Office, Jail, Harmon Building and Public Safety Training Facility, now, therefore, be it

RESOLVED, that for reasons of efficiency and economy, pursuant to General Municipal Law 103(5), there is a need for standardization for the Niagara County Sheriff's Office in the purchase, installation and service of the Lenel Access Control System, and be it further

RESOLVED, that it is hereby, determined that General Security is the vendor for the Lenel Access Control System which would allow integration of the security systems at multiple buildings which is also integrated with the current system, and that the Sheriff's Office is hereby authorized to purchase the Lenel Access Control System, installation and service directly from General Security without the need to solicit for alternate proposals, such purchase to be made in consultation with the Purchasing Department and in accordance with budgetary procedures.

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CSS-091-24**

From: Community Safety & Security and Administration Committees.

Dated: September 17, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE  
SOLE SOURCE STANDARDIZATION OF XYBIX SYSTEMS INC FOR COMMUNICATIONS  
CENTER CONSOLES REFURBISH**

WHEREAS, the Niagara County Legislature passed Resolution IF-125-24 for Capital Projects which included H804 Technology Systems to update the Niagara County Sheriff's Office Communications Center, and

WHEREAS, the current consoles in the Communications Center were installed in 2006 by Xybix Systems Inc. and have been in use 24 hours a day, 7 days a week, and

WHEREAS, the Niagara County Sheriff's Office has identified a need to repair and refurbish portions of the consoles as the computer systems are being updated, and

WHEREAS, the Xybix Systems are the only system that would be compatible with the current Xybix Systems consoles which are only sold directly to end users so there aren't any distributors or resellers, and

WHEREAS, the Xybix Systems Inc quote for the repair, refurbish with the replacement of components including removal and installation is \$147,557.09, now, therefore, be it

RESOLVED, that for reasons of efficiency and economy, pursuant to General Municipal Law 103(5), there is a need for standardization for the Niagara County Sheriff's Office in the purchase of the Communications Center Consoles repair and refurbish under Capital Project H804, and be it further

RESOLVED, that it is hereby determined that Xybix Systems Inc is the sole source vendor for the Xybix Consoles System to be compatible with the current system, and that the Sheriff's Office is hereby authorized to purchase the repair, refurbish and installation of the Niagara County Sheriff's Office Communications Center Consoles System directly from Xybix Systems Inc without the need to solicit for alternate proposals, such purchase to be made in consultation with the Purchasing Department and in accordance with budgetary procedures.

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CSS-092-24**

From: Community Safety & Security and Administration Committees.

Dated: September 17, 2024

**WAIVER OF RESIDENCY REQUEST  
ASSISTANT PUBLIC DEFENDER POSITION**

WHEREAS, the Niagara County Public Defender Office has permission to fill a vacant Assistant Public Defender position, a critical and important position that is required to satisfy operational requirements of the department and to provide effective legal representation to indigent defendants charged of crimes, and

WHEREAS, due to challenges with the recruitment for qualified candidates despite posting efforts and activities to source candidates for this important position has not resulted in a sufficient applicant pool of Niagara County resident candidates applying for this vacant position, and

WHEREAS, Public Defender Office has made diligent and sincere efforts to recruit highly qualified candidates for the position from within Niagara County, now, therefore, be it

RESOLVED, that a Waiver of Residency from the policy to hire only Niagara County residents be approved to fill the currently vacant Assistant Public Defender positions #3939 and #13900 when the most highly qualified applicant is a non-Niagara County resident or when only qualified candidates reside outside Niagara County.

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CSS-093-24**

From: Community Safety & Security and Administration Committees.

Dated: September 17, 2024

**AID TO DEFENSE PROGRAM RENEWAL 2024-2025  
PUBLIC DEFENDER**

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

WHEREAS, funding has been awarded in the amount of \$15,980 for the period April 1, 2024 through March 31, 2025 with no matching funds requirement, and

WHEREAS, the funds have been appropriated in the Niagara County Public Defender's 2024 budget, now, therefore, be it



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

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

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

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CSS-094-24**

From: Community Safety & Security and Administration Committees.

Dated: September 17, 2024

**PROBATION - ACCEPT CRTF GRANT AWARD**

WHEREAS, the Niagara County Probation Department has received notification from the New York State Division of Criminal Justice Services of a financial award in the amount of \$237,245 for the period of October 1, 2024 through September 30, 2025 to support the continuation of the Niagara County Re-entry Task Force Program, and

WHEREAS, the CRTF funds have been budgeted in the 2024 budget, and

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

WHEREAS, Community Missions, Inc., is currently the sole source provider for such services in Niagara County and has been the only agency providing reentry services in Niagara County since 2008, is the only agency with an experienced Reentry Coordinator, and has staff trained and certified to provide the required cognitive behavioral interventions, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby waive purchasing guidelines requiring the solicitation of alternate price quotations and/or advertisement of a Request for Proposals as the parole reentry program provided by Community Missions, Inc., is the sole provider of the professional services required in Niagara County, and be it further

RESOLVED, that the County of Niagara does hereby accept this grant and continue to fund the Niagara CRTF through Community Missions, Inc., co-terminus with this grant, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. CSS-095-24**

From: Community Safety & Security and Administration Committees.

Dated: September 17, 2024

**ABOLISH PT TYPIST POSITION/CREATE & FILL CLERICAL II POSITION- PROBATION**

WHEREAS, the duties of PT Typist do not meet the present needs of the Probation Department – TASC unit, and

WHEREAS, the duties of Clerical II represent the duties necessary for the daily operations of the Probation Department – TASC unit, and

WHEREAS, the flexibility and scope of duties of Clerical II better serves the Probation Department – TASC unit needs, and

WHEREAS, the resultant change reflects no cost increase to the County as Pretrial Services grant funding will be allocated to the costs, now, therefore, be it

RESOLVED, that effective May 14, 2024 the position of PT Typist (Position #13329), CSEA Job Group 3 at \$18,983 to \$21,103 per year, be abolished, and be it further

RESOLVED, that effective September 16, 2024 the position of Clerical II, CSEA Job Group 3 at \$39,149 to \$43,589 per year, be created and filled.

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-137-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**RESOLUTION TO DECLARE 245 30<sup>TH</sup> STREET, NIAGARA FALLS, NY PROPERTY  
AS SURPLUS PROPERTY**

WHEREAS, the County owns the property located at 245 30th Street in the City of Niagara Falls, NY, and

WHEREAS, the expense to remediate, demolish or otherwise utilize the property at 245 30<sup>th</sup> Street, Niagara Falls, NY, would exceed any return, and

WHEREAS, the County has no use for the building, expense of upkeep or needed repairs that would and are only burdening the taxpayers, and

WHEREAS, the County has no further public use for the property, and

RESOLVED, that the County of Niagara declares 245 30th Street, Niagara Falls, NY as no longer necessary and is no longer required for public use, so the property is deemed as surplus.

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-138-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**ARC FLASH HAZARD ANALYSIS  
CONSULTANT - AMENDMENT NO. 2-FINAL**

WHEREAS, Resolution No. IF-039-19, dated March 19, 2019, the Legislature awarded the contract for consultant services for the Arc Flash Hazard Analysis to GHD Consulting Services Inc., 285 Delaware Avenue, Suite 500, Buffalo, NY 14202 for a contract amount of \$31,710.00, and

WHEREAS, Resolution #IF-026-20 increased the contract in the amount of \$18,000.00 to allow for the analysis of the Ross Building and 111 Main Street, Lockport, NY, for a revised contract amount of \$49,710.00, and

WHEREAS, the project is now complete and it is necessary to reduce the contract by \$13,442.50, for a revised contract sum of \$36,267.50, 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, that Amendment No. 2-Final be approved to decrease the contract by \$13,442.50 and authorize final payment for the Arc Flash Hazard Analysis, for a revised contract amount of \$36,267.50 to GHD Consulting Services Inc., 285 Delaware Avenue, Suite 500, Buffalo, NY 14202, be approved, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-139-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**AUTHORIZATION FOR LEASE AGREEMENT WITH BMBM PROPERTIES, LLC FOR  
PROPERTY LOCATED AT 55 STEVENS STREET, LOCKPORT, NY**

WHEREAS, Resolution No. IF-035-24, dated February 20, 2024, authorized the Niagara County Public Health Department to rent space at 55 Stevens St., within the City of Lockport, New York, and

WHEREAS, Resolution No. IF-034-24, listed incorrectly the total square footage and total annual cost of for the lease, and

WHEREAS, the actual square footage of 55 Stevens Street, with the proposed addition for clinic space is 18,854 square feet at \$15.50 per square foot, for a total annual cost of \$292,237, 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 Infrastructures and Facilities Committee recommends the attached lease agreement to be entered into with BMBM Properties, LLC, 6427 Dysinger Road, Suite B, Lockport, NY 14094, for 18,854 square feet of office space at 55 Stevens Street, Lockport, NY for an initial period of five (5) years, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-140-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**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, is hereby approved in all respects and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-141-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**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 9/24/24, 10/1/24, 10/08/24, and 10/15/24.

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. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-142-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**BUDGET MODIFICATION AND AWARD OF CONTRACT – PARKS DEPARTMENT**

WHEREAS, the Golf Course restaurant underwent the annual fire inspection and it is necessary to transfer funds from the irrigation account into the Building Improvements line to allow the required repairs to be made to pass inspection, and

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for upgrade and repair of the Golf Course Restaurant kitchen exhaust hood and fire system, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on August 29, 2024 as tabulated below:

Singer Equipment Company, Inc.	\$61,314.00
100 Bowles Road	
Agawam, MA 01001	

And

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

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

**DECREASE APPROPRIATIONS:**

H796.15.7110.000 72400.00	Land Improvements Expense	\$100,000
---------------------------	---------------------------	-----------

**INCREASE APPROPRIATION:**

H796.15.7110.000 72200.01	Building Improvements	\$100,000
---------------------------	-----------------------	-----------

and be it further

RESOLVED, that the contract for the Golf Course Restaurant kitchen exhaust hood and fire system, be awarded to the lowest responsible bidder, Singer Equipment Company, Inc., 100 Bowles Road, Agawam, MA 01001, in the amount of \$61,314.00, and be it further

RESOLVED, that the County Attorney's review, the Chairman of the Legislature be, and hereby is authorized to execute the award and budget transfer pursuant to Niagara County Contract Policy

Moved by Bradt, seconded by Robins.  
Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-143-24**

From: Infrastructure & Facilities and Administration Committees.  
Dated: September 17, 2024

**ROYALTON RAVINE FRONT BUILDOUT  
BUDGET MODIFICATION**

WHEREAS, funds have been allocated to allow for the front build-out of Royalton Ravine Park, and for the installation of a large band shelter, and

WHEREAS, funds are required to allow for further improvements to the entrance roadway, final hydro-seeding, and final pavilion plantings, now, therefore, be it

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

DECREASE REVENUE:

H747.15.7110.000 44089.07	Other ARPA State/Local Rec Fund	\$50,000
---------------------------	---------------------------------	----------

DECREASE APPROPRIATIONS:

H747. 15.7110.000 72400.00	Land Improvements Expense	\$50,000
----------------------------	---------------------------	----------

INCREASE REVENUE:

H749.15.7110.000 44089.07	Other ARPA State/Local Rec Fund	\$50,000
---------------------------	---------------------------------	----------

INCREASE APPROPRIATIONS:

H749.15.7110.000 72400.00	Land Improvements Expense	\$50,000
---------------------------	---------------------------	----------

Moved by Bradt, seconded by Robins.  
Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-144-24**

From: Infrastructure & Facilities and Administration Committees.  
Dated: September 17, 2024

**HUNT STREET BRIDGE OVER BERGHOLZ CREEK  
LOCAL PROJECT AGREEMENT**

WHEREAS, the Hunt Street Bridge over Bergholz Creek Project, town of Wheatfield, Niagara County, PIN 5764.27 (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 non-federal share of the costs of the Engineering (Design Phases V-VI) and 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 shares of the cost of the Engineering (Design Phases V-VI) and 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 attached agreement:

INCREASE ANTICIPATED REVENUE:

H729.15.5197.000 44597.01	Federal Aid Cap Const Hwy Rev	\$808,000.00
H729.15.5197.000 43591.00	State Aid Cap Const Hwy Rev	\$166,500.00

INCREASE ANTICIPATED APPROPRIATIONS:

H729.15.5197.000 72600.02	Infrastructure Bridges	\$974,500.00
---------------------------	------------------------	--------------

and be it further

RESOLVED, that the sum of \$1,110,000 is hereby appropriated from account H729.15.5197.000 72600.02 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 Engineering (Design Phases V-VI) and Construction/Construction Inspection 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 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 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 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. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-145-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**COURTHOUSE HVAC IMPROVEMENTS – PHASE II  
ELECTRICAL CONTRACT - CHANGE ORDER NO. 4**

WHEREAS, Resolution No. CW-004-23, dated January 17, 2023, awarded the contract for the Courthouse HVAC Improvements – Phase II Electrical Project to CIR Electrical, 2527 Long Road, Grand Island, NY 14072, for a contract amount not to exceed \$160,250, and

WHEREAS, Resolution No. IF-132-23, dated September 19, 2023, authorized Change Order No. 1 to the contract in the amount of \$80,056.10 for electrical work associated with the addition of electric heat coils in various locations, for a revised contract amount of \$240,306.10, and

WHEREAS, Resolution No. IF-154-23, dated October 17, 2023, authorized Change Order No. 2 to the contract to extend the contract completion date to February 28, 2024, due to the extra electric heat coil work added by Change Order No. 1, and for additional work to be done for lighting replacement in restrooms and the Court House basement corridor, in the amount of \$7,827.61, for a revised contract amount of \$248,133.71, and

WHEREAS, Resolution No. IF-107-24, dated May 14, 2024, authorized Change Order No. 3 to the contract to extend the contract completion date to December 31, 2024, and

WHEREAS, it is necessary to increase the contract in the amount of \$10,420.05 for power wiring and conduit, circuit breakers, and removing and reinstalling ceilings in the Courthouse basement for conduit installation, for a revised contract amount of \$258,553.76, 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. 4 to increase the contract by \$10,420.05 for the Court House HVAC Improvements – Phase II Electrical Project, for a revised contract amount of \$258,553.76, 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. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

#### **Resolution No. IF-146-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

### **COURTHOUSE HVAC IMPROVEMENTS – PHASE II MECHANICAL CONTRACT - CHANGE ORDER NO. 4**

WHEREAS, Resolution No. CW-005-23, dated January 17, 2023, awarded the contract for the Courthouse HVAC Improvements – Phase II Mechanical Project to Greater Niagara Mechanical, 7311 Ward Road, North Tonawanda, NY 14120, for a contract amount not to exceed \$1,772,500, and

WHEREAS, Resolution No. IF-133-23, dated September 19, 2023, authorized Change Order No. 1 to the contract in the amount of \$75,651 for mechanical work associated with the addition of electric heat coils in various locations, for a revised contract amount of \$1,848,151, and

WHEREAS, Resolution No. IF-153-23, dated October 17, 2023, authorized Change Order No. 2 to the contract to extend the contract completion date to February 28, 2024, due to the extra electric heat coil work added by Change Order No. 1, at no additional cost to the County, and



WHEREAS, Resolution No. IF-106-24, dated May 14, 2024, authorized Change Order No. 3 to the contract to extend the contract completion date to December 31, 2024, at no additional cost to the County, and

WHEREAS, it is necessary to increase the contract in the amount of \$24,617 to provide and install two (2) electric duct coil heaters, including removing and reinstalling ceiling associated with the coil installation, for a revised contract amount of \$1,872,768, 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. 4 to increase the contract by \$24,617 for the Courthouse HVAC Improvements – Phase II Mechanical Project, for a revised contract amount of \$1,872,768, 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. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

#### **Resolution No. IF-147-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

### **ROYALTON RAVINE FRONT BUILDOUT CHANGE ORDER NO. 2 - FINAL**

WHEREAS, Resolution No. IF-030-24, dated January 23, 2024, awarded the contract for the Royalton Ravine Front Buildout Project to LDC Construction, Inc., 1920 Baseline Road, Grand Island, NY 14072, for a contract amount not to exceed \$88,690, and

WHEREAS, Resolution No. IF-120-24, dated June 18, 2024, authorized Change Order No. 1 to extend the contract completion date to November 29, 2024 and increase the contract in the amount of \$31,700 to provide labor, material, equipment, and supervision for additional work related to hauling, dumping, and spreading of materials on site, for a revised contract amount of \$120,390, and

WHEREAS, it is necessary to reduce the contract in the amount of \$804.21, as the project is now complete, for a revised contract amount of \$119,585.79, and

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

RESOLVED, that Change Order No. 2-Final to decrease the contract by \$804.21 for the Royalton Ravine Front Buildout Project, for a revised contract amount of \$119,585.79, to LDC Construction, Inc., 1920 Baseline Road, Grand Island, NY 14072, be approved, and be it further

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

RESOLVED, that, following the County Attorney's review, Change Order No. 2-Final may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-148-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**OPPENHEIM PARK PAVING AND DRAINAGE  
CHANGE ORDER NO. 3 - FINAL**

WHEREAS, Resolution No. CW-029-23, dated September 19, 2023, awarded the contract for the Oppenheim Park Paving and Drainage Project to Concrete Applied Technologies Corp., d/b/a CATCO, 1266 Townline Road, Alden, NY 14004, for a contract amount not to exceed \$781,798.50, and

WHEREAS, Resolution No. IF-083-24, dated April 23, 2024, authorized Change Order No. 1 to the contract in the amount of \$723,195.00 to provide labor, material, equipment, and supervision to furnish and install additional work, for a revised contract amount of \$1,504,993.50, and

WHEREAS, Resolution No. IF-123-24, dated June 18, 2024, extended the contract completion date to July 31, 2024, at no additional cost to the County, and

WHEREAS, it is necessary to reduce the contract in the amount of \$237,304.29, as the project is now complete, for a revised contract amount of \$1,267,689.21, 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. 3-Final to decrease the contract by \$237,304.29 for the Oppenheim Park Paving and Drainage Project for a revised contract amount of \$1,267,689.21, to CATCO, 1266 Townline Road, Alden, NY 14004, be approved, and be it further

RESOLVED, that final payment be made to CATCO as soon as practicable, and be it further

RESOLVED, that, following the County Attorney's review, Change Order No. 3-Final may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-149-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**BRIDGE WASHING AND DECK SEALING 2023/2024  
CHANGE ORDER NO. 1 - FINAL**

WHEREAS, Resolution No. IF-123-23, dated August 1, 2023, awarded the contract for the Bridge Washing and Deck Sealing 2023/2024 Project to Hunting Valley Construction, 825 Rein Road, Cheektowaga, NY 14225, for a contract amount not to exceed \$214,968, and

WHEREAS, it is necessary to reduce the contract in the amount of \$1,636, as the project is now complete, for a revised contract amount of \$213,332, 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 \$1,636 for the Bridge Washing and Deck Sealing 2023/2024 Project, for a revised contract amount of \$213,332, to Hunting Valley Construction, 825 Rein Road, Cheektowaga, NY 14225, be approved, and be it further

RESOLVED, that final payment be made to Hunting Valley Construction as soon as practicable, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-150-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**EAST CANAL ROAD BRIDGE OVER DONNER CREEK  
CHANGE ORDER NO. 1**

WHEREAS, Resolution No. IF-145-23, dated October 17, 2023, awarded the contract for the East Canal Road Bridge over Donner Creek Project to Concrete Applied Technologies Corp., c/b/a CATCO, 1266 Townline Road, Alden, NY 14004, for a contract amount not to exceed \$769,029.15, and

WHEREAS, it is necessary to extend the contract completion date to October 31, 2024, 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 to October 31, 2024 for Concrete Applied Technologies Corp., c/b/a CATCO, for the East Canal Road Bridge over Donner Creek Project, 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. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-151-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**COURTHOUSE HVAC IMPROVEMENTS – PHASE II  
GENERAL CONSTRUCTION CONTRACT – CHANGE ORDER NO. 4-FINAL**

WHEREAS, Resolution No. IF-051-23, dated March 21, 2023, awarded the contract for the Courthouse HVAC improvements – Phase II General Construction Project to D.R. Chamberlain Corp., 50 Simonds Street, Lockport, NY 14094, for a contract amount not to exceed \$925,735, and

WHEREAS, Resolution No. IF-134-23, dated September 19, 2023, authorized Change Order No. 1 to the contract in the amount of \$35,157 for general construction work associated with the addition of electric heat coils in various locations, for a revised contract amount of \$960,892, and

WHEREAS, Resolution No. IF-152-23, dated October 17, 2023, authorized Change Order No. 2 to the contract to extend the contract completion date to February 28, 2024, due to the extra electric heat coil work added by Change Order No. 1, at no additional cost to the County, and

WHEREAS, Resolution No. IF-105-24, dated May 14, 2024, authorized Change Order No. 3 to the contract to extend the contract completion date to December 31, 2024, at no additional cost to the County, and

WHEREAS, the project is now complete and it is necessary to reduce the contract by \$2,182.51, for a revised contract sum of \$958,709.49, and

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

RESOLVED, that Amendment No. 4-Final be approved to decrease the contract by \$2,182.51 and authorize final payment for the Courthouse HVAC Improvements – Phase II, General Construction Project, for a revised contract amount of \$958,709.49 to D.R. Chamberlain, 50 Simonds Street, Lockport, NY 14094 be approved, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

#### **Resolution No. IF-152-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

### **HESS ROAD BRIDGE OVER A TRIBUTARY TO KEG CREEK CONSULTANT AMENDMENT NO. 1**

WHEREAS, Resolution No. IF-078-22, dated May 17, 2022, authorized the contract for consultant services for the Hess Road Bridge over a Tributary to Keg Creek Project to CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, for a contract amount not to exceed \$230,000, and

WHEREAS, it is necessary to amend the contract completion date to December 31, 2026, at no additional cost to the County, and

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

RESOLVED, that Amendment No. 1 to amend the contract completion date to December 31, 2026 for the Hess Road Bridge over a Tributary to Keg Creek Project, for the contract amount of \$230,000, to CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, be approved, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

#### **Resolution No. IF-153-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**LOCKPORT ROAD BRIDGE OVER CSX RAILROAD AND  
FISK ROAD BRIDGE OVER THE ERIE CANAL  
AMENDMENT NO. 1**

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

WHEREAS, it is necessary to combine this consultant contract with the Fisk Road Bridge over the Erie Canal project, so as to expedite the repair of the bridge deck on Fisk Road and ensure the safety of the traveling public, and

WHEREAS, all work associated with project H774, Culvert Replacements 2023, has been completed and funds are available to assist with the repairs of Fisk Road Bridge over the Erie Canal, 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 consultant services for the Lockport Road Bridge over CSX Railroad Project to Popli Architecture & Engineering, 555 Penbrooke Drive, Penfield, NY 14526, be amended to include the Design and Bid Support for the repair of the Fisk Road Bridge over the Erie Canal, in an amount not to exceed \$48,000 for preliminary engineering only, for a contract amount not to exceed \$225,000, and be it further

RESOLVED, that the following budget modification be effectuated to allow the combined consultant contract to proceed:

DECREASE REVENUE:

H774.15.5197.000 45031.00	Transfers from Capital Reserve	\$300,000
---------------------------	--------------------------------	-----------

DECREASE APPROPRIATIONS:

H774.15.5197.000 72600.02	Infrastructure-Bridges	\$300,000
---------------------------	------------------------	-----------

INCREASE ANTICIPATED REVENUE:

H800.15.5197.000 45031.00	Transfers from Capital Reserve	\$300,000
---------------------------	--------------------------------	-----------

INCREASE APPROPRIATIONS:

H800.15.5197.000 72600.02	Infrastructure-Bridges	\$300,000
---------------------------	------------------------	-----------

and be it further

RESOLVED, that Project H774, Culvert Replacements for 2023, be closed, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-154-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**EMERGENCY REPAIR WORK – BRALEY ROAD OVER THE EAST BRANCH OF  
TWELVE MILE CREEK BRIDGE RAIL PROJECT**

WHEREAS, the Department of Public Works has prepared emergency specifications for the Braley Road over the East Branch of Twelve Mile Creek Bridge Rail Project, and

WHEREAS, these repairs are needed as soon as possible, as the bridge rails are in a complete state of disrepair, to the point that vehicles veering to the side of the bridge could easily pass through the bridge rails and into the creek below, and

WHEREAS, funds are available in account number H767.15.5197.000 72600.02, Bridges, and

WHEREAS, the following bids were received for this emergency work, as tabulated below:

- |   |              |
|---|--------------|
| 1. Concrete Applied Technologies Corp. d/b/a CATCO<br>1266 Townline Road<br>Alden, NY 14004 | \$200,000.00 |
| 2. Union Concrete<br>435 Meyer Road<br>West Seneca, NY 14224                                | \$203,859.50 |
| 3. Occhino Paving<br>2650 Seneca Street<br>West Seneca, NY 14224                            | \$297,148.00 |
| 4. Hunting Valley Construction<br>825 Rein Road<br>Cheektowaga, NY 14225                    | \$373,610.00 |
| 5. Edbauer Construction<br>2790 Clinton Street<br>West Seneca, NY 14224                     | \$374,733.00 |

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 Emergency Repairs at Braley Road over the East Brach of Twelve Mile Creek Bridge Rail Project, be awarded to the lowest responsible bidder, Concrete Applied Technologies Corp., d/b/a CATCO, 1266 Townline Road, Alden, NY 14004, in the amount of \$200,000, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement for the Emergency Repairs at Braley Road over the East Brach of Twelve Mile Creek Bridge Rail Project may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-155-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**AGREEMENT BETWEEN THE STATE OF NEW YORK DEPARTMENT OF AGRICULTURE AND  
MARKETS AND THE COUNTY OF NIAGARA**

WHEREAS, Niagara County is required by law to perform inspections, screening test and sample of fuel stored at various retail outlets within the County of Niagara, and

WHEREAS, the existing contract with New York State Department of Agriculture and Markets expired on March 31, 2024, and

WHEREAS, it is necessary to execute a new contract for the period of April 1, 2024 through March 31, 2029, for the inspections, screening tests and sample of fuel at various retail outlets within Niagara 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 the County of Niagara enters into this Agreement with the State of New York for the inspections, screening test and sample of fuel stored at various retail outlets within the County of Niagara, and be it further

RESOLVED, that this agreement shall be effective beginning April 1, 2024, for a maximum of five (5) years through March 31, 2029, and be it further

RESOLVED, that the required documents, subject to the approval of the County Attorney, may be executed per the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IF-156-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

**POSITION APPOINTMENT  
COMMISSIONER OF PUBLIC WORKS/SUPERINTENDENT OF HIGHWAYS**

WHEREAS, under the Local Law establishing an Administrative Code for the County of Niagara, the County Manager shall make appointments for the position of Commissioner of Public Works/Superintendent of Highways subject to the confirmation of the County Legislature, and

WHEREAS, Garret A. Meal, was appointed for a four-year term to the position of Commissioner of Public Works/Superintendent of Highways on October 4, 2020, and

WHEREAS, the County Manager has conducted annual performance evaluations of Garret A. Meal and has determined that Mr. Meal meets or exceeds the performance requirements for the position, and

WHEREAS, the term of appointment for the Commissioner of Public Works/Superintendent of Highways expires October 3, 2024, and

WHEREAS, upon review, consideration, and recommendation for appointment by the County Manager it has been determined that Garret A. Meal best meets the qualifications for the position, now, therefore, be it RESOLVED, that Garret A. Meal be reappointed for a four (4) year term of office to the position of Commissioner of Public Works/Superintendent of Highways commencing on October 4, 2024 through October 3, 2028, and be it further

RESOLVED, that Garret A. Meal shall be compensated as a FLSA exempt Flat Salary Grade 16, step 99 at an annualized salary of \$132,500, starting January 1, 2025, with further annual increases pursuant to the Flat Salary Schedule adopted by the Legislature effective January 1<sup>st</sup> of each subsequent year.

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

#### **Resolution No. IF-157-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

### **CONNECT NIAGARA SITE ACCESS AND USE AGREEMENT**

WHEREAS, the County of Niagara's rural transportation service "Connect Niagara", operated by Niagara Falls Coach Lines would like to enter into an agreement with Niagara Frontier Transit Metro System, Inc. (Metro) a subsidiary of Niagara Frontier Transportation Authority for the use of the transportation center at 2250 Fashion Outlets Boulevard, and

WHEREAS, the County of Niagara and Niagara Falls Coach Lines, their employees and riders will be given the right to enter upon the premises for the limited purpose of pulling into bus bays designated for Connect Niagara's use, and

WHEREAS, the County of Niagara and Niagara Falls Coach Lines will layover no longer than one hour, for the purpose of loading and unloading passengers, and the use of public bathrooms by Niagara Falls Coach Lines operators and staff, as well as Connect Niagara riders, and

WHEREAS, the County of Niagara and Metro agree to fare reciprocity between the two services so that riders may transfer from Metro to Connect Niagara or from Connect Niagara to Metro with no additional charge, 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 Connect Niagara Site Access and Use Agreement, 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 Connect Niagara Site Access and Use Agreement pursuant to Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

#### **Resolution No. IF-158-24**

From: Infrastructure & Facilities and Administration Committees.

Dated: September 17, 2024

### **AWARD OF CONTRACT – NIAGARA COUNTY GOLF COURSE SLAB MODIFICATIONS**



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

WHEREAS, funds are available in account number H770.15.7110.000 72200.01, Building Improvements, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on September 5, 2024 as tabulated below:

- |   |           |
|---|-----------|
| 1. Palladino Excavating & Concrete<br>5653 Wendy Circle<br>Lockport, NY 14094 | \$158,000 |
| 2. Denem Construction<br>P.O. Box 255<br>Newfane, NY 14108                    | \$204,700 |
| 3. Cappella Construction Services<br>4210 Route 39<br>Collins, NY 14034       | \$273,055 |

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 Niagara County Golf Course Slab Modifications Project be awarded to the lowest responsible bidder, Palladino Excavating & Concrete, 5653 Wendy Circle, Lockport, NY 14094, in the amount of \$158,000, and be it further

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

Approved for Submission

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

Carried.

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

#### **Resolution No. IL-114-24**

From: Legislator Jeffrey Elder and Economic Development Committee.

Dated: September 17, 2024

### **RESOLUTION IN SUPPORT OF THE NIAGARA ARTS & CULTURAL CENTER (NACC) BEYOND BORDERS EXHIBIT THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Arts & Cultural Center (NACC) is a 501(c) (3) nonprofit dedicated to providing creative space & arts/cultural experiences for WNY residences and visitors, and

WHEREAS, the NACC organizes and executes special events to engage community members, to participate in events such as the 2024 Los Artistas del Barrio Buffalo's annual exhibit, *Beyond Borders*, and

WHEREAS, a committee has been formed to organize and run the Los Artistas del Barrio Buffalo's annual exhibit, *Beyond Borders* festivities to include, live music, performers, and a variety of different events, and

WHEREAS, this event is essential in promoting family and community unity, and can only be successful through full community participation and sponsorship, 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 Art's & Cultural Center by appropriating monies from said Community Partnership Program Fund as follows:

The Niagara Arts & Cultural Center	\$1,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.	

**Resolution No. IL-115-24**

From: Legislators Jeffrey Elder, Christopher A. Robins, Christopher Voccio, Christopher J. McKimmie and Economic Development Committee.

Dated: September 17, 2024

**RESOLUTION IN SUPPORT OF THE HIGHLAND COMMUNITY BLOCK CLUB INC.  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Garden and Highland Community Block Club Inc., of Niagara Falls, NY's mission is to inspire its residents by empowering our community to build a better place one block at a time, and

WHEREAS, the Garden and Highland Community Block Club is hosting the National Night Out 2024 which is held worldwide on the first Tuesday in August, and

WHEREAS, National Night Out helps to bring police and neighbors together under positive circumstances, and

WHEREAS, National Night Out is also a wonderful opportunity for county legislators, assemblymen, law enforcement, fire fighters, emergency personnel, government and civic agencies to engage with residents to build relationships to help have a safer, more caring place to live, work and visit, 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 celebratory efforts of the Garden and Highland Community Block Club of Niagara Falls, NY for the National Night Out by appropriating monies from said Community Partnership Fund as follows:

The Garden and Highland Community Block Club Inc.	\$1,250.00
Moved by Bradt, seconded by Robins.	
Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.	

**Resolution No. IL-116-24**

From: Legislator Christopher A. Robins and Economic Development Committee.

Dated: September 17, 2024

**RESOLUTION OF SUPPORT OF THE AQUARIUM OF NIAGARA  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDS**

WHEREAS, the Aquarium of Niagara is an anchor of downtown Niagara Falls, and

WHEREAS, the mission of the Aquarium of Niagara is, with our community and partners, we celebrate our natural wonders and inspire people to make a difference for aquatic life, and

WHEREAS, the Aquarium of Niagara continues to expand, 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 Aquarium of Niagara by appropriating monies from said Community Partnership Fund as follows:

Aquarium of Niagara	\$2,000.00
---------------------	------------

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IL-117-24**

From: Legislator Christopher Voccio and Economic Development Committee.

Dated: September 17, 2024

**RESOLUTION IN SUPPORT OF PINE AVENUE REDEVELOPMENT PROJECT  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Pine Avenue Redevelopment Project is working to improve the Pine Avenue corridor in Niagara Falls, and

WHEREAS, the Pine Avenue Redevelopment Project will install signage near the Aquarium of Niagara to help tourists find more businesses on Pine Avenue, as well as plant more trees along the street, 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 Pine Avenue Redevelopment Project by appropriating monies from said Community Partnership Fund as follows:

Pine Avenue Redevelopment Project	\$6,000.00
-----------------------------------	------------

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IL-118-24**

From: Legislator Jesse P Gooch and Economic Development Committee.

Dated: September 17, 2024

**RESOLUTION IN SUPPORT OF THE PROJECT FUTURE CENTER  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Project Future Center is a non-profit organization, and

WHEREAS, the Project Future Center teaches students moral principles such as respect, discipline, confidence and strength as they receive training in Bushido Kai, and

WHEREAS, the Project Future Center is requesting funds for training equipment, 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 efforts of the Project Future Center by appropriating monies from said Community Partnership Fund as follows:

The Project Future Center	\$2,500.00
Moved by Bradt, seconded by Robins.	
Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.	

**Resolution No. IL-119-24**

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

Dated: September 17, 2024

**RESOLUTION IN SUPPORT OF TOWN OF CAMBRIA PARK UPGRADES  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Town of Cambria recently added a second pickle ball court at the town park, located on Upper Mountain Road, and

WHEREAS, in order to ensure safety of all residents, the Town of Cambria decided to place a fence around both of the pickle ball courts, and

WHEREAS, the cost of the project was higher than anticipated and the Town of Cambria has requested assistance for the cost overrun, 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 Town of Cambria by appropriating monies from said Community Partnership Program Fund as follows:

Town of Cambria	\$2,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.	

**Resolution No. IL-120-24**

From: Legislator Irene M. Myers and Economic Development Committee.

Dated: September 17, 2024

**RESOLUTION IN SUPPORT OF SCOUTING AMERICA TROOP 829G  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Scouting America provide the nation's foremost youth program of character development and values-based leadership training, serving approximately 2.2 million youth members between the ages of 5 and 21, and

WHEREAS, Scouting American allows for the integration of boys and girls age 5 until fifth grade at which point they must become segregated, and

WHEREAS, enthusiasm and interest in the program has more young girls wishing to continue with scouting, therefore Troop 829G has been established to allow the girls to continue with the opportunities of the program, and

WHEREAS, monies raised help offset and support several activities and initiatives including educational materials, provisions for Troop outdoor activities and learning, now, therefore, be it

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

RESOLVED, that Niagara County supports Scout Troop 829G by appropriating monies from the said Community Partnership Fund as follows:

Scouting America Troop 829G	\$500.00
Moved by Bradt, seconded by Robins.	
Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.	

**Resolution No. IL-121-24**

From: Legislator Irene M. Myers and Economic Development Committee.

Dated: September 17, 2024

**RESOLUTION IN SUPPORT OF THE YOUNGSTOWN VOLUNTEER FIRE  
COMPANY THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Youngstown Volunteer Fire Company has been serving the residents of the Village of Youngstown and the Town of Porter for over 100 years, and

WHEREAS, the Youngstown Volunteer Fire Company is always raising money for new equipment that offers protection and emergency services to the community as well as providing safety equipment to the first responders, and

WHEREAS, funds assist with keeping equipment up to date, maintenance of equipment and grounds, along with training of volunteers, and

WHEREAS, the volunteers of the Youngstown Fire Company host various events in the community including social and educational programs, now, therefore, be it

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

RESOLVED, that Niagara County supports Youngstown Volunteer Fire Company by appropriating monies from said Community Partnership Fund as follows:

Youngstown Volunteer Fire Company	\$500.00
Moved by Bradt, seconded by Robins.	

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IL-122-24**

From: Legislator Carla L. Speranza, Richard E. Abbott and Economic Development Committee.

Dated: September 17, 2024

**RESOLUTION IN SUPPORT OF THE WELCOME TO LOCKPORT MARKET STREET  
RETAINING WALL MURAL THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, WAHI Studio Inc., a 501(c)3, has provided the design of the “Welcome to Lockport” Mural to the City of Lockport for installation, and

WHEREAS, this mural is located on Market Street, across from the Lockport Locks and Erie Canal Cruises, which is a direct route to the downtown business district of the City of Lockport, seeing thousands of visitors each year, and

WHEREAS, the 250 ft. mural along the retaining wall should last at least 10-15 years, and

WHEREAS, interest in the mural will benefit local businesses through increased foot traffic, and the Niagara County Legislature wishes to support this endeavor now, therefore, be it

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

RESOLVED, that Niagara County supports the efforts of WAHI Studio Inc. by appropriating monies from said Community Partnership Fund as follows:

WAHI Studio Inc.

\$1,000.00

Moved by Bradt, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

**Resolution No. IL-123-24**

From: Legislator Christopher J. McKimmie and Economic Development Committee.

Dated: September 17, 2024

**RESOLUTION IN SUPPORT OF THE MENTAL HEALTH ASSOCIATION IN NIAGARA COUNTY  
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, The Mental Health Association in Niagara County has been serving the community for over 50 years, working to promote wellness through advocacy, education and community service programs, while focusing on turning "illness" into "wellness", and

WHEREAS, The Mental Health Association in Niagara County is a not-for-profit organization that provides services for a range of ages and needs, providing presentations, self-help material, advocacy services, information and referral services, and valuable support services for individuals with a mental health diagnosis, regardless of social or economic status, and

WHEREAS, it is The Mental Health Association in Niagara County's intent to improve services for their patients in the Behavioral Health Unit at Niagara Falls Memorial Medical Center, by incorporating a therapy dog weekly as part of their programming, now, therefore, be it

RESOLVED, that 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 Mental Health Association in Niagara County by appropriating monies from said Community Partnership Fund as follows:

The Mental Health Association in Niagara County	\$1,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.	

**Resolution No. IL-124-24**

From: Legislators Rebecca J. Wydysh, Irene M. Myers and Economic Development Committee.

Dated: September 17, 2024

**RESOLUTION IN SUPPORT OF THE HISTORICAL ASSOCIATION OF LEWISTON, INC.  
THROUGH THE USE OF COMMUNITY PARTERSHIP 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 12, 2024, 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
Moved by Bradt, seconded by Robins.	
Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.	

**Resolution No. IL-125-24**

From: Legislators Christopher J. McKimmie, Christopher Voccio, Irene M. Myers, Anthony J. Nemi, et al.

Dated: September 17, 2024

**A RESOLUTION CALLING ON GOVERNOR HOCHUL TO SIGN LEGISLATION REQUIRING  
SHORT-TERM HOME RENTAL AGENCIES TO COLLECT SALES TAX AND HOTEL/MOTEL  
OCCUPANCY TAXES**

WHEREAS, legislation was passed by the New York State Assembly and Senate (S.885-C and A.4130-C) which would require short-term home rental agencies, such as VRBO and Airbnb to collect sales tax and hotel/motel occupancy taxes, and

WHEREAS, it was recently announced that Airbnb will begin collecting taxes in Erie County for vacation rental properties booked through their system, and

WHEREAS, Niagara County, as recently as three years ago, had previously pursued a voluntary collection agreement with Airbnb but ultimately no agreement was reached, and

WHEREAS, three entities in Niagara County currently collect bed tax revenue from hotel and motels -- the county, the City of Niagara Falls and the City of Lockport -- but not short-term rentals, and

WHEREAS, not only does this deprive the municipalities of revenue, but it creates an uneven playing field between hotels/motels and short-term rentals, now, therefore, be it

RESOVLED, that the Niagara County Legislature urges Governor Hochul to sign S.885-C/A.4130-C into law, and be it further

RESOLVED, that absent action by the Governor, the county attorney is directed to formally request Airbnb to begin collecting bed taxes on rentals similar to their efforts in Erie County.  
Referred to the Administration Committee.

**Resolution No. IL-126-24**

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

Dated: September 17, 2024

**A RESOLUTION CALLING ON THE NEW YORK POWER AUTHORITY TO MOVE FORWARD  
WITH THE LOCKPORT HERITAGE HARBOR**

WHEREAS, the Lockport Heritage Harbor project is viewed as transformative for Lockport and all of Niagara County, providing boater access to the Lockport business district and bringing a much needed market segment to the central business district, and

WHEREAS, the Lockport Heritage project was ranked as the number one project as part of the community process in formulating the City of Lockport's 2019 Downtown Revitalization Initiative application, and

WHEREAS, the site of the former West Genesee Terminal, which is already owned by the NYS Canal Corporation, is ideal for the Marina, given its proximity to NY Routes 31 and 78, the Empire Trail and Lockport's central business district, and

WHEREAS, the City of Lockport has been informed that the New York Power Authority is pausing its planning for construction of the Lockport Heritage Harbor, which would significantly delay a key component of the revitalization plan, now, therefore, be it

RESOVLED, that the Niagara County Legislature calls on the New York Power Authority to resume the engineering and design phase for this important project without further delay or provide a detailed explanation for the delay and specific timetable of when this work will resume, and be it further

RESOVLED, that copies of this resolution be sent to the New York Power Authority, Governor Hochul and the Niagara County delegation to the New York State Legislature

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

Carried.

Moved by Abbott, seconded by Speranza.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.



**Resolution No. IL-127-24**

From: Legislators Irene M. Myers, Rebecca J. Wydysh, Randy R. Bradt David E. Godfrey, Richard L. Andres, et al., et al.

Dated: September 17, 2024

**A LOCAL LAW INCREASING THE MAXIMUM ALTERNATIVE VETERAN'S EXEMPTION**

WHEREAS, Legislators Irene Myers, Rebecca Wydysh, Randy Bradt, Anthony Nemi, Christopher Voccio, Jesse Gooch, Richard Andres, David Godfrey, Richard Abbott, Shawn Foti, Michael Hill and Christopher McKimmie present in writing the following proposed Local Law:

A Local Law of the County of Niagara, New York, for the year 2024, in relation to the Alternative Veteran's Exemption from Real Property Taxation under Section 458-a of the Real Property Tax Law (RPTL) of the State of New York, and

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

Section 1. The purpose of this law is to increase the maximum exemption allowable in Real Property Tax Law, Section 458-a(2) a, b, and c to \$30,000, \$20,000 and \$100,000 respectively.

Section 2. This local law shall take effect immediately upon its filing with the Secretary of State

RESOLVED, that the Niagara County Legislature shall conduct a public hearing upon said proposed Local Law at the Legislative Chambers, Niagara County Courthouse, Lockport, New York, on the 15<sup>th</sup> day of October, 2024 at 5:50 p.m., and be it further

RESOLVED, that the Clerk of the Legislature, at least six (6) days in advance of such hearing, shall post a notice upon the bulletin boards in the Courthouse in Lockport, the Civic Building in Niagara Falls shall publish such notice once in the Union Sun & Journal, and the Niagara Gazette; such notice shall contain the title of the Local Law and an abstract of the text to be prepared by the Clerk of the Legislature, with the assistance of the County Attorney's Office

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

Carried.

Legislators Jeffrey Elder, Carla L. Speranza and Christopher A. Robins all signed on to the resolution.

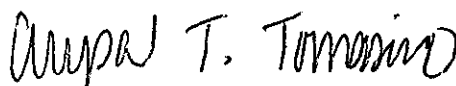
Moved by Abbott, seconded by Speranza.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Gooch, Myers, Nemi.

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

The Chairman declared the Board adjourned at 6:34 pm, subject to the call of the Clerk.

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



Alysia T. Tomasino, Clerk