



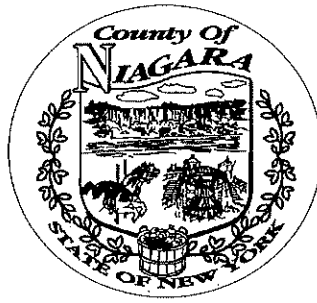
AGENDA
NIAGARA COUNTY LEGISLATURE
September 21, 2021 – 6:00 P.M.

1. CALL TO ORDER
2. CLERK CALLS THE ROLL
3. PRAYER & PLEDGE
4. CORRESPONDENCE/ RECOGNITION:
5. PRESENTATIONS:
6. PUBLIC SPEAKERS: Clerk will read the names on the sheet for Public Speakers on Agenda items.
7. RECESS
8. RESOLUTIONS
9. COUNTY MANAGER
10. APPOINTMENTS:
11. EXECUTIVE SESSION
12. ADJOURNMENT
13. PUBLIC SPEAKERS: Clerk will read names on the sheet for Public Speakers for the General Welfare of the County

Alysa T. Moran

Alysa T. Moran, Clerk
Niagara County Legislature

The next meeting of the Legislature will be held on October 19, 2021



AGENDA
NIAGARA COUNTY LEGISLATURE
September 21, 2021 – 6:00 P.M.

Regular Meeting – September 21, 2021

- *AD-012-21** Administration, re Purchase of In Rem Property – Treasurer
- *AD-013-21** Administration, re Niagara County Board of Elections Budget Modification – Grant Acceptance Early Voting
- *AD-014-21** Administration, re Niagara County Board of Elections Grant Acceptance - Technology Innovation & Election Resource Grant
- *AD-015-21** Administration, re Niagara County Board of Elections Cybersecurity Agreement
- *AD-016-21** Administration, re Payment to Niagara Frontier Transit Metro System, Inc. Budget Modification – County Attorney
- *CS-040-21** Community Services and Administration, re Niagara County Youth Bureau - New York State Aid Application
- *CS-041-21** Community Services and Administration, re Budget Modification/Accept COVID-19 Vaccine Response Funds/ Create & Fill Nursing Services - PH
- *CS-042-21** Community Services and Administration, re Niagara County Employment & Training Department - Budget Modification – Increase in 2021 Summer Youth Employment Program (SYEP) Funding
- *CS-043-21** Community Services and Administration, re Niagara County Employment & Training Department Budget Modification – Accept Disaster Recovery National Dislocated Worker Grant (DR-NDWG) Funding
- *CS-044-21** Community Services and Administration, re Waiver of Residency Requirement – MH Registered Nurse – Position No. 13663 Department of Mental Health & Substance Abuse Services
- *CS-045-21** Community Services and Administration, re Budget Modification – Accept Centers for Disease Control and Prevention (CDC) Overdose to Action (OD2A) Grant - MH

- *CS-046-21** Community Services and Administration, re Budget Transfer – A4310 Court Ordered County Mandated Costs - MH
- *CS-047-21** Community Services and Administration, re Niagara County Clerk's Office Budget Modification – William G. Pomeroy Foundation Historical Marker Grant - City of Lockport
- *CS-048-21** Community Services and Administration, re Budget Modification – William G. Pomeroy Foundation Historical Marker Grant - City of North Tonawanda
- *CSS-084-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Accept Aid to Crime Laboratories Grant
- *CSS-085-21** Community Safety & Security & Administration, re Niagara County Sheriff's Office Budget Modification-Marine Patrol Grant
- *CSS-086-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification - Accept Child Passenger Safety Program Grant
- *CSS-087-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Accept Port Security Grant 2021
- *CSS-088-21** Community Safety & Security and Administration, re Niagara County Sheriff Department School Resource Officer Agreement with BOCES School District
- *CSS-089-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Firearms Consulting Agreement
- *CSS-090-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification-Jail Overtime
- *CSS-091-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification-Red Team Exercise
- *CSS-092-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification-Assets Forfeiture Expenses Speed Radar Trailer
- *CSS-093-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification-Create and Fill Temporary Correction Officer
- *CSS-094-21** Community Safety & Security, re Acceptance of 2021-22 Aid to Prosecution Program Grant – DA
- *CSS-095-21** Community Safety & Security, re Acceptance of SHSP 2021 Homeland Security Grant – Fire Coordinator
- CW-012-21** Committee of the Whole, re Public Emergency Necessitating an Increase in Rate Payable to WNY Bus Company by County of Niagara in Excess of Rate Stated in September 1, 2017 Contract by and Between County of Niagara and Student Transport Inc. DBA WNY Bus Company and Bid Specifications Contained in Bid Number 2017-01 Regarding The Provision of Required Bus Services by County of Niagara to Children of Niagara County and The Amendment of Said Contract and Bid Specification

- CW-013-21** Committee of the Whole, re Standard Work Day and Reporting Resolution for Elected and Appointed Officials (Updated Terms and New Appointed/Elected Officials)
- CW-014-21** Committee of the Whole, re Ratification of Agreement between the County of Niagara and the Niagara County Sewer District #1 and Teamsters Local #264
- *ED-020-21** Economic Development, re Resolution to Set a Hearing to Consider Inclusion of Viable Agricultural Land into Niagara County's Agricultural District
- *ED-021-21** Economic Development and Administration, re Approval of Assignment and Assumption Agreement
- *ED-022-21** Economic Development and Administration, re Fixing Date and Notice for the Public Hearing for Griffon Brewing Inc. Community Block Grant Application
- ED-024-21** Economic Development and Administration, re Acceptance and Designation of Coronavirus State and Local Fiscal Recovery Funds (SLFRF), Authorized by The American Rescue Plan Act and Received by Niagara County
- ED-025-21** Economic Development and Administration, re Resolution for Funding Niagara County Community College Welding and Metal Working Lab Investment
- ED-026-21** Economic Development and Administration, re Niagara Orleans Regional Land Improvement Corporation, Funding from American Rescue Funds
- *IF-094-21** Infrastructure & Facilities and Administration, re Approval of Contract Addendum for Additional Services to be Performed by CHA Consulting, Inc. for the Niagara County Refuse Disposal District
- *IF-095-21** Infrastructure & Facilities and Administration, re Wilson-Burt Road Bridge over Hopkins Creek Consultant Amendment No. 1
- *IF-096-21** Infrastructure & Facilities and Administration, re Bear Ridge Road Bridge over Tributary to Tonawanda Creek Rehabilitation Change Order No. 1
- *IF-097-21** Infrastructure & Facilities and Administration, re Angelo DelSignore Civic Building Boiler Installation Budget Modification
- *IF-098-21** Infrastructure & Facilities, re Award Consultant Contract for Facade Assessment/Design Services
- *IF-099-21** Infrastructure & Facilities, re Department of Public Works - Budget Modification
- *IF-100-21** Infrastructure & Facilities and Administration, re Department of Public Works Engineering Division Budget Modification
- *IF-101-21** Infrastructure & Facilities and Administration, re Replacement of Bear Ridge Road Bridge over an Unnamed Stream – Additional Funding
- *IF-102-21** Infrastructure & Facilities and Administration, re Krull Park Shoreline Rehabilitation Project Design Services Contract - Change Order No. 1

- *IF-103-21** Infrastructure & Facilities and Administration, re Hunt Street Bridge over Bergholz Creek Replacement Project
- *IF-104-21** Infrastructure & Facilities & Administration, re Waiver of Residency Requirement Communications Technician/Computer Programmer Position
- IL-026-21** Legislators Rebecca J. Wydysh, David E. Godfrey and Jesse P. Gooch, re Niagara county Sheriff's Office Inter-Municipal Patrol Vehicle Agreement Town of Wheatfield
- IL-027-21** Legislators Christopher A. Robins, Dennis F. Virtuoso, Anita Mullane, Owen T. Steed, Mark J. Grozio and Rebecca J. Wydysh, re Connecting Niagara University to the Niagara River Gorge
- IL-028-21** Legislators Randy R. Bradt, Jesse P. Gooch and David E. Godfrey, re Resolution Matching Niagara County Community College's Funding to Construct the Niagara County Law Enforcement Academy
- IL-029-21** Legislators Anita Mullane, Dennis F. Virtuoso, Mark J. Grozio, Christopher A. Robins and Owen T. Steed, re Resolution Recognizing Niagara County Employees Working through the COVID-19 Shutdown
- IL-030-21** Legislators Richard L. Andres, Anthony J. Nemi, John Syracuse, Randy R. Bradt, Owen T. Steed and Parks Recreation & Tourism Ad Hoc Committee re, Support for the Riviera Theatre and Organ Preservation Society Theatre Expansion Project Phase 3



Alysa T. Moran, Clerk
Niagara County Legislature

*** Indicates Preferred Agenda items**

Attachments for resolutions may be obtained in the office of the Clerk of the Legislature upon request.

The next meeting of the Legislature will be held on October 19, 2021

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee **DATE:** 09/21/21 **RESOLUTION #:** AD-012-21

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
AD - 9/13/21

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

PURCHASE OF IN REM PROPERTY

WHEREAS, an online public auction was held for the sale of properties acquired by the County of Niagara by the In Rem Action in previous years, and

WHEREAS, all properties sold were acquired prior to the COVID-19 pandemic and eligible for conveyance without restriction, and

WHEREAS, as a result of said auction, the below list of properties was struck down to each of the named individuals for the price indicated for each parcel, said price being the highest bid price received,

LOT#	SERIAL#	SBL#	PURCHASOR	BID PRICE
1	304-2007	51.00-2-10.2	Brian P Cornelius	\$87,300.00
2	2014-124	39.17-1-61	Michael R Bellagamba	\$11,000.00
3	2009-304	161.00-1-37	Gene Bondi, Jr.	\$80,500.00
4	2017-164	146.13-2-17	Hammad UL Hassan Syed	\$ 5,000.00
5	2017-165	146.13-2-18	Hammad UL Hassan Syed	\$ 5,000.00
6	2016-156	144.26-3-4	Hammad UL Hassan Syed	\$14,000.00

now, therefore, be it

RESOLVED, that the purchase offers set forth, 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.

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 09/21/21 RESOLUTION #: AD-013-21

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
AD - 9/13/21

LEGISLATIVE ACTION

Approved: Ayes Abs. Noes

Rejected: Ayes Abs. Noes

Referred:

NIAGARA COUNTY BOARD OF ELECTIONS BUDGET MODIFICATION – GRANT ACCEPTANCE

WHEREAS, the Niagara County Board of Elections Office has been awarded a grant in the amount of \$26,464.50 for the period of April 7, 2021 through January 28, 2022 from the New York State Board of Elections to implement Early Voting Expansion Grant and the various accompanying services and/or accessories required, and

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

WHEREAS, the 2021 budget will need to be modified to allow for the spending of this grant, now therefore, be it

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

RESOLVED that the 2021 budget be modified as follows:

INCREASE REVENUE:

A.14.1450.000 43089.05	State Aid, Early Voting	\$26,464.50
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INCREASE APPROPRIATIONS:

A.14.1450.000.74750.03	Election Supplies	\$26,464.50
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ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 09/21/21 RESOLUTION #: AD-014-21

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
AD - 9/13/21

LEGISLATIVE ACTION

Approved: Ayes Abs. Noes

Rejected: Ayes Abs. Noes

Referred:

NIAGARA COUNTY BOARD OF ELECTIONS BUDGET MODIFICATION – GRANT ACCEPTANCE

WHEREAS, the Niagara County Board of Elections Office has been awarded a grant in the amount of \$214,289.70 for the period of April 7, 2021 through January 27, 2023 from the New York State Board of Elections to implement Technology Innovation & Election Resource and the various accompanying services and/or accessories required, and

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

WHEREAS, the 2021 budget will need to be modified to allow for the spending of this grant, now therefore, be it

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

RESOLVED that the 2021 budget be modified as follows:

INCREASE REVENUE:

A.14.1450.000 43089.07	Technology Innovation & Elections Resource	\$214,289.70
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INCREASE APPROPRIATIONS:

A.14.1450.000.72100.05	Computer Equipment	\$214,289.70
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ADMINISTRATION COMMITTEE

FROM: Administration Committee **DATE:** 09/21/21 **RESOLUTION #:** AD-015-21

LEGISLATIVE ACTION
Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee DATE: 09/21/21 RESOLUTION # AD-016-21

APPROVED
CO. ATTORNEY

REVIEWED
CO. MANAGER

COMMITTEE ACTION
AD - 9/13/21

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

PAYMENT TO NIAGARA FRONTIER TRANSIT METRO SYSTEM, INC. BUDGET MODIFICATION

WHEREAS, the County of Niagara is served by the Public Transportation System known as the Niagara Frontier Transportation Authority (NFTA), and

WHEREAS, the Niagara Frontier Transportation Authority receives mass-transportation operating assistance from the State of New York, pursuant to Section 18-b of the Transportation Law of the State of New York, and

WHEREAS, pursuant to Section 18-b(5)(a), the County of Niagara is required to make payment to the Public Transportation System on a quarterly basis, pursuant to an established amount of 10.8% of the State's assistance, and

WHEREAS, that County's payment to NFTA, pursuant to Section 18-b(5)(a) of the Transportation Law of the State of New York at 10.8% of the State's quarterly amount of \$1,025,000 is, and has been in the amount of \$110,700 per quarter; however, the State's operating assistance payment for the first and second quarter of 2020 was reduced to the amount of \$820,000, therefore the County was only responsible for the amount of \$88,500 for those two quarters of 2020, and

WHEREAS, the State, as of June 2021, has restored the operating assistance amount to the full amount of \$1,025,000 for the first quarter and second quarter of 2020, placing the County in the position to be responsible to pay an additional payment for 2020, and

WHEREAS, the 2020 funds for the NFTA Operating Assistance are no longer available, so, funds must be transferred from the General Fund into A.11.5630.000 74550.27 for the purposes of paying the NFTA invoice for statewide operating assistance restored amount of \$22,140 per quarter, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

INCREASE APPROPRIATED FUND BALANCE:


A.40599.00	Appropriated Fund Balance	\$44,280.00
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INCREASE APPROPATIONS:

A.11.5630.000 74550.27	Programs NFTA Bus Operations	\$44,280.00
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NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee **DATE:** 09/21/21 **RESOLUTION #:** CS-040-21
and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	<u>CS - 9/13/21</u>	Approved: Ayes <u> </u> Abs. <u> </u> Noes <u> </u>
		<u>AD - 9/13/21</u>	Rejected: Ayes <u> </u> Abs. <u> </u> Noes <u> </u>
			Referred: <u> </u>

NIAGARA COUNTY YOUTH BUREAU – NEW YORK STATE AID APPLICATION

WHEREAS, the County of Niagara has been designated as eligible to receive State Aid for 2021 youth programs through its Youth Bureau from the New York State Office of Children and Family Services in the amount of \$255,750, and

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

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

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

Youth Development Program	\$255,750
Runaway and Homeless Youth	85,156
TOTAL	\$340,906

and be it further


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

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee **DATE:** 09/21/21 **RESOLUTION #:** CS-041-21
and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	CS - 9/13/21	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 9/13/21	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

BUDGET MODIFICATION/ACCEPT COVID-19 VACCINE RESPONSE FUNDS/CREATE & FILL-NURSING SERVICES - DEPARTMENT OF HEALTH

WHEREAS, the Nursing Services Program of the Niagara County Department of Health provides services, information and training to protect the health and safety of the citizens of Niagara County, and

WHEREAS, the New York State Department of Health has awarded federal COVID-19 Vaccine Response Funds (CFDA #93.268) to conduct activities to promote and increase COVID-19 and other vaccine uptake to be used between 1/1/2021 and 6/30/2024, and

WHEREAS, the majority of the funds will be used to create a Public Health Educator position, co-terminus with this grant, to fulfill grant activities, and

WHEREAS, part of the funding will be accepted for use in 2021 with the balance to be allotted in future budgets, now, therefore, be it

RESOLVED, that one Public Health Educator position, CSEA Job Group 10 at a salary of \$46,643 - \$55,619 be created and filled effective October, 3, 2021 and be co-terminus with the grant, and be it further

RESOLVED, that the department is given authorization to accept this funding with the effectuation of the following budget modification:

INCREASE REVENUE:


CM.20.4189.404 44489.01 Other COVID Vaccine Response	\$32,335.37
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INCREASE APPROPRIATIONS:

CM.20.4189.404 71010.00 position # to be determined	\$11,616.00
CM.20.4189.404 74375.01 Advertising & Promotion	15,218.37
CM.20.4189.404 78100.00 Retirement	1,231.00
CM.20.4189.404 78200.00 FICA	889.00
CM.20.4189.404 78300.00 Worker's Compensation	306.00
CM.20.4189.404 78400.01 Hospital/Medical	2,460.00
CM.20.4189.404 78400.05 HRA	213.00
CM.20.4189.404 78700.00 NYS Disability	19.00
CM.20.4189.404 78800.00 Flex	383.00

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee DATE: 09/21/21 RESOLUTION #: CS-042-21
and Administration Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		CS - 9/13/21	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 9/13/21	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

NIAGARA COUNTY EMPLOYMENT & TRAINING DEPARTMENT BUDGET MODIFICATION – INCREASE IN 2021 SUMMER YOUTH EMPLOYMENT PROGRAM (SYEP) FUNDING

WHEREAS, the Niagara County Workforce Development Board (NCWDB) has been selected by the Niagara County Department of Social Services to administer the 2021 New York State Summer Youth Employment Program (SYEP) funded by the Office of Temporary and Disability Assistance (OTDA), and

WHEREAS, the Niagara County Employment & Training (NCET) Department performs the operation and management of this annual summer program, and

WHEREAS, the NCET 2021 budget currently reflects an estimated amount of \$446,462 based upon the prior year's funding, and

WHEREAS, the funding for the 2021 Summer Youth Employment Program will be \$453,020, and

WHEREAS, supplemental WIOA SYEP funding of \$122,230 has also been awarded as part of a multi-agency campaign to reduce gun violence, now, therefore, be it

RESOLVED, that the NCWDB and NCET are authorized to accept these awards and operate the Summer Youth Employment Program, and be it further

RESOLVED, that the 2021 NCET Department Budget be modified as follows:

INCREASE REVENUE:

CD.29.6291.000 44089.02	Other TANF Revenue	\$ 6,558
CD.29.6291.000 44791.00	WIOA Revenue	122,230

INCREASE APPROPRIATIONS:


CD.29.6291.000 74500.01	Contractual Expenses	\$128,788
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee DATE: 09/21/21 RESOLUTION #: CS-043-21
and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	CS - 9/13/21	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 9/13/21	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

NIAGARA COUNTY EMPLOYMENT & TRAINING DEPARTMENT BUDGET MODIFICATION – ACCEPT DISASTER RECOVERY NATIONAL DISLOCATED WORKER GRANT (DR-NDWG) FUNDING

WHEREAS, the Niagara County Local Workforce Development Area (LWDA) has been awarded a \$40,000 allocation through the federal Disaster Recovery National Dislocated Worker Grant, and

WHEREAS, Disaster Recovery DWGs provide disaster-relief and humanitarian assistance employment, as well as employment and training services, as appropriate, to minimize the employment and economic impact of declared disasters and emergency situations, in disaster-declared areas as defined in 20 CFR 687.110(b), and

WHEREAS, eligible participants include Dislocated Workers as defined in Section 3(15) of the Workforce Innovation & Opportunities Act: workers laid off as a result of a disaster, including: workers who are laid off as a result of a quarantine, because they miss work to care for family member, or because they cannot come to their regular workplace in order to follow social distancing requirements; and workers laid off after a business closure related to disruptions caused by the outbreak and efforts to control it, and

WHEREAS, Dislocated Workers are additionally defined as self-employed individuals unemployed or underemployed because of the disaster, and long-term unemployed individuals, and

WHEREAS, employers across Niagara County, as well as the county's workforce, have been significantly impacted by the Covid disaster, and

WHEREAS, these funds will be utilized to provide disaster relief employment and fringe benefits, supportive services, and participant supplies and transportation, now, therefore, be it

RESOLVED, that the LWDA and NCET are authorized to accept this award, and be it further

RESOLVED, that the 2021 NCET Department Budget be modified as follows:

INCREASE REVENUE:


CD.29.6291.000 44791.00	WIOA Revenue	\$40,000
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INCREASE APPROPRIATIONS:

CD.29.6291.000 74500.01	Contractual Expenses	\$40,000
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NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee **DATE:** 09/21/21 **RESOLUTION #:** CS-044-21
and Administration Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION		
		CS - 9/13/21	Approved: Ayes	Abs.	Noes
		AD - 9/13/21	Rejected: Ayes	Abs.	Noes
			Referred:		

WAIVER OF RESIDENCY REQUIREMENT MH REGISTERED NURSE – POSITION NO. 13663 DEPARTMENT OF MENTAL HEALTH & SUBSTANCE ABUSE SERVICES

WHEREAS, the Niagara County Department of Mental Health & Substance Abuse Services has received permission to fill a Registered Nurse position within the Lockport and Niagara Falls Clinics, which is necessary to address the acute Mental Health and co-occurring substance use concerns of our clinic population, meeting the requirements of the New York State Office of Mental Health, and

WHEREAS, the Niagara County Department of Mental Health continues to experience difficulty in recruiting highly qualified nurses with satisfactory Mental Health/Substance Abuse work experience and background to fill its nursing positions, and

WHEREAS, the Department has made a diligent and sincere effort to recruit qualified candidates for the position from within Niagara County, including through the County website, Social Media, and job recruitment sites, and

WHEREAS, after extensive search, there are no Niagara County candidates with the requisite experience and no remaining Niagara County candidates to be interviewed for the position, now, therefore, be it


RESOLVED, that a Waiver of Residency from the policy to hire only Niagara County residents be approved to fill the vacant MH Registered Nurse position.

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee **DATE:** 09/21/21 **RESOLUTION #:** CS-045-21
and Administration Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		<u>CS - 9/13/21</u>	Approved: Ayes _____ Abs. _____ Noes _____
		<u>AD - 9/13/21</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

MH - 2021 BUDGET MODIFICATION – ACCEPT CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) OVERDOSE TO ACTION (OD2A) GRANT

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

WHEREAS, the Niagara County Department of Mental Health and Substance Abuse Services provides services to adults with mental illness and substance use disorders who are living in Niagara County, and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has made available, through the New York State Department of Health, Overdose to Action (OD2A) Grant funds to Niagara County Department of Mental Health and Substance Abuse Services to facilitate locally driven efforts to curb the Opioid Epidemic, and

WHEREAS, the purpose of this program is to support collection of high quality, comprehensive, and timely data on nonfatal and fatal overdoses and use this data to inform prevention and response efforts tailored to our local community needs, and

WHEREAS, Niagara County Department of Mental Health and Substance Abuse Services, in partnership with the New York State Department of Health, Niagara County Public Health, and other local service providers to achieve the above stated purpose, now, therefore, be it

RESOLVED, that the department is given authorization to accept the full OD2A Grant, and be it further

RESOLVED, that the following 2021 budget modifications be effectuated:

INCREASE REVENUES:


A.21.4310.000.44401.00	Public Health Federal Aid	\$72,000
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INCREASE APPROPRIATIONS:

A.21.4310.000.74000.03	Administrative Costs	\$ 5,333
A.21.4310.000.74250.01	Office Supplies	2,275
A.21.4310.000.74300.03	Travel, Mileage	1,282
A.21.4310.000.74500.01	Contractual Expenses	63,110

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee **DATE:** 09/21/21 **RESOLUTION #:** CS-046-21
and Administration Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
<u></u>	<u></u>	<u>CS - 9/13/21</u>	Approved: Ayes <u> </u> Abs. <u> </u> Noes <u> </u>
		<u>AD - 9/13/21</u>	Rejected: Ayes <u> </u> Abs. <u> </u> Noes <u> </u>
			Referred: <u> </u>

BUDGET TRANSFER – A4310 COURT ORDERED COUNTY MANDATED COSTS

WHEREAS, the County is required by Criminal Procedure Law Articles 730.20 and 730.50, and Family Court Act Article 120, to pay for Court ordered hospital in-patient stays and mental health examinations, and

WHEREAS, as a result of the bills generated by the length of hospital stay imposed by Court Orders for year 2021, outstanding expenses currently exist, and

WHEREAS, based on these current Court Orders the expenses to the end of the year will exceed budget, and

WHEREAS, during the State 2021 budget process, in Spring 2020, the State determined that 100% of the costs would be the responsibility of the Counties, negating the longstanding practice of the State paying 50% of the mandated costs, and

WHEREAS, this decision was effective April 1, 2020, and

WHEREAS, the Niagara County Department of Mental Health administers payment of these bills on behalf of the County, now, therefore, be it

RESOLVED, should there be additional Court Ordered expenses before end of the year, another request will be necessary, and be it further

RESOLVED, the following budget transfer be effectuated:

INCREASE APPROPRIATED FUND BALANCE:

A.40599.00	Appropriated Fund Balance	\$ 907,550
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INCREASE APPROPRIATIONS:

A.21.4310.000 74550.17	Department of Mental Hygiene	\$ 907,550
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee DATE: 09/21/21 RESOLUTION #: CS-047-21
and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION		
CO. ATTORNEY	CO. MANAGER	CS - 9/13/21	Approved: Ayes	Abs.	Noes
<u>Kelli Dale</u>		AD - 9/13/21	Rejected: Ayes	Abs.	Noes
			Referred:		

NIAGARA COUNTY CLERK'S OFFICE BUDGET MODIFICATION – WILLIAM G. POMEROY FOUNDATION HISTORICAL MARKER GRANT

WHEREAS, the Niagara County Clerk's Office was notified in writing by the William G. Pomeroy Foundation that it has been awarded \$1,140.00 for the Grant Period of January 1, 2021 through December 31, 2021, and

WHEREAS, this grant will allow the purchase and installation of a historical marker from Sewah Studios Inc. in the City of Lockport, and,

WHEREAS, the historical marker will recognize the location, in the City of Lockport where African American Social Reformer Frederick Douglas gave speech "Sources of Danger to the Republic" on June 1, 1867, and

WHEREAS, the 2021 budget will need to be modified to allow for the spending of this grant, now therefore, be it

RESOLVED, that the 2021 Budget be modified as follows:

INCREASE REVENUE:

A.10.1410.000.42705.00	Gifts and Donations	\$1,140
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INCREASE APPROPRIATIONS:


A.10.1410.000.74400.07	Burial, Headstones and Markers	\$1,140
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee DATE: 09/21/21 RESOLUTION #: CS-048-21
and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	CS - 9/13/21	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 9/13/21	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

NIAGARA COUNTY CLERK'S OFFICE BUDGET MODIFICATION – WILLIAM G. POMEROY FOUNDATION HISTORICAL MARKER GRANT

WHEREAS, the Niagara County Clerk's Office was notified in writing by the William G. Pomeroy Foundation that it has been awarded \$1,140.00 for the Grant Period of January 1, 2021 through December 31, 2021, and

WHEREAS, this grant will allow the purchase and installation of a historical marker from Sewah Studios Inc. in the City of North Tonawanda, and,

WHEREAS, the historical marker will recognize the location, in the City of North Tonawanda where NY Governor and Vice Presidential Candidate Theodore Roosevelt gave a presidential Election Campaign Speech on October 31, 1900, and

WHEREAS, the 2021 budget will need to be modified to allow for the spending of this grant, now therefore, be it

RESOLVED, that the 2021 Budget be modified as follows:

INCREASE REVENUE:

A.10.1410.000.42705.00	Gifts and Donations	\$1,140
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INCREASE APPROPRIATIONS:


A.10.1410.000.74400.07	Burial, Headstones and Markers	\$1,140
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COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 09/21/21 **RESOLUTION #:** CSS-084-21
and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION		
CO. ATTORNEY	CO. MANAGER	CSS - 9/13/21	Approved: Ayes	Abs.	Noes
		AD - 9/13/21	Rejected: Ayes	Abs.	Noes
			Referred:		

NIAGARA COUNTY SHERIFF'S OFFICE ACCEPT AID TO CRIME LABORATORIES GRANT

WHEREAS, the Niagara County Sheriff's Office has been awarded an Aid to Crime Labs grant from the New York State Division of Criminal Justice Services in the amount of \$191,053 for the period July 1, 2021 through June 30, 2022, and

WHEREAS, this grant is an additional year of funding of an existing grant, and

WHEREAS, the funds are used to maintain accreditation for the Niagara County Sheriff's Office Forensic Laboratory, and

WHEREAS, the grant also allows the Niagara County Sheriff's Office Forensic Laboratory to provide efficient and effective forensic services for Niagara County, and

WHEREAS, the funds are included in the 2021 budget and will be included in the 2022 budget, now, therefore, be it


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

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee DATE: 09/21/21 RESOLUTION #: CSS-085-21
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER _____	COMMITTEE ACTION <u>CSS - 9/13/21</u> <u>AD - 9/13/21</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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NIAGARA COUNTY SHERIFF'S OFFICE BUDGET MODIFICATION - MARINE PATROL GRANT

WHEREAS, the Niagara County Sheriff's Office has been awarded a grant in the amount of \$40,000.00 for the period of April 1, 2021 through March 31, 2022 from the New York State Canal Corporation to enhance the safety of the Erie Canal waterway and paths, and

WHEREAS, the grant will allow the Niagara County Sheriff's Office to increase both marine and bike patrols along the Erie Canal for the safety of Niagara County residents, and

WHEREAS, the 2021 budget will need to be modified to allow for the spending of this grant, now, therefore, be it

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

RESOLVED, that the 2021 budget be modified as follows:

INCREASE REVENUE:

A.17.3110.000.43315.00	Navigation Law Enforcement Marine Patrol	\$40,000
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INCREASE APPROPRIATIONS:


A.17.3110.000.71050.00	Overtime Expense	\$40,000
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COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 09/21/21 **RESOLUTION #:** CSS-086-21
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER _____	COMMITTEE ACTION <u>CSS - 9/13/21</u> <u>AD - 9/13/21</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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NIAGARA COUNTY SHERIFF'S OFFICE BUDGET MODIFICATION - ACCEPT CHILD PASSENGER SAFETY PROGRAM GRANT

WHEREAS, the Niagara County Sheriff's Traffic Safety Office has been awarded a grant from the New York State Governor's Traffic Safety Committee for the period of October 1, 2021 through September 30, 2022 in the amount of \$13,500, 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 goal of the grant is to increase the proper use and installation of child safety seats in New York State, and

WHEREAS, the 2021 budget needs to be amended to make part of the grant funds available in the current year, now, therefore, be it

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

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

RESOLVED, that the following modifications be made to the 2021 budget:

INCREASE REVENUE:

CM.17.3989.303 44389.09	Other Public Safety Traffic	\$1,000
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INCREASE APPROPRIATIONS:


CM.17.3989.303 74800.16	Supplies/Service Maintenance Safety Equipment under \$500	\$1,000
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COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 09/21/21 **RESOLUTION #:** CSS-087-21
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER _____	COMMITTEE ACTION <u>CSS - 9/13/21</u> <u>AD - 9/13/21</u> _____	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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NIAGARA COUNTY SHERIFF'S OFFICE ACCEPT PORT SECURITY GRANT 2021

WHEREAS, the Niagara County Sheriff's Office has been awarded a FEMA grant through the Department of Homeland Security for the period of September 1, 2021 through August 31, 2024 in the amount of \$27,000 with a match of \$9,000, and

WHEREAS, the grant funds will be used to purchase two sets of Aviator Night Vision Imaging Systems for the Niagara County Sheriff's helicopter crews, and

WHEREAS, this equipment will aid Niagara County Sheriff's Office personnel by giving the pilot and spotter the ability to conduct and complete night operations during the darkest night, and

WHEREAS, the funds will be in the 2022 budget, however, the contract needs to be executed, now, therefore, be it

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

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

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee
and Administration Committee **DATE:** 09/21/21 **RESOLUTION #:** CSS-088-21

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CSS - 9/13/21
AD - 9/13/21

LEGISLATIVE ACTION
Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred:

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

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

WHEREAS, the term of the previous agreement was September 1, 2020 through August 31, 2021, and

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

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

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

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee
and Administration Committee **DATE:** 09/21/21 **RESOLUTION #:** CSS-089-21

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CSS - 9/13/21
 AD - 9/13/21

LEGISLATIVE ACTION
Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

NIAGARA COUNTY SHERIFF'S OFFICE FIREARMS CONSULTING AGREEMENT

WHEREAS, the Niagara County Sheriff's Office has been notified of the resignation of the Firearms Examiner for the Niagara County Sheriff's Office Forensic Laboratory, and

WHEREAS, there is a critical shortage of qualified firearms examiners in New York State creating firearms case backlogs to increase throughout the state, and

WHEREAS, the Sheriff's Office will be posting for a new Forensic Lab employee for Firearms Examinations, and

WHEREAS, the training period for an individual to become a qualified firearms examiner is an extensive 2 year process requiring limited training resources outside the county, and

WHEREAS, the Niagara County Sheriff's Office will have a continued need for qualified firearms examinations to be performed for cases, and

WHEREAS, the Niagara County Sheriff's Office has a contract with the former Firearms Examiner (Mark Shaw) who has been working as an independent contractor strictly for the purpose of required verifications and technical reviews, and

WHEREAS, Mark Shaw has agreed to continue as an independent contractor and perform forensic firearms examinations until such time as a qualified replacement can be found, and

WHEREAS, the Sheriff's Office now needs to enter into an additional agreement for an independent contractor to perform required firearms verifications and technical reviews, and

WHEREAS, the Sheriff's Office wishes to enter into an agreement with Cody McKellar for a one year period,
and

WHEREAS, the firearms examinations consultations will be paid for out of the Sheriff's Office existing budget line, and

WHEREAS, the Consulting Agreement will be drawn up by the County Attorney, now, therefore, be it

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

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute a Consulting Agreement with Cody McKellar for Forensic Firearm Examination verifications and technical reviews.

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee
and Administration Committee **DATE:** 09/21/21 **RESOLUTION #:** CSS-090-21

APPROVED BY
CO. ATTORNEY

**REVIEWED BY
CO. MANAGER**

COMMITTEE ACTION

CSS - 9/13/21
AD - 9/13/21

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – JAIL OVERTIME**

WHEREAS, the Niagara County Correctional Facility (NCCF) has been greatly affected by the presence of the COVID virus in the community and in the jail, and

WHEREAS, the Niagara County Jail has revised their operating procedures to include quarantine of incoming incarcerated individuals for 14 days before introduction to the general population, isolation of incarcerated individuals who are ready to transfer to State Prison, and isolation of any incarcerated individuals who test COVID positive, and

WHEREAS, the Niagara County Jail's population count has significantly increased from 2020, including United States Marshals Federal prisoners and incarcerated individuals who are ready to transport to a State prison but the prisons are not accepting transfers due to COVID in their facility, and

WHEREAS, the COVID prevention and mitigation measures listed above have spread out the jail population which creates more open housing units and more posts to be filled with Correction Officers, and

WHEREAS, the Niagara County Jail staffing levels have been greatly affected during the year by COVID related illnesses as well as other long term leaves of absence, and

WHEREAS, the combination of increased posts needed and decreased staff, it has been necessary to utilize overtime in order to cover the minimum required staffing levels, and

WHEREAS, the Niagara County Jail receives revenue from the US Marshals for housing federal inmates, from housing State Ready incarcerated individuals and

WHEREAS the County has received stimulus funds to offset COVID related costs in correctional facilities from March 3rd through July 31st, and

WHEREAS, after 8 months of these revenue sources, the Sheriff's Office has excess revenue and would like to use this revenue to offset necessary overtime and fringe expenses in the NCCF, and

WHEREAS, the 2021 budget will need to be modified to allow for these funds to be used, now, therefore, be it

RESOLVED, that the following line item transfers be effectuated:

INCREASE REVENUE:

A.17.3150.000 42264.00	Jail Facilities Svcs, Other Gov Revenue	\$342,025
A.17.3150.000 44089.07	Federal Aid, Other ARPA State/Local Fiscal Rec Fund	82,975

INCREASE APPROPRIATIONS:


A.17.3150.000 71050.00	Overtime Expense	\$328,744
A.17.3110.000 78100.00	Retirement Expense	62,461
A.17.3150.000 78200.00	FICA Expense	25,149
A.17.3150.000 78300.00	Workers Compensation Expense	8,646

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee DATE: 09/21/21 RESOLUTION #: CSS-091-21
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER _____	COMMITTEE ACTION <u>CSS - 9/13/21</u> <u>AD - 9/13/21</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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NIAGARA COUNTY SHERIFF'S OFFICE-BUDGET MODIFICATION RED TEAM EXERCISE

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

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

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

RESOLVED, that the County enter into a Letter of Agreement with the New York State Homeland Security and Emergency Services Office, and be it further

RESOLVED, that the following budget modifications be made:

INCREASE REVENUE:

A.17.3645.000.43305.02	State Aid, Civil Defense Homeland Security	\$ 1,444
	Other Public Safety Operation Green Monster	

INCREASE APPROPRIATIONS:


A.17.3645.000.71050.00	Overtime	\$ 1,056
A.17.3645.000.78100.00	Retirement Expense	279
A.17.3645.000.78200.00	FICA Expense	81
A.17.3645.000.78300.00	Worker's Compensation Expense	28

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee DATE: 09/21/21 RESOLUTION #: CSS-092-21
and Administration Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		CSS - 9/13/21	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 9/13/21	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

NIAGARA COUNTY SHERIFF'S OFFICE BUDGET MODIFICATION -ASSETS FORFEITURE EXPENSES SPEED RADAR TRAILER

WHEREAS, the Niagara County Sheriff's has Federal Asset Forfeiture Funds which are in a Committed Fund and federally regulated on qualifying expenditures, and

WHEREAS, the Niagara County Sheriff's Office needs to do a budget amendment to spend asset forfeiture funds on a Traffic Speed Radar Trailer to be used throughout Niagara County, and

WHEREAS, studies have shown that radar speed signs are a proven traffic calming solution to raise speed awareness of oncoming drivers, with 80% of speeders slowing down by 10-20% and overall compliance with the posted speed limit increasing by 30-60%, and

WHEREAS, the portability of a speed radar trailer enables the Sheriff's Office to address areas of concern throughout the county on a rotating basis, and

WHEREAS, the Sheriff's Office is reviewing speed trailers for purchase according to Niagara County Purchasing Guidelines but not to exceed \$17,000, now, therefore, be it

RESOLVED, that the 2021 budget be modified as follows:

INCREASE REVENUE:

A.17.3110.000.40499.02	Appropriate Fund Balance	\$17,000
	Restricted Funds	

INCREASE APPROPRIATIONS:


A.17.3110.000.72100.31	Machinery & Equipment	\$17,000
	Asset Forfeiture Dept Justice	

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 09/21/21 **RESOLUTION #:** CSS-093-21
and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	CSS - 9/13/21	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 9/13/21	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

NIAGARA COUNTY SHERIFF'S OFFICE BUDGET MODIFICATION – CREATE AND FILL TEMPORARY CORRECTION OFFICER

WHEREAS, the Niagara County Sheriff's Office has minimum staffing levels in the Niagara County Correctional Facility, and

WHEREAS, the Sheriff's Office has a Correction Officer that is out on medical leave and has not been a position cost to the county as of June 22, 2021, and

WHEREAS, a temporary Correction Officer position is needed to ensure the efficiency of the Jail operations as well as reduce overtime, and

WHEREAS, the temporary position will be funded from the position of the person on medical leave so there will not be an additional cost to the County, now therefore be it

RESOLVED, that one (1) temporary Correction Officer position be created and filled effective September 19, 2021, and be it further

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS

A.17.3150.000 71010.00	Positions expense	\$12,177.00
	(Position # 4058)	

INCREASE APPROPRIATION

A.17.3150.000 71010.00	Positions expense	\$ 10,944
	(Position # to be determined)	
A.17.3150.000 78400.05	HRA Employer Contribution	850
A.17.3150.000 78850.00	Flex 125 Employer Contribution	383

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 09/21/21 **RESOLUTION #:** CSS-094-21

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
CSS - 9/13/21

LEGISLATIVE ACTION

Approved: Ayes _____ **Abs.** _____ **Noes** _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

ACCEPTANCE OF 2021-2022 AID TO PROSECUTION PROGRAM GRANT

WHEREAS, the Niagara County District Attorney's Office has been awarded renewed funding from the New York State Division of Criminal Justice Services under the Aid To Prosecution Program for the purpose of continuing aid in the prosecution of repeat violent and serious felony offenders in Niagara County, and

WHEREAS, funding has been awarded in the amount of \$89,180 for the period April 1, 2021 through March 31, 2022, with no matching funds requirement, and

WHEREAS, the funds have been appropriated in the Niagara County District Attorney's budget, now, therefore, be it

RESOLVED, that the County of Niagara does hereby accept this grant award, 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.

COMMUNITY SAFETY & SECURITY

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee DATE: 09/21/21 RESOLUTION #: CSS-095-21

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		<u>CSS - 9/13/21</u>	Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

ACCEPTANCE OF SHSP 2021 HOMELAND SECURITY GRANT

WHEREAS, the County of Niagara is required to certify its acceptance of the SHSP 2021 grant through the Department of Homeland Security for the period of 10/1/21 to 9/30/24, at no cost to the County, and

WHEREAS, the grant for SHSP 2021 is in the amount of \$563,278.00 and the funds will be used for consultants to provide Citizens Preparedness Initiatives, interoperable communications equipment, information technology equipment and related items (laptops, software and accessories), physical security enhancement equipment (fencing, access control, bollards), medical equipment (MCI kits), operational search and rescue equipment (respirators), cyber security enhancements, EOC supplies, travel costs (National Homeland Security Conference) mobile data terminals, PPE, USB air cards, alerting and notification system maintenance, satellite communications maintenance, CAD maintenance, T1 line maintenance, credentialing system maintenance, and EOC communication board maintenance, now, therefore, be it

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

COMMUNITY SAFETY & SECURITY
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Committee of the Whole DATE: 09/21/21 RESOLUTION #: CW-012-21

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
<u>Kelli D. O'Leary</u>		<u>CW - 9/21/21</u>	Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

PUBLIC EMERGENCY NECESSITATING AN INCREASE IN RATE PAYABLE TO WNY BUS COMPANY BY COUNTY OF NIAGARA IN EXCESS OF RATE STATED IN SEPTEMBER 1, 2017 CONTRACT BY AND BETWEEN COUNTY OF NIAGARA AND STUDENT TRANSPORT INC. DBA WNY BUS COMPANY AND BID SPECIFICATIONS CONTAINED IN BID NUMBER 2017-01 REGARDING THE PROVISION OF REQUIRED BUS SERVICES BY COUNTY OF NIAGARA TO CHILDREN OF NIAGARA COUNTY AND THE AMENDMENT OF SAID CONTRACT AND BID SPECIFICATIONS

WHEREAS, Niagara County Department of Management & Budget, Division of Purchasing, solicited open bidding for Transportation, by Bus or Van, of Preschool and Early Intervention Children with Disabilities for Niagara County Department of Health under Bid Number 2017-01 with said sealed bids to be received, publicly opened, read aloud, and made available for public inspection in the Purchasing Office on April 6, 2017, at 2:00 P.M., and

WHEREAS, Student Transport Inc. DBA WNY Bus Company (hereinafter referred to as "WNY"), was determined to be the lowest responsible bidder for said Transportation, by Bus or Van, of Preschool and Early Intervention Children with Disabilities for Niagara County Department of Health under Bid Number 2017-01, and was accordingly awarded the contract for Transportation, by Bus or Van, of Preschool and Early Intervention Children with Disabilities for Niagara County Department of Health under Bid Number 2017-01, and

WHEREAS, County Of Niagara (hereinafter referred to as "COUNTY"), and WNY entered into a Contract on September 1, 2017 for WNY to provide transportation, by bus or van, of preschool and early intervention children with disabilities for Niagara County Department of Health for the term of September 1, 2017 through August 31, 2020, with extensions of said term to be effectuated in accordance with Appendix A to the Bid Specifications stated in Bid Number 2017-01 with said Bid Specifications, including all attachments, appendices, amendments, and modifications thereto incorporated in their entirety into said September 1, 2017 Contract and made a part thereof by reference in paragraph 2. of said September 1, 2017 Contract, and

WHEREAS, said September 1, 2017 Contract was extended by County's election for the Term of September 1, 2020 through August 31, 2021, and for the term of September 1, 2021 through August 31, 2022, with said elections and extensions being duly agreed upon by WNY, and

WHEREAS, Appendix A, I. SCOPE, paragraph G of the Bid Specifications contained in Bid Number 2017-01 states: "At the commencement of each year of the contract after the first contract year (i.e. effective as of September 1, 2018) and effective on the first day of each subsequent year of the contract (including the first day or each option year, if any) the sums to be paid to the Contractor shall be increased by an amount equal to the lesser of three and one-half (3 ½) percent, or the increase in the cost of living index ("CPI") as calculated by the US Department of Labor, Bureau of Labor Statistics (as shown on the internet at www.bls.gov, and listed under All Urban Consumers for the area of "Northeast Urban)." The CPI shall be the annual CPI immediately

preceding the date on which the new contract year is to commence (e.g. the CPI increase, if any, for the period September 1, 2018 through August 31, 2019 shall be based on the annual CPI for the year 2017), and

WHEREAS, WNY is bound and obligated to comply with all the terms of said September 1, 2017 Contract and the Bid Specifications contained in Bid Number 2017-01, including those stated Appendix A, I. SCOPE, paragraph G for the instant extension of said Contract, namely September 1, 2021 through August 31, 2022, and

WHEREAS, Mr. Igor Yuzbashev, General Manager of WNY, transmitted a letter via email to Niagara County Department of Health, c/o Victoria Pearson, Deputy Director of Financial Operations, stating, in pertinent part, WNY is seeking a rate increase of 3.2% for the Contract extension term of September 1, 2021 through August 31, 2022, and not the 1.3% rate increase as established by the 2020 CPI and mandated by September 1, 2017 Contract and the Bid Specifications contained in Bid Number 2017-01, specifically those stated Appendix A, I. SCOPE, paragraph G, and

WHEREAS, Mr. Igor Yuzbashev, General Manager of WNY, further stated, in substance, in his August 12, 2021 email letter, that should County not agree to increase the rate payable to WNY to 3.2% for the term of September 1, 2021 through August 31, 2022, then County should perhaps consider rebidding transportation, by bus or van, of preschool and early intervention children with disabilities for Niagara County Department of Health originally bid under Bid Number 2017-01, and

WHEREAS, the Niagara County Attorney's Office advised the Niagara County Department of Health and the County Manager for Niagara County that WNY and County had a fully valid and enforceable contract, namely said September 1, 2017 Contract and the Bid Specifications contained in Bid Number 2017-01, which WNY is legally bound to perform all of its obligations contained in said Contract and Bid Specifications, and if WNY refuses to perform and abide by all said valid and enforceable terms of said Contract and Bid Specifications, then County should terminate said September 1, 2017 Contract in accordance with paragraph 17 of said Contract in writing, within ten (10) days, for WNY's failure to comply with the terms of said Contract and Bid Specifications and for County to rebid such contract, and

WHEREAS, NCDOH began, along with the assistance of Niagara County Department of Management & Budget, Division of Purchasing, to expedite a new bidding process for Transportation, by Bus or Van, of Preschool and Early Intervention Children with Disabilities for Niagara County Department of Health, and

WHEREAS, NCDOH was apprised and informed from various sources that there is currently a shortage of bus drivers in Niagara County, and in fact statewide, and thus it would be impracticable, and essentially impossible, to rebid the Transportation, by Bus or Van, of Preschool and Early Intervention Children with Disabilities for Niagara County Department of Health and potentially secure another bus transportation service for the children of County in time for the commencement of the 2021 – 2022 school year which is approximately two (2) weeks away, and

WHEREAS, County is mandated by the State of New York to provide transportation, by bus or van, of preschool and early intervention children with disabilities, and the failure of County to provide such transportation would be a breach of its state-mandated obligation, and more importantly, would deprive the children of County necessary transportation to their respective schools, and

WHEREAS, based upon the foregoing, particularly the facts stated in the instant paragraph above, COUNTY now faces a public emergency arising out of unforeseen occurrences or conditions (*i.e.*, WNY's refusal to abide by the terms of said September 1, 2017 Contract and the Bid Specifications contained in Bid Number 2017-01) which is resulting in County being prohibited from providing New York State mandated transportation to the children of County and therefore depriving the children of the County necessary transportation to their respective schools and whereby said circumstances are affecting the life, health or safety of inhabitants of the County and require immediate action which cannot await competitive bidding, and

WHEREAS, the Chairman of the Niagara County Legislature has declared such public emergency, now, therefore, be it

RESOLVED, by at least a two-thirds (2/3) vote of the whole Legislature, this Legislature has determined it is impracticable to advertise bids to provide transportation, by bus or van, of preschool and early intervention children with disabilities for Niagara County Department of Health, and be it further


RESOLVED, County and WNY are hereby authorized following the County Attorney's review to enter into a written amendment to the said September 1, 2017 Contract and the Bid Specifications contained in Bid Number 2017-01, specifically Appendix A, I. SCOPE, paragraph G, to state the rate increase County shall pay WNY for the term of September 1, 2021 through August 31, 2022 be set at 3.2%, with all the other terms of said September 1, 2017 Contract and the Bid Specifications contained in Bid Number 2017-01 to remain unamended and in full force and effect, with such rate increase to commence after the passing of this Resolution, 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 document.

COMMITTEE OF THE WHOLE

NIAGARA COUNTY LEGISLATURE

FROM: Committee of the Whole **DATE:** 09/21/21 **RESOLUTION #:** CW-013-21

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	<u>CW - 9/21/21</u>	Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS (UPDATED TERMS AND RECORD OF ACTIVITIES, INCLUDING NEWLY ELECTED AND APPOINTED OFFICIALS)

RESOLVED, that the County of Niagara, hereby establishes the following as standard work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Elected Officials

Title	Standard Work Day	Name	Social Security Number	Registration Number	Tier 1	Current Term Begin & End Dates	Record Activities Results	Not Submitted
Coroner	6	Gary Strassburg				03/20/20-12/31/21	22.70	
County Clerk	6	Joseph Jastrzemski				01/01/20-12/31/23	23.10	
District Attorney	6	Brian D. Seaman				01/01/21-12/31/24	30.41	
Legislator	6	Richard Andres				01/01/18-12/31/21	25.55	
Legislator	6	Randy Bradt				01/01/18-12/31/21	22.00	
Legislator	6	William Collins				01/01/18-12/31/21	24.50	
Legislator	6	David Godfrey				01/01/20-12/31/21	24.88	
Legislator	6	Jessie Gooch				01/01/20-12/31/21	23.50	
Legislator	6	Michael Hill				01/01/18-12/31/21	10.40	
Legislator	6	Christopher Robins				01/01/20-12/31/21	21.23	
Legislator	6	Owen Steed				01/01/18-12/31/19	27.06	
						01/01/20-12/31/21	22.40	
Legislator	6	John Syracuse				01/01/20-12/31/21	25.72	
Legislator	6	Rebecca Wydysh				01/01/18-12/31/21	22.75	
Sheriff	6	Michael J. Filicetti				01/01/21-12/31/24	26.70	

Appointed Officials

Title	Standard Work Day	Name	Social Security Number	Registration Number	Tier 1	Current Term Begin & End Dates	Record Activities Results	Not Submitted
Assigned Counsel and Administrator and Conflict Attorney	6	Kathleen Kugler				01/01/17-12/31/19	21.69	
						01/01/20-12/31/21	24.70	
Asst. Conflict Attorney	6	Mark Danna				01/01/17-12/31/20	21.13	
						01/01/21-12/31/21	22.60	
Asst. Conflict Attorney	6	Rodney A. Giove				01/01/20-12/31/21	22.06	
Asst. Conflict Attorney	6	Mario J. Gregori Jr.				01/01/20-11/15/20	23.10	
Asst. Conflict Attorney	6	Jessica J. Hapeman				01/01/19-12/31/21	22.97	
Asst. Conflict Attorney	6	David Mansour				12/22/20-12/31/21		X
Asst. Conflict Attorney	6	Joseph Scalzo				01/01/19-12/31/21	23.50	
Asst. Conflict Attorney	6	Lori Shawver				01/22/20-12/31/21	19.40	
Asst. Conflict Attorney	6	Amy Taylor				01/01/19-12/31/21	23.53	
County Attorney	6	Claude Joerg				01/01/20-12/31/21	22.89	
Asst. County Attorney	6	Katherine Alexander				01/01/16-03/31/16	22.61	
						01/21/21-12/31/21	23.51	
Asst. County Attorney	6	David Koplas				01/01/20-12/31/21	22.00	
Asst. County Attorney	6	Gary Lisowski				01/01/18-12/31/21	21.84	

First Asst. County Attorney	6	John Ottaviano	01/01/20-12/31/21	21.97	
Asst. County Attorney	6	John Sansone	01/01/20-12/31/21	21.66	
Asst. County Attorney	6	Brian D. Seaman	01/01/18-12/31/20	30.11	
Deputy District Attorney	6	Doreen Hoffman	01/01/17-12/31/19	24.14	
			01/01/20-12/31/24	28.90	
Deputy District Attorney	6	Holly Sloma	01/01/17-12/31/19	27.40	
			01/01/20-05/27/21	27.12	
Asst. District Attorney	6	Ian Artis	08/31/20-12/31/21	25.30	
Asst. District Attorney	6	Lisa Baehre	01/01/17-12/31/19	24.63	
			01/01/20-12/31/24		X
Asst. District Attorney	6	Susan Bjornholm	05/02/17-12/31/24	28.10	
Executive District Attorney	6	Mary Jean Bowman	01/01/21-12/31/24	27.90	
Asst. District Attorney	6	Thomas Brandt	01/01/17-12/31/19	23.60	
			01/01/20-12/31/24	22.70	
Asst. District Attorney	6	Claudette Caldwell	01/01/17-12/31/19	24.42	
			01/01/20-12/31/24	26.20	
Asst. District Attorney	6	Kevin Canali	01/01/17-11/14/20	27.25	
Asst. District Attorney	6	David J. Dechellis	01/01/21-12/31/24	34.20	
Asst. District Attorney	6	John Granchelli	01/01/17-12/31/19	28.20	
			01/01/20-12/31/24	26.00	
Asst. District Attorney	6	Cheryl (Nichols) Grundy	01/01/17-12/31/19	28.06	
			01/01/20-12/31/24	27.50	
Asst. District Attorney	6	Joel Grundy	01/01/17-12/31/19	26.03	
			01/01/20-12/31/24	26.80	
Asst. District Attorney	6	Laura (Bittner) Jordan	01/01/17-12/31/19	26.97	
			01/01/20-12/31/24	27.70	
Asst. District Attorney	6	John Philipps, Jr.	01/01/17-12/31/19	29.47	
			01/01/20-12/31/24	29.90	
Asst. District Attorney	6	Christine Savoia	01/01/21-12/31/24	28.90	
Asst. District Attorney	6	Maria Stoelting	01/01/21-12/31/24	29.90	
Asst. District Attorney	6	Peter Wydysh	01/01/17-12/31/19	27.36	
			01/01/20-12/31/24	29.90	
Asst. District Attorney	6	Liesel Zimmerman	08/26/19-12/31/24	30.40	
Asst. Public Defender	6	Nicholas Robinson	01/01/20-01/06/20	22.10	
Public Defender	6		01/07/20-12/31/21	22.60	
Asst. Public Defender	6	Alfonso Bax	01/01/20-12/31/21	21.92	
Asst. Public Defender	6	Michele Bergevin	01/01/20-12/31/21	12.68	
Asst. Public Defender	6	David Blackley	01/01/20-01/21/20	23.83	
Asst. Public Defender	6	Luke A. Brown	08/24/16-12/31/21	24.75	
Asst. Public Defender	6	AJ Catalano	01/01/18-01/21/20	21.21	
Asst. Public Defender	6	Karl Frankovitch	01/01/18-12/31/21	22.50	
Asst. Public Defender	6	Mark Grossman	01/01/18-12-31/21		X
Asst. Public Defender	6	Ryan Hanna	01/01/20-03/08/20	24.10	
Asst. Public Defender	6	Lawrence Lindsay	01/01/20-12/31/21	22.55	
Asst. Conflict Attorney	6	Janelle Messer	01/01/17-01/26/18	19.75	
Asst. Public Defender	6		01/27/18-12/31/21	25.50	
Asst. Public Defender	6	Nicholas Pelosino	01/01/20-12/31/21	25.55	
Asst. Public Defender	6	Charlie Pitarresi	01/01/18-11/14/20	22.72	
Asst. Public Defender	6	Theresa Prezioso	01/01/18-12/31/21	10.90	
Asst. Public Defender	6	Michael G. Putzak	01/01/20-12/31/21	25.30	
Asst. Public Defender	6	Matthew Pynn	01/01/18-11/14/20	13.44	
Asst. Public Defender	6	James Rizzo	01/01/18-12/31/21	21.72	
Asst. Public Defender	6	Alan Roscetti	01/01/20-01/21/20	21.42	
Asst. Public Defender	6	Vincent Sandonato	01/01/18-04/04/18	22.60	
Asst. Public Defender	6	Dominic Saraceno	01/01/20-12/31/21	21.83	
Asst. Public Defender	6	Camille Sarkees-Brown	01/01/20-12/31/21	22.58	
Asst. Public Defender	6	Michael H. White, Jr.	01/01/20-12/31/21	19.05	
Asst. Public Defender	6	Edward Zebulske	01/01/20-12/31/21	21.81	


I Alysa Moran, Clerk of the Niagara County Legislature, County of Niagara, State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such legislature, at a legally convened meeting held on the ____th day of September 2021 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Niagara County Legislature on this _____ day of September, 2021,

ALYSA MORAN, Clerk of the
Niagara County Legislature

NIAGARA COUNTY LEGISLATURE

FROM: Committee of the Whole DATE: 09/21/21 RESOLUTION # CW-014-21

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	<u>CW - 9/21/21</u>	Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

RATIFICATION OF AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND THE NIAGARA COUNTY SEWER DISTRICT #1 AND TEAMSTERS LOCAL #264

WHEREAS, the County of Niagara and the Niagara County Sewer District #1, and Teamsters Local #264 have reached a tentative agreement for the period of January 1, 2021 through December 31, 2025, and

WHEREAS, said tentative agreement was ratified by Teamsters Local #264 on August 27, 2021, and

WHEREAS, the County Attorney has reviewed and approved the tentative agreement as to legal form, language and compliance, now, therefore, be it

RESOLVED, that the Agreement be, and hereby is, ratified by the Niagara County Legislature effective September 21, 2021, as the final Agreement between the parties for the period January 1, 2021 through December 31, 2025 ("the Agreement"), and be it further

RESOLVED, that the County Manager is authorized to direct the Departments of Human Resources, Risk Management, Budget Office, and the Treasurer's Office to implement and administer the provisions of the Agreement, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute said Agreement on behalf of the County of Niagara, subject to the approval of the County Attorney, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE APPROPRIATION:

G.32.8130.000 71010.00	Positions	\$22,500.00
G.32.8130.000 78100.00	Retirement	2,910.00
G.32.8130.000 78200.00	FICA	1,722.00
G.32.8130.000 78300.00	Worker's Comp	<u>592.00</u>
		\$27,724.00


DECREASE APPROPRIATION:

G.32.8130.000 71011.00	Seasonal	\$13,773.88
G.32.8130.000 74850.02	Electric	<u>13,950.12</u>
		\$27,724.00

COMMITTEE OF THE WHOLE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee DATE: 09/21/21 RESOLUTION #: ED-020-21

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>ED - 9/8/21</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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RESOLUTION TO SET A HEARING TO CONSIDER INCLUSION OF VIABLE AGRICULTURAL LAND INTO NIAGARA COUNTY'S AGRICULTURAL DISTRICT

WHEREAS, New York State Agriculture and Markets Law 25AA, Section 303-b requires a public hearing upon termination of the annual thirty (30) day period within which a land owner may submit a request for inclusion of land which is predominantly viable agricultural land within a certified agricultural district prior to the county established 8-year review period, and

WHEREAS, a notice of the public hearing shall contain a statement that one or more requests for inclusion of predominantly viable agricultural land within a certified agricultural district have been filed with the county legislative body and shall identify the land proposed to be included, now, therefore, be it

RESOLVED, that the Niagara County Legislature shall conduct a public hearing on the 19th day of October, 2021 at 5:45 p.m. for public and municipal input upon termination of the annual thirty (30) day period within which a land owner may submit a request for inclusion, and be it further

RESOLVED, that the Clerk of the Legislature shall publish the following notice in the Lockport Union Sun and Journal, and the Niagara Gazette, as well as, post such notice on the home page of the County's website, and such notice shall give in writing directly to those municipalities whose territory encompasses the lands which are proposed to be included in an agricultural district.

PLEASE TAKE NOTICE that the Niagara County Legislature will conduct a public hearing on the day of October 19, 2021 at 5:45 p.m. in the Legislative Chambers, Courthouse, Lockport, New York, for the purpose of hearing public comments on the inclusion of predominantly viable agricultural land within agricultural district #7. Two (2) parcels have been proposed for inclusion. The Niagara County Agricultural and Farmland Protection Board recommends the inclusion of the following parcels of predominantly viable agricultural land into the Agricultural District: Parcel 80.03-2-72, consisting of 34.675 acres, located on Stone Road in the Town of Lockport. Parcel 14.00-1-15.21, consisting of 26.80 acres, located on Lake Road in the Town of Newfane. Questions about Agricultural District inclusion may be directed to Amanda Henning, Cornell Cooperative Extension at 716-433-8839 x231.

ECONOMIC DEVELOPMENT COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee
and Administration Committee **DATE:** 09/21/21 **RESOLUTION #:** ED-021-21

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION ED - 9/8/21 AD - 9/13/21	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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APPROVAL OF ASSIGNMENT AND ASSUMPTION AGREEMENT

WHEREAS, Globe Metallurgical, Inc. is the owner of certain land in the County of Niagara, and

WHEREAS, Globe Metallurgical Inc. and the County of Niagara are parties to an August 24, 2012, agreement regarding a transportation grant concerning certain grants received by the county that were used to improve certain rail facilities on the land owned by Globe Metallurgical, Inc., and

WHEREAS, the Transportation Agreement has a 30-year term and provides for certain continuing obligations of Globe Metallurgical Inc., as the owner of the land to, among other things, maintain a \$300,000 letter of credit or cash security deposit in Niagara County's favor for the term of the Transportation Agreement, and

WHEREAS, on August 16, 2021, Globe Metallurgical Inc. made a cash deposit of \$300,000 with the County to fulfil the Security Obligation, and

WHEREAS, Globe Metallurgical Inc. and Globe Niagara, LLC have entered into a Purchase and Sale Agreement by which Globe Metallurgical Inc. has agreed to sell the land to Globe Niagara, LLC and Globe Niagara LLC has agreed to the purchase the land from Globe Metallurgical Inc., and

WHEREAS, in furtherance of the Purchase and Sale Agreement, Globe Metallurgical Inc. wishes to assign, and Globe Niagara, LLC wishes to assume, the Transportation Agreement on the terms set forth in this Assignment, now, therefore, be it

RESOLVED, that the Niagara County Legislature approves of the assignment and assumption agreement between Globe Metallurgical Inc. and Globe Niagara, LLC, and be it further


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

ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee
and Administration Committee **DATE:** 09/21/21 **RESOLUTION #:** ED-022-21

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION ED - 9/8/21 AD - 9/13/21	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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**FIXING DATE AND NOTICE FOR THE PUBLIC HEARING
FOR GRIFFON BREWING INC.
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

WHEREAS, the County Legislature wishes to assess the advisability of submitting a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (the “OCR”) for a grant to support the establishment of a brewing operation by Griffon Brewing Inc. in a former supermarket building located at 200 Lockport Street, Youngstown, New York, and

WHEREAS, Niagara County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the plan proposal prior to submitting an application for CDBG funding, now, therefore, be it

RESOLVED, that the Niagara County Legislature shall conduct a public hearing whereat all interested parties shall be heard regarding the CDBG program, the County's community development and economic development programs, and the proposed funding application at the Legislative Chambers, Courthouse, Lockport, New York on the 19th day of October, 2021 at 5:30 p.m., and be it further

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

ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee **DATE:** 09/21/21 **RESOLUTION #** ED-024-21
and Administration Committee

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	<u>ED – 9/21/21</u>	Approved: Ayes _____ Abs. _____ Noes _____
		<u>AD- 9/21/21</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

ACCEPTANCE AND DESIGNATION OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS (SLFRF), AUTHORIZED BY THE AMERICAN RESCUE PLAN ACT AND RECEIVED BY NIAGARA COUNTY

WHEREAS, on March 11, 2021 the American Rescue Plan Act was signed into law and established the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program which is intended to provide support to State, territorial, local and tribal governments in response to the economic and public health impacts of COVID, and

WHEREAS, the County is eligible to receive \$40,070,381 to be distributed in equal parts, half in 2021 and the remaining half in 2022, and

WHEREAS, the County received its first tranche of funds in the amount of \$20,035,190.50 on June 10, 2021, and

WHEREAS, funding of the SLFRF program is subject to the requirements specified in the Interim Final Rule adopted by the US Treasury on May 10, 2021, and

WHEREAS, the US Treasury has issued Compliance and Reporting Guidance which outlines each recipient's compliance and reporting responsibilities under the SLFRF program, and

WHEREAS, one of the eligible uses of SLFRF funds as outlined in the Treasury's Interim Final Rule is for general government services to the extent of the reduction in revenue experienced due to the COVID-19 public health emergency, and

WHEREAS, Niagara County has calculated revenue loss for the calendar year ending December 31, 2020 based upon the guidance outlined in the Treasury's Interim Final Rule and find the revenue loss to be \$6,347,882.10, and

WHEREAS, the Compliance and Reporting Guidance allows Niagara County to complete a revenue loss calculation again as of December 31, 2021, December 31, 2022 and December 31, 2023, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby authorizes the SLFRF funds related to revenue loss to be used for general government services, and be it further,

RESOLVED, that the County Legislature has identified the need for the remaining SLFRF funds within the Interim Final Rule eligible uses and will pass subsequent resolutions committing to certain expenditures under the Act.

ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee **DATE:** 09/21/21 **RESOLUTION #:** ED-025-21
and Administration Committee

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

ED - 9/21/21

AD - 9/21/21

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

RESOLUTION FOR FUNDING NIAGARA COUNTY COMMUNITY COLLEGE WELDING AND METAL WORKING LAB INVESTMENT

WHEREAS, the County of Niagara, and Niagara County Community College acknowledge and embrace the need to provide an educational environment so that investments can be made in the skilled trades, and

WHEREAS, Niagara County Community College is prepared to provide degree and non-degree programmatic learning opportunities, these include but are not limited to degrees such as Welding Technology AAS, Mechanical Technology/Mechanical Design AAS, and Industrial Process Technology AAS. Furthermore, let it be known that this investment will propel and expand the college's ability to continue its mission of providing technical educational to our community, and

WHEREAS, to meet this need, Niagara County Community College, will construct a state-of-the-art welding and metal working laboratory environment to include, but not limited to the following elements:

- Installation of equipment provided through a National Science Foundation Grant in the amount of \$300,000. Items such as new welding stations, plasma cutting table, and metal working machines are already on site and ready for installation.
- Installation of significant electrical distribution systems for above listed equipment.
- Installation of HVAC and exhaust systems to provide proper ventilation of gases and normal cooling and heating.
- Piped welding gases for safety and student use vs cylinder type distribution.
- Life Safety system, basic renovations (painting, signage, etc.) to support the functions of the lab.
-

The lab will be housed in the C-Annex building, utilizing vacant and construction-ready space totaling approximately 4,000 square feet, and

WHEREAS, the total cost of the first phase of our technology and skilled trades investments in the welding and metal working lab is \$1,000,000, and

WHEREAS, the County of Niagara will utilize funds from the Coronavirus State and Local Fiscal Recovery Fund (CSLFRF), a part of the American Rescue Plan Act, to fund for the facility improvements required to create a welding and metal working laboratory at Niagara County Community College, and

WHEREAS, the County will report such pass-through of federal funds under CFDA Number 21.027 and comply with all sub-recipient monitoring compliance as defined in Title 2 Code of Federal Regulations Section 200.332, now, therefore, be it

RESOLVED, that the County of Niagara agrees to participate in this venture of up to \$1,000,000, and be it further

RESOLVED, that the County Treasurer be, and hereby is, directed to transfer funds from the General Fund CSLFRF to Niagara County Community College, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.07.1325.000 44089.07	ARPA State/Local Rec Fund	\$1,000,000
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INCREASE APPROPRIATION:

A.07.1325.000 74500.01	Contractual	\$1,000,000
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ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee DATE: 09/21/21 RESOLUTION # ED-026-21
and Administration Committee

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	<u>ED - 9/21/21</u>	Approved: Ayes _____ Abs. _____ Noes _____
		<u>AD - 9/21/21</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

NIAGARA ORLEANS REGIONAL LAND IMPROVEMENT CORPORATION, FUNDING FROM AMERICAN RESCUE FUNDS

WHEREAS, the Niagara Orleans Land Improvement Corporation (NORLIC) is a non-for-profit corporation whose members include the County of Niagara, City of Lockport, City of Niagara Falls, City of North Tonawanda and the County of Orleans; and

WHEREAS, the mission of NORLIC is to foster the reuse and redevelopment of vacant and tax delinquent residential and commercial properties through the acquisition, listing and sale of said properties to persons who provide the best plan for the rehabilitation and reuse of said properties; and

WHEREAS, it is an objective of the land bank to facilitate additional private capital investment in neighborhoods with vacant and tax delinquent properties to promote economic and housing development, as well as improved community quality of life, blight and nuisance abatement, stabilization, revitalization, increased property values and a return of unproductive properties to tax-paying status; and

WHEREAS, the land bank also funds the demolition of properties which are beyond repair, in furtherance of its stated mission; and

WHEREAS, the Legislature intends to further the mission of the land bank through the allocation of \$1,000,000 in ARPA funds, and

WHEREAS, the County will report such pass-through of federal funds under CFDA Number 21.027 and comply with all sub-recipient monitoring compliance as defined in Title 2 Code of Federal Regulations Section 200.332, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, directed to transfer funds from the General Fund CSLFRF to the Niagara Orleans Land Bank Corporation, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

A.28.8020.000 44089.07	ARPA State/Local Rec Fund	\$1,000,000
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INCREASE APPROPRIATION:


A.28.8020.000 74500.01	Contractual	\$1,000,000
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ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 09/21/21 **RESOLUTION #:** IF-094-21
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER	COMMITTEE ACTION <u>IF - 9/13/21</u> <u>AD - 9/13/21</u>	LEGISLATIVE ACTION Approved: Ayes <u> </u> Abs. <u> </u> Noes <u> </u> Rejected: Ayes <u> </u> Abs. <u> </u> Noes <u> </u> Referred: <u> </u>
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APPROVAL OF CONTRACT ADDENDUM FOR ADDITIONAL SERVICES TO BE PERFORMED BY CHA CONSULTING, INC. FOR THE NIAGARA COUNTY REFUSE DISPOSAL DISTRICT

WHEREAS, the Niagara County Refuse Disposal District and CHA Consulting, Inc. entered into a contract whereby CHA Consulting, Inc. agreed to provide certain specified services for Niagara County Refuse Disposal District in regards to C&D Landfill. Landfill #1 and Landfill #2, and

WHEREAS, said contract was fully executed by the Niagara County Refuse Disposal District and CHA Consulting, Inc. on June 26, 2014, and

WHEREAS, said June 24, 2014 contract contains clauses which contemplate the eventuality of additional services to be performed by CHA Consulting, Inc. for the Niagara County Refuse Disposal District in regards to C&D Landfill, Landfill #1 and Landfill #2, and

WHEREAS, said June 24, 2014 contract contains clauses which permit said additional services to be performed pursuant to a valid written Amendment/Addendum to said June 24, 2014 contract which is to be signed by authorized representatives of Niagara County Refuse Disposal District and CHA Consulting, Inc., and

WHEREAS, additional services to be performed by CHA Consulting, Inc. for the Niagara County Refuse Disposal District in regards to the Monitored Natural Attenuation Evaluation at Landfill No. 1 and Landfill No. 2, CHA will perform non-destructive geophysical profiling across the landfill cells, and CHA will evaluate alternatives for addressing the seepage from the surface water swale, and

WHEREAS, CHA Consulting, Inc. has submitted a detailed Scope of Work and the corresponding Professional Fees to be charged by CHA Consulting, Inc. to Niagara County Refuse Disposal District to complete the above-referenced additional services in regards to the addition of tasks associated with Monitored Natural Attenuation Evaluation at Landfill No. 1 and Landfill No. 2, CHA will perform non-destructive geophysical profiling across the landfill cells, and CHA will evaluate alternatives for addressing the seepage from the surface water swale, and

WHEREAS, the proposed Professional Fees to be charged by CHA Consulting, Inc. to Niagara County Refuse Disposal District to complete the above-referenced additional services shall not exceed \$42,787.00, and

WHEREAS, the Niagara County Refuse Disposal District wishes to enter into an Amendment/Addendum to the June 24, 2014 contract with CHA Consulting, Inc. for above-referenced additional services, and

WHEREAS, prior to the execution of the such contract Amendment/Addendum, the County Attorney will review all documents for approval as to legal form, language and compliance, now, therefore, be it

RESOLVED, that the Niagara County Refuse Disposal District is hereby authorized to enter into an Amendment/Addendum to the June 24, 2014 contract with CHA Consulting, Inc. Amendment/Addendum to

complete the above-referenced additional services in regards to C&D Landfill, Landfill #1 and Landfill #2 and the amount to be paid by the Niagara County Refuse Disposal District to CHA Consulting Inc. for said additional services shall not exceed the amount of \$42,787.00, and be it further

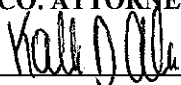
RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the required documents.

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 09/21/21 **RESOLUTION #:** IF-095-21
and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION		
CO. ATTORNEY	CO. MANAGER	IF - 9/13/21	Approved: Ayes	Abs.	Noes
		AD - 9/13/21	Rejected: Ayes	Abs.	Noes
			Referred:		

WILSON-BURT ROAD BRIDGE OVER HOPKINS CREEK CONSULTANT AMENDMENT NO. 1

WHEREAS, Resolution No. IF-107-20, dated September 15, 2020, authorized the contract for consultant services for the Wilson-Burt Road Bridge over Hopkins Creek Project to DiDonato Associates, 689 Main Street, Buffalo, NY 14203, for a contract amount of \$90,075, and

WHEREAS, it is necessary to increase the contract in the amount of \$88,124 to allow for construction inspection and construction administration, for a revised contract amount of \$178,199, and

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

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

H704.15.5197.000 43501.00	Consol Highway Aid Revenue	\$700,000
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INCREASE APPROPRIATIONS:

H704.15.5197.000 72600.02	Infrastructure Bridges	\$700,000
	Folder 02-Construction	

and be it further

RESOLVED, that Amendment No. 1 to increase the contract by \$88,124 for the Wilson-Burt Road Bridge over Hopkins Creek Project, for a revised contract amount of \$178,199, to DiDonato Associates, 689 Main Street, Buffalo, NY 14203, be approved, 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.

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 09/21/21 **RESOLUTION #:** IF-096-21
and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	IF - 9/13/21	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 9/13/21	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

BEAR RIDGE ROAD BRIDGE OVER TRIBUTARY TO TONAWANDA CREEK REHABILITATION CHANGE ORDER NO. 1

WHEREAS, Resolution No. IF-053-21, dated May 11, 2021, awarded the contract for the Bear Ridge Road Culvert Rehabilitation project to Concrete Applied Technologies Corp., d/b/a CATCO, 1266 Townline Road, Alden, NY 14004, for a contract amount of \$227,749, and

WHEREAS, it is necessary to extend the contract completion date to October 1, 2021, due to excessive lead time for culvert liner fabrication, 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 the contract to Concrete Applied Technologies Corp., d/b/a CATCO, 1266 Townline Road, Alden, NY 14004, be extended to October 1, 2021, at no additional cost to the County, 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.

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 09/21/21 **RESOLUTION #:** IF-097-21
and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	IF - 9/13/21	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 9/13/21	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

ANGELO DELSIGNORE CIVIC BUILDING BOILER INSTALLATION BUDGET MODIFICATION

WHEREAS, funds are required to allow for the installation of two (2) boilers at the Angelo DelSignore Civic Building, and

WHEREAS, funds are available in vacant positions to transfer for this work, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

DECREASE APPROPRIATIONS:

A.15.1620.000.71010.00-13402	Positions – HVAC Technician	\$16,500
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INCREASE APPROPRIATIONS:

A.07.9950.000 79010.00	Transfer to Capital Projects	\$16,500
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INCREASE ESTIMATED REVENUE:

H716.15.1620.000.45031.00	Interfund Transfers from Operating	\$16,500
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INCREASE APPROPRIATIONS:


H716.15.1620.000.72200.01	Building Improvements	\$16,500
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INFRASTRUCTURES & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee DATE: 09/21/21 RESOLUTION #: IF-098-21

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		IF - 9/13/21	Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____

AWARD CONSULTANT CONTRACT FOR FAÇADE ASSESSMENT/DESIGN SERVICES

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with engineering services related to the assessment, and repairs to the façade structure at 111 Main Street, Lockport, NY, and

WHEREAS, funds are available in account H717.15.1620.000.72200.01, 111 Main Street Façade Rehabilitation, and

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

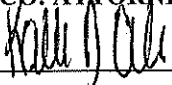
RESOLVED, that the consultant services contract for the design services associated with the assessment and repairs to the façade at 111 Main Street, Lockport, NY be awarded to Nussbaumer & Clarke, Inc., 3556 Lake Shore Road, Suite 500, Buffalo, NY 14219, for a contract amount not to exceed \$31,700.00, and be it further

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

INFRASTRUCTURE & FACILITIES
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 09/21/21 **RESOLUTION #:** IF-099-21
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER _____	COMMITTEE ACTION <u>IF - 9/13/21</u> <u>AD - 9/13/21</u> _____	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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DEPARTMENT OF PUBLIC WORKS - BUDGET MODIFICATION

WHEREAS, the Buildings and Grounds Department provides support services to all office buildings and park land, and

WHEREAS, funds are required to pay for the removal of wallpaper and patching/painting of the office area leased by the New York State Department of Labor at the Trott ACCESS Center, as per the executed ten (10) year lease agreement, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

DECREASE APPROPRIATION:

A.15.1620.000.71010.00	Positions	
	Bldg Maintenance Mechanic No. 13351	\$10,000.00
	Bldg Maintenance Mechanic No. 13353	10,000.00
	Cleaner/Laborer No. 13589	8,000.00
	General Repair Person II No. 13593	9,000.00
	General Repair Person II No. 13668	7,000.00
	HVAC Technician No. 13402	8,830.00

INCREASE ESTIMATED APPROPRIATION:

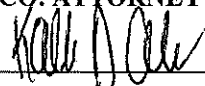
A.15.1620.000.74800.03	Building Maintenance Supplies	\$52,830.00
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INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 09/21/21 **RESOLUTION #:** IF-100-21
and Administration Committee

APPROVED BY CO. ATTORNEY 	REVIEWED BY CO. MANAGER _____	COMMITTEE ACTION <u>IF - 9/13/21</u> <u>AD - 9/13/21</u>	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
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DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION BUDGET MODIFICATION

WHEREAS, the Public Works Department, Engineering Division, is in need of a multifunction color plotter, now, therefore, be it

RESOLVED, that the following budget modification be effectuated to allow for the purchase of a multifunction color plotter by the Engineering Department:

INCREASE ANTICIPATED REVENUE:

A.15.1440.000 41289.09	Other General Gvt Income Salary Reimbursement	\$4,945.81
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DECREASE ANTICIPATED EXPENDITURES:

A.15.1440.000 71030.00	Part-Time Expense Position #13531	\$1,054.19
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INCREASE ANTICIPATED EXPENDITURES:


A.15.1440.000 72100.05	Computer Equipment	\$6,000.00
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INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 09/21/21 **RESOLUTION #:** IF-101-21
and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION		
CO. ATTORNEY	CO. MANAGER	IF - 9/13/21	Approved: Ayes	Abs.	Noes
		AD - 9/13/21	Rejected: Ayes	Abs.	Noes
			Referred:		

REPLACEMENT OF BEAR RIDGE ROAD BRIDGE OVER AN UNNAMED STREAM-ADDITIONAL FUNDING

WHEREAS, by Resolution No. IF-074-21, dated June 15, 2021, the Legislature awarded the contract for the Replacement of Bear Ridge Road Bridge over an Unnamed Stream to Concrete Applied Technologies Corp., d/b/a CATCO, 1266 Townline Road, Alden, NY 14004, for a contract amount of \$746,546.57, and

WHEREAS, it is necessary to increase revenue to allow the project to proceed, and

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

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

H713.15.5197.000 43501.00	Consol Hwy Aid Revenue	\$80,000
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INCREASE APPROPRIATIONS:

H713.15.5197.000 72600.02	Bridges	\$80,000
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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.

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 09/21/21 **RESOLUTION #:** IF-102-21
and Administration Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		<u>IF - 9/13/21</u>	Approved: Ayes _____ Abs. _____ Noes _____
		<u>AD - 9/13/21</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

KRULL PARK SHORELINE REHABILITATION PROJECT DESIGN SERVICES CONTRACT - CHANGE ORDER NO. 1

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

WHEREAS, it is necessary to extend the contract completion date to December 31, 2022, to allow for final design services, and

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

RESOLVED, that the contract to, WSP USA, 50 Lakefront Blvd, Suite 111, Buffalo, NY 14202, be extended to December 31, 2022, at no additional cost to the County, 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.

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 09/21/21 **RESOLUTION #:** IF-103-21
and Administration Committee

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		<u>IF - 9/13/21</u>	Approved: Ayes _____ Abs. _____ Noes _____
		<u>AD - 9/13/21</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

HUNT STREET BRIDGE REPLACEMENT PROJECT OVER BERGHOLZ CREEK

WHEREAS, the Department of Public Works closed the Hunt Street Bridge over Bergholz Creek in 2017 due to extensive bridge repairs required as noted in the New York State Department of Transportation inspection flags, and

WHEREAS, the County Legislature hereby directs the Department of Public Works to procure an engineering firm for the Preliminary Design work for the replacement of the Hunt Street Bridge over Bergholz Creek, and

WHEREAS, the County hereby directs the Department of Public Works to proceed with the replacement of the Hunt Street Bridge and apply for federal/state aid to assist with the construction phase of this bridge replacement 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 following budget modification be effectuated:

INCREASE ANTICIPATED REVENUE:

H729.15.5197.000 43501.00	Consol Highway Aid Revenue	\$100,000
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INCREASE ANTICIPATED APPROPRIATIONS:

H729.15.5197.000 72600.02	Infrastructure-Bridges	\$100,000
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and be it further


RESOLVED, that the sum of \$100,000 is hereby appropriated in account H729.15.5197.000 72600.02 and made available to cover the preliminary design phase of the project.

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 09/21/21 **RESOLUTION #:** IF-104-21
and Administration Committee

APPROVED BY	REVIEWED BY	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	IF - 9/13/21	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 9/13/21	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

WAIVER OF RESIDENCY REQUIREMENT COMMUNICATIONS TECHNICIAN/COMPUTER PROGRAMMER POSITION IT DEPARTMENT

WHEREAS, the Niagara County IT Department has permission to fill a Communications Technician/Computer Programmer position vacancy, and

WHEREAS, all Niagara County candidates who applied were not deemed qualified, and

WHEREAS, the Department has made a diligent and sincere effort to recruit candidates for the position from within Niagara County, including announcements and job recruitment sites, and

WHEREAS, there are no remaining Niagara County applicants for this position at this time, now, therefore, be it


RESOLVED, that a Waiver of Residency from the policy to hire only Niagara County residents be approved to fill the vacant Communications Technician/Computer Programmer position when the most qualified applicant resides outside Niagara County.

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Rebecca J. Wydysh, David E. Godfrey and Jesse P. Gooch **DATE:** 09/21/21 **RESOLUTION #:** IL-026-21

APPROVED BY CO. ATTORNEY	REVIEWED BY CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
			Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

NIAGARA COUNTY SHERIFF'S OFFICE INTER-MUNICIPAL PATROL VEHICLE AGREEMENT TOWN OF WHEATFIELD

WHEREAS, Niagara County currently possesses a 2019 Dodge Charger AWD Police Vehicle previously used by the Niagara County Sheriff's Office with odometer readings of approximately 141,228 which is are longer needed for County use and which the County wishes to declare as surplus property, and

WHEREAS, the Town of Wheatfield are in need of a vehicle matching the above description for use by the Town of Wheatfield Constables in the performance of their law enforcement duties, and

WHEREAS, the Inter-Municipal Agreement between the County of Niagara and the Town of Wheatfield has been drafted by the County Attorney's Office which details the terms of a transfer of the aforementioned 2019 Dodge Charger AWD Police Vehicle, now, therefore, be it

RESOLVED, that the County of Niagara declares the 2019 Dodge Charger AWD Police Vehicle to be surplus property and authorizes an agreement with the Town of Wheatfield to transfer the ownership of the 2019 Dodge Charger AWD Police Vehicle, and be it further

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

LEGISLATOR REBECCA J. WYDYSH

LEGISLATOR DAVID E. GODFREY

LEGISLATOR JESSE P. GOOCH

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Christopher A. Robins, Dennis F. DATE: 09/21/21 RESOLUTION # IL-027-21

Virtuoso, Anita Mullane, Owen T. Steed, Mark J. Grozio and Rebecca J. Wydysh

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
			Approved: Ayes Abs. Noes
			Rejected: Ayes Abs. Noes
			Referred:

CONNECTING NIAGARA UNIVERSITY TO THE NIAGARA RIVER GORGE

WHEREAS, New York State now leads the nation in making world class biking trails, with the goal of connecting all our communities to safe non -automotive transportation, and

WHEREAS, Niagara University has over 4,000 students, with a goal to create a bike friendly campus, and encourage active recreation, and already has built a bike trail to Reservoir State Park (the NU Power Trail), but has no connection to the Shoreline Trail which lies immediately across route 104, and

WHEREAS, the intersection at 104 and Hyde Park Blvd. is currently hazardous lacking a safe crosswalk, signal lights and logos for the student population who would like to connect to the trails leading North and South across the Niagara Region, and

WHEREAS, New York State is dedicated to promoting the Shoreline Trail and creating access to the trail system from surrounding communities making the connection from Niagara University to Devil's Hole an essential part of trail access, and

WHEREAS, The Ralph C. Wilson Jr. Gateway Plaza at Devil's Hole which is currently under construction will provide new opportunities to connect the NU Power Trail with the Shoreline Trail System and the new \$50 million Gorgeview trail leading to the downtown business district, and

WHEREAS, there are in place plans to reconfigure the intersection at Hyde Park and 104 making this the perfect opportunity to create a safe, secure connection, giving over 4,000 students the freedom to enjoy the Shoreline Trail and patronize the businesses in the Niagara Region, now, therefore, be it

RESOLVED, that Niagara County Legislature is asking that New York State consider a traffic calming / public access design on Route 104 in front of Niagara University, and be it further

RESOLVED, that copies of this resolution be sent to Governor Cuomo, Leaders of the State Assembly and Senate, Assemblymen Angelo J. Morinello, Senator Robert G. Ort, Senator Timothy M. Kennedy, U.S Congressman Brian Higgins, Lewiston Supervisor Steven Broderick, Niagara Falls Mayor Robert Restaino, Niagara Falls City Council, Francis P. Cerillo Regional Director NY State Department of Transportation.

LEGISLATOR CHRISTOPHER A. ROBINS

LEGISLATOR DENNIS F. VIRTUOSO

LEGISLATOR ANITA MULLANE

LEGISLATOR OWEN T. STEED

LEGISLATOR MARK J. GROZIO

LEGISLATOR REBECCA J. WYDYSH

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Randy R. Bradt, Jesse P. Gooch, _____ **DATE:** 09/21/21 **RESOLUTION #:** IL-028-21
and David E. Godfrey

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

RESOLUTION FOR MATCHING NIAGARA COUNTY COMMUNITY COLLEGE'S FUNDING TO CONSTRUCT THE NIAGARA COUNTY LAW ENFORCEMENT ACADEMY

WHEREAS, the County of Niagara, City of Niagara Falls and Niagara County Community College recently entered into an Intermunicipal Agreement for the operation of the Niagara County Law Enforcement Academy at the college campus of Niagara County Community College, and

WHEREAS, the Niagara County Community College provided space as a short-term solution, however a new space with up-to-date technology is needed to provide optimal training and education to the law enforcement officers and pre-employed students in the Criminal Justice program, and

WHEREAS, to meet this need, Niagara County Community College, as part of its capital plan, will undertake development of a new 14,000 square foot facility to provide simulation labs and classroom space for the Niagara County Law Enforcement Academy (NCLEA), which will be utilized to provide the foundation anchor for their Criminal Justice Program, while simultaneously allowing for the County's law enforcement officers to be integrated/educated utilizing this up to date and modern facility, and

WHEREAS, the total cost of developing the NCLEA building has been estimated at \$4,540,000.00, additional funds will be provided for re-pavement for Lot #4, estimated at \$400,000, and

WHEREAS, Niagara County Community College is applying for matching funds from the SUNY Community College Capital Program to assist in funding the construction of the new facility and parking lot as noted, now, therefore, be it

RESOLVED, that the County of Niagara agrees to participate in this venture of up to \$3,000,000.00, and be it further

RESOLVED, the County of Niagara will utilize funds from the Coronavirus State and Local Fiscal Recovery Fund, a part of the American Rescue Plan Act, to match funding for the new facility providing that the project is fully funded.

LEGISLATOR RANDY R. BRADT

LEGISLATOR JESSE P. GOOCH

LEGISLATOR DAVID E. GODFREY

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Anita Mullane, Dennis F. Virtuoso, **DATE:** 09/21/21 **RESOLUTION #:** IL-029-21
Mark J. Grozio, Christopher A. Robins and Owen T. Steed

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

RESOLUTION RECOGNIZING NIAGARA COUNTY EMPLOYEES WORKING THROUGH THE COVID-19 SHUTDOWN

WHEREAS, in March 2020, the Covid-19 pandemic caused government and service shutdowns throughout our Country, and

WHEREAS, many County employees were still required to work throughout the shutdown and with the heightened risk of contracting Covid-19, and

WHEREAS, these valued employees continued to serve the County, many even entering the homes of people suspected to have Covid-19, and

WHEREAS, the Niagara County Legislature appreciates the hard work and dedication of all of its employees, and

WHEREAS, the Niagara County Legislature especially recognizes those Niagara County first responders and employees that worked throughout the Covid-19 shutdown amidst the heightened threat of contracting the virus, now, therefore, be it

RESOLVED, the Niagara County Legislature requests the County Manager to prepare a plan and report back to the Legislature by October 13, 2021 with a budget amount and who shall qualify for and receive the premium pay, and be it further

RESOLVED, that the Niagara County Legislature shall approve the individual names suggested by the County Manager.

LEGISLATOR ANITA MULLANE

LEGISLATOR DENNIS F. VIRTUOSO

LEGISLATOR MARK J. GROZIO

LEGISLATOR CHRISTOPHER A. ROBINS

LEGISLATOR OWEN T. STEED

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Richard L. Andres, Anthony J. Nemi, John Syracuse, Randy R. Bradt, Owen T. Steed
and Parks Recreation & Tourism Ad Hoc Committee

DATE: 09/21/21

RESOLUTION #: IL-030-21

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
Ad Hoc - 9/8/21

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

SUPPORT FOR THE RIVIERA THEATRE AND ORGAN PRESERVATION SOCIETY RIVIERA THEATRE EXPANSION PROJECT PHASE 3

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

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

WHEREAS, the Riviera Theatre and Organ Preservation Society, Inc. has made application to the Niagara County's Ad Hoc Committee on Recreation and Tourism for Greenway funds to support Phase 2 and Phase 3 of the Riviera Theatre Expansion Project, and

WHEREAS, Phase 2 of the Riviera Theatre Expansion Project consisted of the acquisition of adjacent property at 71 Webster Street, North Tonawanda, which Riviera Theatre has now closed on the purchase, and

WHEREAS, Phase 3 of the Riviera Theatre Expansion Project includes a conceptual design and operational study of the newly acquired 6,195 square foot building for the purposes of converting the existing space into modern patron amenities, including accessible modern restrooms, a concession and bar area, along with updated dressing rooms for the performers, together with the renovation of the 6,195 square foot building, which will give the Riviera Theatre a greater downtown footprint and street front presence, and allow for new accessible restroom facilities as well as a larger and more accessible lobby area to improve the general patron experience as well as provide accessibility for people of all ages and mobility levels, and

WHEREAS, Phase 3 of the Riviera Theatre Expansion Project will allow the Riviera Theatre to increase the variety and scope of cultural programs offered, which will generate revenue, increase the comfort of patrons, generate foot traffic along the Erie Canal and in the City of North Tonawanda and increase the visibility of the Niagara River Greenway as a cultural and arts destination, and

WHEREAS, the Riviera Theatre Expansion Project will cause a positive economic impact in the City of North Tonawanda and County and enhance the visitor experience, and

WHEREAS, the application is requesting \$175,000.00 to be utilized, along with previous efforts, for a total project cost of over two million dollars, and

WHEREAS, the Riviera Theatre has already completed the purchase of 71 Webster Street to expand the theatre with needed space and modernization of its facilities and is looking for \$175,000.00 to be used strictly for development stage of Phase 3 with \$120,000.00 to be immediately available for engineering and architectural construction documents, and

WHEREAS, the Riviera Theatre Expansion Project Phase 3 has the support and approval of Legislators Richard Andres, Jesse P. Gooch, Randy R. Bradt, City of North Tonawanda Mayor Arthur G. Pappas and Lumber City Development Corporation, and

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

WHEREAS, the Riviera Theatre and Organ Preservation Society has utilized great effort and is complimented for seeking and obtaining additional funds to lower their actual request for funds; and

WHEREAS, after receipt of in-kind services and primary financing and grant support from other sources, \$175,000.00 is being requested, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$175,000.00 for the Riviera Theatre and Organ Preservation Society Phase 3 of Riviera Theatre Expansion Project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

LEGISLATOR RICHARD L. ANDRES

LEGISLATOR ANTHONY J. NEMI

LEGISLATOR JOHN SYRACUSE

LEGISLATOR RANDY R. BRADT

LEGISLATOR OWEN T. STEED

PARKS, RECREATION & TOURISM
AD HOC COMMITTEE