

ADMINISTRATION COMMITTEE AGENDA
NOVEMBER 27, 2023
5:00 PM

- 1. Call to Order**
 - a. Godfrey, Nemi, Bradt, Collins, Grozio, Myers, Robins
- 2. Approval of Minutes of November 6, 2023**
- 3. Community Safety and Security Committee Agenda**
- 4. Community Services Committee Agenda**
- 5. Infrastructure Committee Agenda**
- 6. Legislature**
 - a. Local Law Requiring Contractors, Desiring to Bid on Construction Work for the County of Niagara to Provide Proof of Certain Employee Benefits Including the New York State Certified Worker Training Program
- 7. County Manager**
 - a. Ratification of Modified Agreement between the County of Niagara and Local 182 American Federation of State, County & Municipal Employees Affiliated with New York Council 66, AFL-CIO
- 8. County Attorney**
 - a. Amending the Resolution that Set Public Hearing for the Tentative Budget for the Year 2024
 - b. Rescind Resolution CW-021-23 Assigning the Contract for Occupational Medicine to Catholic Health Mount St. Mary's
- 9. Information and Adjournment**

**NIAGARA COUNTY ADMINISTRATION COMMITTEE
MEETING MINUTES
November 6, 2023
5:30 PM**

	ADMINISTRATION	STAFF	OTHERS
PRESENT:	D. Godfrey A. Nemi R. Bradt M. Grozio I. Myers C. Robins	R. Updegrove D. Huntington C. Joerg K. Andrews P. Lopes J. Pitaressi K. Schuler H. Soles	M. Filicetti, Sheriff D. Blackley, Public Defender D. LaRock, Probation D. Levan, Fire Coordinator M. Gibbons-Doxey, Mental Health P. Murabito, NCCC W. Lynch, NCCC G. Meal, Public Works J. Gaston, Parks N. Allen, Engineering D. Quinn, Public Works W. Flynn, Information Technology J. Bieber, Water District
EXCUSED:	W. Collins R. Wydysh		

1. Call to Order

Chairman D. Godfrey called the meeting of the Administration Committee to order at 5:33 p.m.

2. Approval of Minutes

Chairman D. Godfrey asked for the approval of the minutes to the meeting of October 10, 2023. The minutes were approved by R. Bradt. C. Robins seconded them. The minutes passed unanimously.

3. Community Safety and Security Committee Agenda

Resolutions:

NCSO Accept 2023 Public Safety Answering Point Operations Grant
NCSO Accept 2023 Statewide Interoperable Communications Formula Grant
NCSO Award Consultant Contract Building One Remodel
NCSO Budget Modification – State and Local Overtime (SLOT) Revenue
NCSO Fill Crime Analyst Position with Residency Waiver
NCSO Penn Power Jail Tower Generator Change Order No. 1
NCSO LabVantage Standardization/Sole Source of Installation, Training and Service of
LabVantage Laboratory Information Management System
NCSO Overhead Door of Greater Erie Change Order No. 2
Waiver of Residency Request for Assistant Public Defender Position
Probation 2023 Accept Ignition Interlock Device Monitoring Program Award
Emergency Services – Agreement with Catholic Health
Emergency Services – Ambulance Division Authorizing the Establishment and Operation of an
Advanced Life Support Transporting Service within Niagara County
Acceptance and Budget Modification of the FM Global Fire Prevention Grant
Fire Coordinator's Office Budget Modification-Accept Payment for Haz-Mat Incident on 8/2/23

C. Robins made a motion. A. Nemi seconded it. Passed unanimously.

**NIAGARA COUNTY ADMINISTRATION COMMITTEE
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4. Community Services Committee Agenda

Resolutions:

Mental Health Budget Modification–Contact Agency State Aid COLA/Minimum Wage Increases
Mental Health Budget Modification–Opioid Settlement Funds Use
Resolution for Funding Niagara County Community College Solar Facility

A. Nemi made a motion. R.Bradt seconded it. Passed unanimously.

5. Infrastructure Committee Agenda

Resolutions:

Capital Project H712 Closeout Water District
Award of Contract – Telecommunications Software Upgrade for Niagara County
Cybersecurity Grant Money Request
Parks Department Budget Modification Golf Course Equipment
Parks Department Budget Modification – American Rescue Plan Act Funds
Abolish Two Building Attendant Positions/Create and Fill Two Cleaner/Laborer Positions
Reclassification of American Rescue Plan Act Funds to Court House Boiler Replacement
Budget Modification – Capital Projects HVAC Improvements
Bridge Maintenance Project Budget Modification – Ewings Rd Over Eighteen Mile Creek and
Quaker Rd Over Golden Hill - EPN2215
Award of Contract – Wilson-Burt Road Bridge over Eighteen Mile Creek
Award Consultant Contract – Hartland Road Culvert No. 108-10
Bridge NY Culvert Local Project Agreement, PIN 5765.02 Balmer Road over a Tributary to
Twelve Mile Creek, Town of Porter
Bridge NY Culvert Local Project Agreement, PIN 5765.03 Ransomville Road Culvert No. 17-1,
Town of Lewiston
Budget Modification for Connect Niagara ATC Funding Reimbursement

I. Myers made a motion. M. Grozio seconded it. Passed unanimously.

6. County Manager

- a. Niagara County Travel Policy, Vehicle Policy and Driver Manual – A. Nemi made a motion. I. Myers seconded it. Passed unanimously.
- b. Resolution by the County Legislature Re-Appointing Richard E. Updegrove, Niagara County Manager – R. Bradt made a motion. C. Robins seconded it. Passed unanimously.
- c. Set Public Hearing for Assessment Tax Roll for the Niagara County Water District - D. Godfrey made a motion. I. Myers seconded it. Passed unanimously.
- d. Set Public Hearing for Assessment Tax Roll for the Niagara County Refuse District – A. Nemi made a motion. M. Grozio made a motion. Passed unanimously.
- e. Set Public Hearing for Assessment Tax Roll for the Niagara County Sewer District – R. Bradt made a motion. I. Myers made a motion. Passed unanimously.
- f. Set Public Hearing for the Tentative Budget for the Year 2024 – A. Nemi made a motion. – M. Grozio made a motion. Passed unanimously.

**NIAGARA COUNTY ADMINISTRATION COMMITTEE
MEETING MINUTES
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7. Treasurer's Office

- a. Distribution of Mortgage Tax – R. Bradt made a motion. C. Robins seconded it. Passed unanimously.

8. Adjournment

A motion was made by M. Grozio to adjourn. D. Godfrey seconded it. Passed unanimously. The Administration Committee meeting adjourned at 6:20 p.m.

Minutes Transcribed By:

Heather Soles, Budget Assistant
Office of Management & Budget

Minutes Approved By:

David E. Godfrey, Chairman
Administration Committee



COMMUNITY SAFETY AND SECURITY COMMITTEE AGENDA November 27, 2023

1. Call to Order
 - a. Hill, Godfrey, Abbott, Bradt, Elder, Gooch, Robins

2. Approval of minutes from previous meeting

3. Sheriff

Res. – Extend Contract for Forensic Toxicology Method Development and Validation Services for the Niagara County Sheriff's Office Forensic Laboratory.

Res. – Accept FY23 COPS Hiring Program Grant.

Res. – Award Contract for RFP 2023-61 Employee Assistance Program for the Niagara County Sheriff's Office.

Res. – Accept BJA FY2023 State Criminal Alien Assistance Program Grant.

4. Public Defender

Res. – Accept Office of Indigent Legal Services (OILS) Distribution #14 (C140029) Grant.

Res. – Acceptance of the Fourth Upstate Quality Improvement and Caseload Reduction Grant.



Community Services Committee

AGENDA - Meeting of November 27, 2023

1. Call to Order

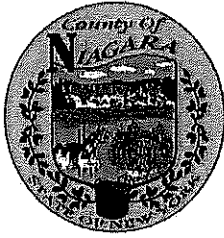
a) Bradt, Elder, Gooch, Godfrey, Nemi, Robins, Voccio

2. Approval of Minutes of November 6, 2023

3. County Clerk

a) Resolution – Setting Salary of County Clerk

4. Motion to Adjourn

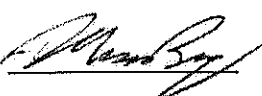


INFRASTRUCTURES COMMITTEE AGENDA
NIAGARA COUNTY COURT HOUSE
LOCKPORT, NEW YORK
Monday, November 27, 2023
MEETING NO. 11

- 1. Call to Order**
 - a. Collins, Myers, Bradt, Foti, Hill, Robins, Grozio
- 2. Meeting Minutes – Approval**
 - a. November 6, 2023
- 3. Informational Technology – Approval**
 - a. Rescind Data Cabling Award
- 4. Solid Waste – Approval**
 - a. Non-Disturbance Agreement – AC Power
- 5. Engineering – Approval**
 - a. Change Order
 - i. Wilson Burt Rd Bridge over 18 Mile Creek Consultant Amendment – EPN 2119 Change Order No. 2
 - ii. Bridge Deck Overlays 2023 – Change Order No. 2 – Final EPN 2123
 - iii. Culvert Replacements 2023 – Change Order No 1 - Project Final EPN 2207
- 6. Highway – Approval**
 - a. Award of Contract
 - i. Mowing Agreement Town of Niagara
 - b. Budget Modification
 - i. Highway Fleet Maintenance – Heavy Duty Truck Lift
 - ii. Highway Fleet Maintenance – Repair and Maintenance Parts
 - c. CDL Driver Update – Informational
- 7. Administration – Approval**
 - a. Award of Contract – Connect Niagara Rural Transportation Services
 - b. Budget Modification
 - i. Capital Project Close-out/Reallocation of Funds
 - c. DPW Building Update – Informational
- 8. NCCC Construction Update – Informational**
- 9. Adjourn**

NIAGARA COUNTY LEGISLATURE

FROM: Legislators Irene M. Myers and Mark J. Grozio DATE: 11/14/23 RESOLUTION # IL-156-23

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

LOCAL LAW REQUIRING CONTRACTORS, DESIRING TO BID ON CONSTRUCTION WORK FOR THE COUNTY OF NIAGARA TO PROVIDE PROOF OF CERTAIN EMPLOYEE BENEFITS INCLUDING THE NEW YORK STATE CERTIFIED WORKER TRAINING PROGRAM

WHEREAS, in order to protect the public interest and the welfare of the employees in the payment of prevailing wages and benefits, and

WHEREAS, it is desirable and necessary to provide safeguards and adopt certain procedures to insure compliance with the provisions of Section 220 of the State Labor Law, and

WHEREAS, it is valuable for local government to encourage broad participation in such New York State Certified Worker Training Programs by the residents of Niagara County and to foster the equal opportunity of men and women of all races and backgrounds to participate in order to enhance workforce development and diversification, and to prevent exclusionary practices which have historically excluded women and minorities; these safeguards are in the best interests of the taxpayer and the citizens of Niagara, and

WHEREAS, the New York State Department of Labor sets objective standards and provides oversight for New York State Certified Worker Training Programs; these Programs are important because they require on-the-job training and classroom training, and provide objective industry standards; in effect these programs lead to a standardized, cost effective and skilled labor workforce, now, therefore, be it

RESOLVED, that any contractors desiring to bid on any Niagara County Construction project wherein the successful bid is in excess of one million and 00/100 dollars [\$1,000,000.00], must show proof to the proper agency of the County that the employees of the contractor are covered by an approved health and hospital insurance plan, an approved pension plan and an apprentice training program, pursuant to standards approved by the "New York State Apprentice Program."

Section 1. Short Title.

This Local Law shall be known as "The Niagara County Workforce Development and Diversification New York State Certified Worker Training Program."

Section 2. Definitions.

A. "New York State Certified Worker Training Program" Shall mean: a state registered and regulated apprenticeship program through the New York State Department of Labor that has been approved by the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law, that includes the following standards:

- (i) An organized, written plan in place that embodies the terms and conditions of employment, and training and supervision of one or more workers;

- (ii) A schedule of wages to be paid to the worker consistent with the skills required and approved by the New York State Department of Labor;
- B. "Commissioner" shall mean the Commissioner of the Niagara County Department of Public Works.
- C. "Construction contract" shall mean projects with a value in excess of one million and 00/100 dollars [\$1,000,000.00], where Niagara County is a direct party to the contract which includes an incidental amount of construction type activity intended to benefit the public, including all work which is necessary, incidental or connected with the execution of the contract which is performed by construction workers. A construction contract includes: projects that Niagara County funds directly, projects that Niagara County funds indirectly by providing funds to a separate entity to perform the construction type activity and construction projects built under Niagara County's direction and later paid for with Niagara County funds except for construction contracts wherein Niagara County is partnered with other counties.
- D. "Construction subcontract" shall mean any subcontract between a contractor who has a construction contract as defined in Section 3, subdivision C above.
- E. "Contractor" or "subcontractor" shall mean a contractor or subcontractor that directly employs construction workers, as defined below, under a construction contract or construction subcontract, as defined herein, for which a New York Certified Worker Training Program is required.
- F. "Construction worker" shall mean an individual directly involved in the construction, reconstruction, improvement, rehabilitation, installation, alteration, renovation, demolition or otherwise providing for any building, facility, roads, highways, bridges, or physical structure of any kind, but does not include professional services employees or those construction workers for which a New York State certified Worker Training Program does not exist.

Section 3. Requirements.

- A. Any contractor, prior to entering into a construction contract set forth in section 3. (C.) above, or any subcontractor entering into a construction subcontract with a contractor who has a construction contract with the County of Niagara is required to have in place and provide written proof of same at the time of bid a New York State Certified Worker Training Program, either internally to the contractor or subcontractor and/or through an organization servicing several contractors or subcontractors, appropriate the type and scope of work to be performed.

Section 4. Penalties.

Violation of any provision of this Local Law shall constitute cause, grounds or other legal justification for Niagara County to refuse to award the construction contract to the lowest bid and/or the termination of any contractual agreement with any contractor or subcontractor engaged in a construction contract or construction subcontract with the County, in accordance with County and state law, rules and regulations governing the termination of such contractual agreements.

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by

any court of competent jurisdiction to be invalid or unconstitutional such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in which such judgment or order shall be rendered.

Section 6. Applicability.

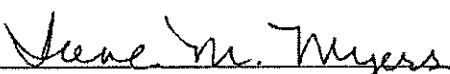
This Local Law shall apply to construction contracts advertised for bids on or after the effective date.

Section 7. Effective Dates.

This Local Law shall take effect 30 days after the filing with the Secretary of State, in accordance with Section 27 of the New York State Municipal Home Rule Law.

RESOLVED, that the Niagara County Legislature shall conduct a public hearing upon such proposed Local Law at the Legislative Chambers, Courthouse, Lockport, New York, on the 5th day of December 2023, at 5:50 p.m., and be it further

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


LEGISLATOR IRENE M. MYERS


LEGISLATOR MARK J. GROZIO



Administration Committee

Complete this form, save in Committee folder and name using this format yyyyymmdd dept desc (example 20170111 cdp budget adjustment)

Today's Date: 11/21/23

Department Submitting Agenda Item: County Manager

Date of Committee Meeting: 11/27/23

Title: NC and AFSCME Union Contract Modification and Ratification Resolution

Brief Summary: The County of Niagara and the AFSCME Union have reached a tentative agreement to modify the existing collective bargaining agreement pursuant to the Tentative Agreement dated 11/13/2023 reached between the County and the AFSCME Union. The modified agreement is effective January 1, 2024, and funds are available in the 2024 budgeted appropriations to carry out the fiscal obligations of the modified agreement, with the new contract term to extend through 12/31/2026.

If this item pertains to a position(s), it must be sent to the Human Resources Department to be reviewed and approved before going to the Administration Committee.

Please provide date approved: N/A

Action Requested:

Associated Costs:

Benefits & Risks:

**RATIFICATION OF MODIFIED AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND
LOCAL 182 AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES
AFFILIATED WITH NEW YORK COUNCIL 66, AFL-CIO**

WHEREAS, the County of Niagara, and Local 182 American Federation of State, County & Municipal Employees Affiliated with New York Council 66, AFL-CIO (AFSCME Union) reached a collective bargaining agreement for the period of September 13, 2022 through December 31, 2025 which was approved by the Niagara County Legislature on September 13, 2022 (CW-018-22), and

WHEREAS, the County of Niagara, and the Local 182 American Federation of State, County & Municipal Employees Affiliated with New York Council 66, AFL-CIO (AFSCME Union) have reached a Tentative Agreement ("the Agreement") to modify said collective bargaining agreement, and

WHEREAS, said modified Agreement was ratified by the AFSCME Union on November 8, 2023, and

WHEREAS, funds are available in the 2024 budgeted appropriations and fund balance to carry out the fiscal obligations in the Agreement, and

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

RESOLVED, that upon a vote and approval of the County Legislature on December 5, 2023, the Agreement will be approved as the final ratified Agreement between the parties for the period of January 1, 2024 through December 31, 2026, and be it further

RESOLVED, that Article 17, be modified as follows: the 2023 AFSCME wage schedule rates shall increase by \$1.50 per hour followed by 2.75% general wage increase effective 1/1/2024; 2.75% general wage increase effective 1/1/2025; 2.5% general wage increase effective 1/1/2026, and be it further

RESOLVED, that Article 17, Section 3, New Positions, be modified pursuant to the Tentative Agreement, and be it further

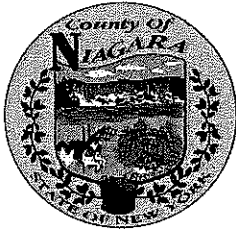
RESOLVED, that Article 17, Section 17, Working Higher Position, be modified pursuant to the Tentative Agreement, and be it further

RESOLVED, that Article 18, Section 5, CDL License Expense Reimbursement, be added pursuant to the Tentative Agreement, and be it further

RESOLVED, that all other contract terms and conditions will remain in full force and effect, and be it further

RESOLVED, that the County Manager is authorized to direct the Departments of Human Resources, Risk Management, Budget, 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.



Administration Committee

Complete this form, save in Committee folder and name using this format yyyyymmdd dept desc (example 20170111 cdp budget adjustment)

Today's Date: 11/20/2023

Department Submitting agenda item: County Attorney

Date of Committee Meeting: 11/27/2023

Title: Amending the Resolution that Set Public Hearing for the Tentative Budget for the Year 2024

Brief Summary: Amend the 2024 Salaries for the members of the Legislature

If this item pertains to a position(s), it must be sent to the Human Resources Department to be reviewed and approved before going to the Administration Committee.

Please provide date approved: N/A

Action Requested: approve

Associated Costs:

Benefits & Risks:

**AMENDING THE RESOLUTION THAT SET PUBLIC HEARING FOR
THE TENTATIVE BUDGET FOR THE YEAR 2024**

WHEREAS, the County Manager of the County of Niagara has submitted a tentative budget to the Niagara County Legislature, and

WHEREAS, pursuant to Section 359 of the County Law, a public hearing must be held, now, therefore, be it

RESOLVED, that a public hearing be held in the Niagara County Courthouse, Lockport, New York at 5:40 p.m. on the 5th day of December 2023, to review the tentative budget for the year 2024, and be it further

RESOLVED, that the maximum salaries that may be fixed and payable during said fiscal year 2024 to members of the Legislature and the Chairman thereof, are specified as follows:

MEMBERS OF THE LEGISLATURE:	\$24,075 Annually
MAJORITY LEADER, MINORITY LEADER:	\$24,575 Annually
CHAIRMAN OF THE LEGISLATURE:	\$27,075 Annually

and be it further

RESOLVED, that the Clerk of the Niagara County Legislature is hereby authorized to publish notice of same in the Union Sun & Journal and the Niagara Gazette.

ADMINISTRATION COMMITTEE

**RESCIND RESOLUTION CW-021-23 ASSIGNING THE CONTRACT FOR OCCUPATIONAL
MEDICINE TO CATHOLIC HEALTH MOUNT ST. MARY'S**

WHEREAS, Resolution No. CW-021-23, dated June 20, 2023, assigned the contract for occupational medicine from Eastern Niagara Hospital to Catholic Health Mount St. Mary's pursuant to acquisition and Western District Federal Court Order, and

WHEREAS, the Human Resources Department was recently notified by Catholic Health Mount St. Mary's that they are not able to perform the services required under the assigned contract stemming from RFP 2021-49, now, therefore, be it

RESOLVED, that Resolution No. CW-021-23 be rescinded in its entirety, and be it further

RESOLVED, permission is granted for the occupational medicine contract to be rebid.

ADMINISTRATION COMMITTEE