

PROCEEDINGS
OF THE
LEGISLATURE
OF THE
COUNTY OF NIAGARA
STATE OF NEW YORK
OFFICIAL RECORD

Lockport, New York
January 2, 2018

The Legislature of the County of Niagara, State of New York, convened in annual session in the Legislature Chambers, Courthouse, Lockport, New York on Tuesday, January 2, 2018 for the purpose of electing officers for the ensuing year.

County Clerk Joseph Jastrzemski, acting as Chairman pro temp, called the Legislature meeting to order at 7:01 p.m. and gave the invocation.

On roll call the following Legislators were present from the several legislative districts:

First	Clyde L. Burmaster
Second	Rebecca J. Wydysh
Third	Mark J. Grozio
Fourth	Owen T. Steed
Fifth	Jason A. Zona
Sixth	Dennis F. Virtuoso
Seventh	Kathryn L. Lance
Eighth	Richard L. Andres Jr.
Ninth	Randy R. Bradt
Tenth	David E. Godfrey
Eleventh	Anthony J. Nemi
Twelfth	William J. Collins
Thirteenth	Wm. Keith McNall
Fourteenth	John Syracuse
Fifteenth	Michael A. Hill

County Clerk Jastrzemski administered the oath of office to the 2018 Niagara County Legislators.

The Chairman pro temp Joseph Jastrzemski asked for nominations for temporary Chairman.

Moved by Syracuse, seconded by Nemi, that Legislator Burmaster be nominated for temporary Chairman.

Moved by Syracuse, seconded by Nemi, that the nominations be closed.

Carried.

Chairman pro term Jastrzemski declared Legislator Burmaster as the temporary Chairman.

Temporary Chairman Burmaster asked for nominations for permanent Chairman.

Moved by Burmaster, seconded by Syracuse, that Legislator McNall be nominated for permanent Chairman.

Moved by Burmaster, seconded by Syracuse, that the nominations be closed.

Carried.

Temporary Chairman Burmaster declared Legislator McNall as the Chairman.

A moment of silence was held for James A. Sacco, John W. Cole and Michael Fitzgerald.

Resolution No. IL-001-18

From: Legislators John Syracuse and David E. Godfrey

Dated: January 2, 2018

A LOCAL LAW INCREASING THE SALARY OF THE COUNTY CORONER DISTRICT 1

WHEREAS, Legislator John Syracuse present, in writing the following proposed Local Law:

A Local Law of the County of Niagara, New York increasing the salary of County Coroner District 1;

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

1. The salary of the County Coroner District 1 shall be increased from \$17,500 per year to \$25,500 per year commencing immediately upon the effective date of this local law.
2. This Local Law shall become effective in accordance with the statutes of the State of New York.

RESOLVED, that the Niagara County Legislature shall conduct a public hearing upon said proposed Local Law at the Legislative Chambers, Courthouse, Lockport, New York on the 16th day of January, 2018 at 6:45 p.m., and be it further

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

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

Carried.

Moved by Syracuse, seconded by Godfrey.

Adopted. 15 Ayes, 0 Noes.

APPOINTMENTS:

	<u>Appt.</u>	<u>Expires</u>
<u>AD HOC ALTERNATIVES TO INCARCERATION ADVISORY BOARD:</u>		
Wm. Keith McNall, Chr., Niagara County Legislature 739 Willow St. Lockport, 14094	01/02/18	12/31/18
David E. Godfrey, Chr. Community Safety/Security Comm. 4821 Lake Rd., Burt 14028	01/02/18	12/31/18
Matthew J. Murphy, County Judge Courthouse, Lockport 14094-2740	01/02/18	12/31/18
Caroline Wojtaszek, District Attorney Courthouse, Lockport 14094-2740	01/02/18	12/31/18
David Farrugia, Public Defender Courthouse, Lockport 14094-2740	01/02/18	12/31/18
John Cicchetti, Probation Director II 111 Main St., Lockport 14094	01/02/18	12/31/18
James Voutour, Sheriff PO Box 496, Lockport 14095	01/02/18	12/31/18
Kevin Payne, Chief Jail Administrator PO Box 496, Lockport 14095	01/02/18	12/31/18
Frank Zelinsky, Pre-Trial Serv. Coord., Probation Dept. 111 Main St., Lockport 14094	01/02/18	12/31/18
Wayne Reinbolt (ex-offender) 6262 Dale Rd., Newfane 14108	01/02/18	12/31/18
Laura Kelemen, Dir. of Mental Health 5467 Upper Mountain Rd., Lockport 14094	01/02/18	12/31/18
Michael Niethe, Chief of Police City of Lockport, Municipal Bldg., Lockport 14094	01/02/18	12/31/18
Robert J. Botzer, Town Justice Town of Wilson, 375 Lake St., Wilson 14172	01/02/18	12/31/18
14. Marc McClellan, ATI Work Program Coordinator PO Box 496, Lockport 14095	01/02/18	12/31/18
Kristen Mack, Crime Victim Advocate PO Box 496, Lockport 14095	01/02/18	12/31/18
Theresa Ferrante, TASC Program Coordinator PO Box 496, Lockport NY 14095	01/02/18	12/31/18
Mark A. Violante, Chief Justice NF City Court City Hall, 745 Main St., Niagara Falls 14302	01/02/18	12/31/18
William Watson, City Court Justice Municipal Bldg., One Locks Pl., Lockport 14094	01/02/18	12/31/18

BOARD OF HEALTH:

Richard L. Andres, Legislator	01/02/18	12/31/19
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COOPERATIVE EXTENSION:

Michael A. Hill, Niagara County Legislature	01/02/18	12/31/19
John Syracuse, Niagara County Legislature	01/02/18	12/31/19

FIRE ADVISORY BOARD:

Chris McClune-Case (Fire Chief's Assn) 615 Walnut St., Lockport 14094	01/02/18	12/31/18
Mickey Sutor (Fire Chief's Assn) 270 Glenvale Rd., Youngstown 14174	01/02/18	12/31/18
Danial Guiher (Fire Chief's Assn) NC Fire Chief's Assoc., 742 Mary Lane, Lewiston 14092	01/02/18	12/31/18
Paul Gurnett (Fire Chief's Assn) 5964 Southwood Dr., Lockport 14094	01/02/18	12/31/18
Gary Snyder (replaces Williams) (Fire Chief's Assn) 5984 Applewood Lane, PO Box 231, Newfane 14108	01/02/18	12/31/18
Arthur Kroening (Vol. Firemens Assn) 2553 Niagara Rd., Niagara Falls 14304	01/02/18	12/31/18
Bruce Mack (replaces Hunt) (Vol. Firemens Assn) 2234 River Rd., Niagara Falls 14304	01/02/18	12/31/18
Andrew E. Pilecki (Vol. Firemens Assn) 4660 Kriston Lane, No. Ton. 14120	01/02/18	12/31/18
Greg Robertson (Vol. Firemens Assn) 526 East Oak Terrace, Youngstown 14174	01/02/18	12/31/18
Harold Wollaber (Vol. Firemens Assn) 3581 Lower Mountain Rd., Sanborn 14132	01/02/18	12/31/18
Tom Colangelo, Chief Fire Headquarters, Box 69, 3115 Walnut Ave., NF 14302	01/02/18	12/31/18
Clifford Mayes, Battalion Chief of Training Fire Headquarters, Box 69, 3115 Walnut Ave., NF 14302	01/02/18	12/31/18
Patrick K. Brady, Fire Chief Fire Headquarters, One Locks Plaza, Lockport 14094	01/02/18	12/31/18
Luca Quagliano Fire Headquarters, One Locks Plaza, Lockport 14094	01/02/18	12/31/18
James Diermyer Jr. Fire Headquarters 495 Zimmerman St., No. Ton. 14120	01/02/18	12/31/18
Joseph Sikora, Fire Chief Fire Headquarters 495 Zimmerman St., No. Ton. 14120	01/02/18	12/31/18

Legislators: Andres, Bradt Godfrey, Nemi, Zona

Ex-officio:

Jonathan Schultz, Niagara County Fire Coordinator, 5574 Niagara St. Ext., PO Box 496 Lockport 14095

Pat J. Barney, Dep. Fire Coord., 3014 Savannah St., NF 14305-2326

Robert Walker, 2754 Stenzel Ave., North Tonawanda 14120

Jeff Dewart, Area 3 Deputy Coord., PO Box 187, 8686 Coleman Rd., Barker 14012

Jeffrey Baes, Dep. Fire Coord. Area 4, 4011 Wruck Rd., Gasport 14067
 Chad Shepherd, Dep. Fire Coord, 3292 Saunders Settlement Rd, Sanborn 14132
 Dennis McAvoy, Deputy Coord, Fire Investigations, 10 Church St., Middleport 14150
 Les Myers, TRT (Technical Rescue Team) Deputy Coord., 335 Merrie Rd., Lewiston 14092
 Mark Hain, Haz-Mat Deputy Coord., 7818 Ridge Rd., Gasport 14067
 Capt. Todd Ostrowski, Sheriff Dept.
 Richard "Red" Kennerson, Chief, 914 AW/SPTG, 2250 Franklin Dr., Niagara Falls 14304
 Tim Balunis Sr., LEPC Chr., 50 Sweeney Ct., North Tonawanda 14120

GREATER BUFFALO NIAGARA REGIONAL TRANSPORTATION COUNCIL (GBNRTC):

Wm. Keith McNall, Chairman	01/02/18	12/31/18
Niagara County Legislature		
Garret Meal, Commissioner of Public Works	01/02/18	12/31/18
Richard Eakin, PE, Deputy Commissioner of Public Works-Engineering (Alternate)	01/02/18	12/31/18
Samuel Ferraro, Commissioner (Alternate) Economic Development Department	01/02/18	12/31/18

HISTORIANS BOARD:

Richard L. Andres Chr. Community Services Committee – Chair	01/02/18	12/31/18
Brooke Morse Tn. of Cambria 4160 Upper Mountain Rd., Sanborn 14132	01/02/18	12/31/18
Gail Reinbird, Deputy Tn. of Cambria 3106 Upper Mountain Rd., Sanborn 14132	01/02/18	12/31/18
Norman LaJoie Tn. of Hartland 9453 Ridge Rd., Middleport 14105	01/02/18	12/31/18
John Sharpe Tn. of Lewiston P.O. Box 330 Lewiston 14092	01/02/18	12/31/18
Laurence Haseley Tn. of Lockport 6843 Lockhaven Dr., Lockport 14094	01/02/18	12/31/18
William Clark Tn. of Newfane 2737 Main Street, Newfane 14108	01/02/18	12/31/18
Pete Ames Tn. of Niagara 800 Porter Rd. Lot 10 Niagara Falls 1304	01/02/18	12/31/18
Victoria Pellish Tn. Of Pendleton 6036 Dunnigan Rd., Lockport 14094	01/02/18	12/31/18
Lynn Zanardi Tn. of Porter 3265 Creek Rd. Youngstown, 14174	01/02/18	12/31/18
Gary Zanardi, Deputy Tn. of Porter 3265 Creek Rd. Youngstown, 14174	01/02/18	12/31/18
Jesse Bieber Tn. of Royalton 9269 Chestnut Ridge Rd., Middleport 14105	01/02/18	12/31/18
Peter Devereaux Tn. of Somerset-Vill. of Barker 8504 Lake Rd., Barker 14012	01/02/18	12/31/18
Justin J. Higner Tn. of Wheatfield	01/02/18	12/31/18

6815 Ward Rd, Niagara Falls 14304			
Francis Gallagher	Tn. of Wilson-Vill. of Wilson	01/02/18	12/31/18
2773 Maple Rd., Wilson 14172			
Joseph Midura	City of NT	01/02/18	12/31/18
115 10 th St., No. Tonawanda 14120			
Margaret Truax	City of Lockport	01/02/18	12/31/18
29 Spruce St., Lockport 14094			
Elaine Timm	City of Niagara Falls	01/02/18	12/31/18
1283 93 rd Street, Niagara Falls 14304			
Pamela Hauth	Village of Lewiston	01/02/18	12/31/18
205 So. Fourth St., Lewiston 14092			
Christa Lutz	Village of Middleport	01/02/18	12/31/18
51 State St., Middleport 14105			
Barbara Albone, Deputy	Village of Middleport	01/02/18	12/31/18
34 Church St., Middleport 14105			
Catherine Emerson, County Historian		01/02/18	12/31/18
Craig Bacon, Deputy County Historian		01/02/18	12/31/18
Ronald Cary, Deputy County Historian		01/02/18	12/31/18

INTER-COUNTY ASSOCIATION OF WNY:

Wm. Keith McNall, Chr., Niagara County Legislature	01/02/18	12/31/18
Anthony J. Nemi, Legislator	01/02/18	12/31/18
Mary Jo Tamburlin, Clerk	01/02/18	12/31/18

LAW LIBRARY BOARD OF TRUSTEES:

Wm. Keith McNall, Chairman	01/02/18	10/01/18
Niagara County Legislature		

MICROENTERPRISE ASSISTANCE PROGRAM LOAN PANEL:

Wm. Keith McNall, Chairman	01/02/18
Anthony Nemi, Legislator	01/02/18

NIAGARA-ERIE REGIONAL COALITION (NERC):

Clyde L. Burmaster, Legislator	01/02/18	12/31/19
2512 Parker Rd., Ransomville 14131		
Anthony Nemi, Legislator	01/02/18	12/31/19
67 S. New York St., Lockport 14094		
David E. Godfrey, Co-Chair, Niagara County Legislature	01/02/18	12/31/19
4821 Lake St., Burt 14028		
Wm. Keith McNall, Chairman, Niagara County Legislature	01/02/18	12/31/19
6761 Walmore Rd., Niagara Falls 14304		
Samuel Ferraro, Comm., Economic Development	01/02/18	12/31/19
Vantage Ctr., 6311 Inducon Corp. Dr., Sanborn 14132		
Wright Ellis, Supervisor, Town of Cambria	01/02/18	12/31/19
4160 Upper Mountain Rd., Sanborn 14132		

Peter Wendel, President, Peter Wendel Group 7400 Canal Road, Lockport 14094	01/02/18	12/31/19
Kory Schuler, Director of Government Affairs, Niagara USA Chamber 6311 Inducon Corporate Dr., Sanborn 14132	01/02/18	12/31/19

NIMAC:

Wm. Keith McNall, Chairman of the Legislature	01/02/18	12/31/19
David E. Godfrey, Legislator	01/02/18	12/31/19
Kathryn L. Lance, Legislator	01/02/18	12/31/19

PLANNING BOARD:

Norman R. Machelor 210 North 5 th St., Lewiston 14092	01/02/18	12/31/20
Andrea Klyczek (Replaces Robert F. Bilson) 6004 Colony Crt., Lockport 14094	01/02/18	12/31/18
Richard W. Muscatello 6744 Rose Ct., Niagara Falls 14304	01/02/18	12/31/20
William Agronin 1 Berkley Dr., Lockport 14094	01/02/18	12/31/20
Walter D. Garrow 7125 Lakeside Drive, Niagara Falls 14304	01/02/18	12/31/20
Thomas R. Ohol, Sr (Replaces James Bittner) 5832 Comstock Road Lockport, 14094	01/02/18	12/31/19

REFUSE DISPOSAL DISTRICT ADMINISTRATION BOARD:

Michael Hill - Towns of Royalton & Hartland - Chair	01/02/18	12/31/19
Clyde L. Burmaster - Town of Porter	01/02/18	12/31/19
Wm. Keith McNall – City of Lockport	01/02/18	12/31/19
John Syracuse - Town of Somerset	01/02/18	12/31/19
Anthony Nemi – City of Lockport, Town of Lockport	01/02/18	12/31/19
Owen Steed – City of Niagara Falls	01/02/18	12/31/19
Mark Grozio – City of Niagara Falls	01/02/18	12/31/19
Randy Bradt - City of North Tonawanda	01/02/18	12/31/19
Kathryn Lance – Town of Wheatfield, City of North Tonawanda	01/02/18	12/31/19
Garret Meal, Comm. of Public Works – Ex-officio		

SEWER DISTRICT NO. 1 ADMINISTRATIVE BOARD:

Don MacSwan, Supervisor, Town of Wheatfield 2800 Church Rd., North Tonawanda 14120	Term of office
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SOIL & WATER CONSERVATION DISTRICT:

Scott White 8596 Mountain Rd. Gasport 14067	01/02/18	12/31/20
Legislator David E. Godfrey	01/02/18	12/31/18
Legislator William J. Collins	01/02/18	12/31/18

WATER DISTRICT ADMINISTRATIVE BOARD:

Daniel R. Bragg, Supervisor, Town of Royalton
5316 Royalton Center Rd., Middleport 14105

Term of Office

Don MacSwan, Supervisor, Town of Wheatfield
2800 Church Rd., North Tonawanda 14120

Term of Office

Moved by Bradt, seconded by Virtuoso.

Carried.

Chairman McNall took a few minutes to say some remarks and thanked his fellow Legislators for their vote of confidence in him.

Moved by McNall, seconded by Bradt, to designate Legislator Burmaster to serve as Vice Chairman.

Moved by McNall, seconded by Bradt, that nominations be closed.

Carried.

Chairman McNall designated Legislator Burmaster to serve as Vice-Chairman.

Moved by Andres, seconded by Lance, to appoint Mary Jo Tamburlin as the Clerk of the Legislature.

Moved by Andres, seconded by Lance, to close nominations.

Carried.

Mary Jo Tamburlin was declared the Clerk of the Legislature.

Moved by Godfrey, seconded by Wydysh, to nominate Claude A. Joerg as the County Attorney.

Moved by Godfrey, seconded by Wydysh, to close the nominations.

Carried.

Claude A. Joerg was declared the County Attorney.

Moved by Collins, seconded by Hill, to nominate David Farrugia as the Public Defender.

Moved by Collins, seconded by Hill, to close the nominations.

Carried.

David Farrugia was declared the Public Defender.

Legislator Bradt announced that Legislator Bradt would serve as Majority Leader, Legislator Syracuse as First Deputy and Legislator Hill as Second Deputy Majority Leader.

Legislator Grozio announced that Legislator Virtuoso would serve as Minority Leader, Legislator Zona as First Deputy and Legislator Steed as Second Deputy Minority Leader.

Moved by Wydysh, seconded by Collins, that the Board will meet on the following dates, or at the call of the Clerk of the Legislature.

Carried.

NIAGARA COUNTY LEGISLATURE 2018 MEETING SCHEDULE

7:00 P.M.

January

Tuesday, January 2, 2018 (Organizational Mtg.)

Tuesday, January 16, 2018

February

Tuesday, February 20, 2018

March

Tuesday, March 20, 2018

April

Tuesday, April 17, 2018

May

Tuesday, May 1, 2018

Tuesday, May 15, 2018

June

Tuesday, June 19, 2018

August

Tuesday, August 7, 2018

September

Tuesday, September 18, 2018

October

Tuesday, October 16, 2018

November

Tuesday, November 20, 2018

December

Tuesday, December 4, 2018 (Budget Hearings)

Tuesday, December 11, 2018 (Budget Vote)

Moved by Syracuse, seconded by Bradt, that Wm. Keith McNall is designated to serve on the Niagara County Jury Board.

Carried.

Moved by Syracuse, seconded by Lance, to appoint Gary Billingsley as the Attorney for the Aging.

Carried.

Moved by Bradt, seconded by Virtuoso, to approve the Standing Committee structure as presented.

Carried.

NIAGARA COUNTY 2018 STANDING COMMITTEES

WM. KEITH MCNALL, CHAIRMAN

CLYDE L. BURMASTER, VICE CHAIRMAN

RANDY R. BRADT, MAJORITY LEADER

DENNIS F. VIRTUOSO, MINORITY LEADER

ADMINISTRATION

(County Manager, County Attorney, Management & Budget, Treasurer, Audit, Real Property, Legislature, Printing/Mailing, Human Resources, Civil Service, Risk Management, Board of Elections)

NEMI, COLLINS, BRADT, GODFREY, VIRTUOSO

Co. Attorney - C. Joerg, J. Ottaviano

Secretary- Lisa Serianni, 439-7005

COMMUNITY SERVICES

(Social Services, Employment & Training, Youth Bureau, Office for the Aging, Public Health, Mental Health, NCCC, County Clerk/DMV, Historian, Veterans Services)

ANDRES, BURMASTER, WYDYSH, GODFREY, STEED

Co. Attorney – G. Lisowski

Secretary – Jackie Langdon, 439-7435

COMMUNITY SAFETY & SECURITY

(Sheriff, District Attorney, Public Defender, Probation, Fire Coordinator/Emergency Services, Coroners, Conflicts and Assigned Council)

GODFREY, HILL, ANDRES, NEMI, ZONA

Co. Attorney – B. Seaman

Secretary – Joan Rocco, 438-3370

ECONOMIC DEVELOPMENT

(Economic Development, Niagara Co. Industrial Development Agency)

LANCE, COLLINS, ANDRES, BRADT, WYDYSH, ZONA

Co. Attorney – T. Burgasser

Secretary-Cathie Synor, 278-8750

GREENWAY (AD HOC COMMITTEE-UNDER ECONOMIC DEVELOPMENT)

ANDRES, LANCE, NEMI, SYRACUSE, STEED

INFRASTRUCTURE & FACILITIES

(Public Works, Parks/Golf Course, Refuse Disposal District, Sewer District, Water District, Weights & Measures, Information Technology, Buildings & Grounds)

SYRACUSE, HILL, BRADT, COLLINS, GROZIO

Co. Attorney – T. Burgasser (Parks/Golf Course), D. Koplas

Secretary- Mary Bergman, 439-7242

REFUSE DISPOSAL DISTRICT (ad hoc committee-under Infrastructure & Facilities)

HILL, WYDYSH, BURMASTER, BRADT, GROZIO, COLLINS, NEMI, SYRACUSE, STEED

Co. Attorney – G. Lisowski

Moved by Bradt, seconded by Collins, that the two Niagara County newspapers, namely: the Buffalo News and the Lockport Union Sun & Journal are designated as the official newspapers.

Carried.

Moved by Bradt, seconded by Virtuoso, that the Board adjourn.

Carried.

1st District Coroner Ad Hoc Committee

Legislator Clyde L. Burmaster – Chair

Legislator David E. Godfrey

Legislator Mark J. Grozio

Coroner Joseph Mantione

Sheriff Voutour

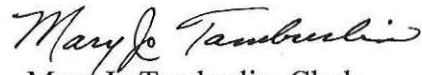
Moved by Bradt, seconded by Virtuoso.

Carried.

Moved by Bradt, seconded by Virtuoso, that the Board adjourn.

Carried.

The Chairman declared the Board adjourned at 7:31 p.m., subject to the call of the Clerk.

A handwritten signature in cursive script, reading "Mary Jo Tamburlin".

Mary Jo Tamburlin, Clerk