

A public hearing was held pursuant to ED-010-23, adopted by the Legislature on October 17, 2023, for the purpose of hearing public comments on 2429 Military Rd LLC Community Development Block Grant Application. Legislator Andres opened the hearing at 5:50 p.m. and closed it at approximately 6:00 p.m.

OFFICIAL RECORD

Lockport, New York
November 14, 2023

The meeting was called to order by Chairman Wydysh at 6:05 p.m.

Clerk Tomasino called the roll. All Legislators were present with the exception of Legislator Collins.

Chairman Wydysh thanked all the residents who came out to vote and welcomed the two newly elected legislators beginning their terms on January 1, 2024.

Chairman Wydysh called Legislator Gooch, Commissioner of Social Services Meghan Lutz, Deputy Tricia Lippa and Director of Services Billie Tylec to the lectern to read a proclamation declaring the month of November 2023 Adoption Awareness Month in Niagara County.

Chairman Wydysh called Maureen Henderson the Director of Niagara Small Business Development Center to the lectern to give a presentation on the 2022-2023 overview.

No citizens spoke on the Agenda.

Moved by Bradt, second by Robins to remove CSS-127-23 and IL-155-23 from the Preferred Agenda.

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

Resolution No. AD-023-23

From: Administration Committee.

Dated: November 14, 2023

NIAGARA COUNTY TRAVEL POLICY, VEHICLE POLICY AND DRIVER MANUAL

WHEREAS, the Niagara County Travel Policy and Guidelines were amended by Resolutions FN-0137-96, FN-159-97 and AD-057-07, and

WHEREAS, on October 12, 2023, the County developed a new Travel Policy, and

WHEREAS, on October 12, 2023, the County developed a Niagara County Vehicle Policy, and

WHEREAS, On October 12, 2023, the County developed a Niagara County Driver Manual, and

WHEREAS, the County desires to replace the Travel Policy and Guidelines that were adopted by Resolutions FN-0137-96, FN-159-97 and AD-057-07 with the new Travel Policy dated October 12, 2023 and the Niagara County Vehicle Policy and Niagara County Driver Manual dated October 12, 2023, now, therefore, be it

RESOLVED, that the Travel Policy dated October 12, 2023 incorporated in this resolution by reference is hereby adopted, and be it further

RESOLVED, that the Niagara County Vehicle Policy dated October 12, 2023, incorporated in this resolution by reference is hereby adopted, and be it further

RESOLVED, that the Niagara County Driver Manual dated October 12, 2023, incorporated in this resolution by reference is hereby adopted, and be it further

RESOLVED, that the above new Policies and Manual shall replace all prior Niagara County Travel Policy and Guidelines as amended by Resolutions FN-0137-96, FN-159-97 and AD-057-07, and be it further

RESOLVED, that the County Manager is hereby authorized to amend the Travel Policy, Niagara County Vehicle Policy and the Niagara County Driver Manual, as necessary to keep it current, without further resolution of the legislature.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. AD-024-23

From: Administration Committee.

Dated: November 14, 2023

**RESOLUTION BY THE COUNTY LEGISLATURE RE-APPOINTING
RICHARD E. UPDEGROVE, NIAGARA COUNTY MANAGER**

WHEREAS, the Niagara County Legislature has established the position of County Manager pursuant to Local Law No. 5 for the year 2002, establishing the Office of County Manager, adopted by Resolution No. IL-061-02 on August 6, 2002, and

WHEREAS, Richard Updegrove has performed the requisite duties of County Manager from April 1, 2016 to the present, pursuant to the Niagara County Administrative Code and pursuant to the terms of an Employment Agreement for County Manager, and

WHEREAS, said contract expires on April 1, 2024, and

WHEREAS, County Manager Updegrove has committed to serve a subsequent 4 year term, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby accepts and approves the recommendation of the Administration Committee of the County Legislature by appointing Richard E. Updegrove of Lockport, NY as County Manager for a four year term commencing on April 1, 2024, contingent upon review and approval by the County Attorney's Office of an Employment Agreement between Mr. Updegrove and the County of Niagara.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. AD-025-23

From: Administration Committee.

Dated: November 14, 2023

**SET PUBLIC HEARING FOR ASSESSMENT TAX ROLL FOR
THE NIAGARA COUNTY WATER DISTRICT**

WHEREAS, the Niagara County Water District has submitted an assessment tax roll through the County Manager of the County of Niagara to the Niagara County Legislature, and

WHEREAS, pursuant to Section 271 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 5:10 p.m. on the 5th day of December 2023, to review the assessment tax roll for the Niagara County Water District, 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.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. AD-026-23

From: Administration Committee.

Dated: November 14, 2023

**SET PUBLIC HEARING FOR ASSESSMENT TAX ROLL FOR
THE NIAGARA COUNTY REFUSE DISTRICT**

WHEREAS, the Niagara County Refuse District has submitted an assessment tax roll through the County Manager of the County of Niagara to the Niagara County Legislature, and

WHEREAS, pursuant to Section 271 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 5:20 p.m. on the 5th day of December 2023, to review the assessment tax roll for the Niagara County Refuse District, 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.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. AD-027-23

From: Administration Committee.

Dated: November 14, 2023

**SET PUBLIC HEARING FOR ASSESSMENT TAX ROLL FOR
THE NIAGARA COUNTY SEWER DISTRICT**

WHEREAS, the Niagara County Sewer District #1 has submitted an assessment tax roll through the County Manager of the County of Niagara to the Niagara County Legislature, and

WHEREAS, pursuant to Section 271 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 5:30 p.m. on the 5th day of December 2023, to review the assessment tax roll for the Niagara County Sewer District #1, 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.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. AD-028-23

From: Administration Committee.

Dated: November 14, 2023

**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, respectively, remain at the 2023 salary level and are specified as follows:

MEMBERS OF THE LEGISLATURE:	\$19,075 Annually
MAJORITY LEADER, MINORITY LEADER:	\$19,575 Annually
CHAIRMAN OF THE LEGISLATURE:	\$22,075 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.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. AD-029-23

From: Administration Committee.

Dated: November 14, 2023

DISTRIBUTION OF MORTGAGE TAX

WHEREAS, Niagara County has received mortgage tax monies for the period April, 2023 through September, 2023 in the amount of \$4,078,450.66 and

WHEREAS, the Recording Officer has previously distributed \$1,338,748.82 to the Niagara Frontier Transportation Authority, \$788,165.27 to the State Mortgage Tax Agency, and retained \$119,672.12 for approved county administrative expenses, and

WHEREAS, that Recording Officer has remitted the remaining monies collected to the County Treasurer for distribution to various Niagara County towns, villages and cities, now, therefore, be it

RESOLVED, that the sum of \$1,831,864.45 reflects mortgage tax monies for the period April 1, 2023 through September 30, 2023 to be distributed, and the same be and hereby is, apportioned as follows among the various towns, villages and cities of the County of Niagara:

TOWNS	Cambria	\$ 69,109.70
	Hartland	26,427.00

	Lewiston	140,006.61
	Lockport	181,638.91
	Newfane	63,966.26
	Niagara	47,790.91
	Pendleton	118,600.50
	Porter	48,715.01
	Royalton	48,480.18
	Somerset	18,077.48
	Wheatfield	186,376.39
	Wilson	41,460.63
VILLAGES	Middleport (Hartland)	\$ 408.87
	Middleport (Royalton)	3,019.53
	Lewiston	17,308.78
	Youngstown	9,187.30
	Barker	1,233.47
	Wilson	4,548.20
CITIES	Lockport	\$ 126,182.18
	Niagara Falls	346,351.64
	North Tonawanda	<u>332,974.90</u>
	TOTAL:	\$1,831,864.45

and be it further

RESOLVED, that the County Treasurer be, and hereby is, directed to pay the various towns, village treasurers, and city treasurers the amounts recorded above and that this document shall be sufficient authorization to the County Treasurer to make the payments in accordance with the above direction.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CS-039-23

From: Community Services and Administration Committees.

Dated: November 14, 2023

**RESOLUTION FOR FUNDING NIAGARA COUNTY COMMUNITY COLLEGE
SOLAR FACILITY**

WHEREAS, the County of Niagara, and Niagara County Community College acknowledge and embrace the need to invest in energy infrastructure allowing for reduced carbon emissions and operational savings, and

WHEREAS, the Administration of Niagara County Community College has identified the need to align its Electrical Energy sources with, state and federal guidance, and

WHEREAS, the proposed capital project totaling \$15,000,000 which includes but not limited to construction of up to a (6) megawatt solar facility, and

WHEREAS, the Federal Government is providing federal subsidies valued at 30% of the total projected cost in the amount of \$4,500,000 as the local sponsor share in support of this funding submission to SUNY, and

WHEREAS, the remaining 40% of the total project cost will be provided via a Power Purchase Agreement with the developer through energy savings, now, therefore, be it

RESOLVED, that the County of Niagara, as the sponsor of the college, does hereby support the proposed capital funding for installation of a solar facility up to (6) megawatts, and be it further

RESOLVED, that County of Niagara is requesting SUNY to provide a 50% match of the total fundable capital amount of \$9,000,000; the amount requested from SUNY is \$4,500,000.

Moved by Gooch, second by Foti to Untable the resolution.

Approved.

Moved by Gooch, seconded by Foti.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CS-043-23

From: Community Services and Administration Committees.

Dated: November 14, 2023

**MH - BUDGET MODIFICATION - CONTRACT AGENCY STATE AID
COLA/MINIMUM WAGE INCREASES**

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

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

RESOLVED, that the following budget modifications be effectuated:

INCREASE APPROPRIATED FUND BALANCE:

A 40599.00 Appropriated Fund Balance \$ 1,126

INCREASE REVENUES:

CM.21.4322.415.43490.01 Mental Health Programs (Spectrum) \$ 618

CM.21.4322.416.43489.04 Case Management Programs (Community Missions, FACS) 5,400

INCREASE APPROPRIATIONS:

A.21.4322.412.74500.01 Mental Health Association \$ 1,126

CM.21.4322.415.74500.01 Community Support Services Programs (Spectrum) 618

CM.21.4322.416.74500.01 Case Management Programs (Community Missions, FACS) 5,400

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CS-044-23

From: Community Services and Administration Committees.

Dated: November 14, 2023

MH - 2023 BUDGET MODIFICATION – OPIOID SETTLEMENT FUNDS USE

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

was having on our communities, and

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

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

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

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

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

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

WHEREAS, NCDMH has operated the Niagara County Presenting Alternatives to Treatment & Healing (PATH) team since 2019, working with Local Law Enforcement, First Responders, and Probation to connect individuals struggling with opioid use disorders with community-based supports and services, while diverting them from criminal justice involvement, and

WHEREAS, funded through a Department of Justice Grant and Opioid Settlement Funds, the PATH team has provided the County's Quick Response to Overdose Team (QRT) and community outreach in partnership with local peer organizations, and

WHEREAS, effective December 1st, NCDMH will partner with Community Missions, Inc., who will facilitate access for participants to recovery supports and treatment services, advocacy, groups, and transportation, to address the need for prevention and outreach related to Opioid Use, Substance Use, and co-occurring Mental Health conditions, now, therefore, be it

RESOLVED, the Agreement and all necessary documents between the County and Community Missions, Inc, may be executed pursuant to the Niagara County Contract Policy, following to the approval of the County Attorney's Office, and be it further

RESOLVED, that the following budget modifications be effectuated:

INCREASE REVENUE:

A.21.4310.816.42735.01	Opioid Settlement Funds Restricted	\$ 95,426
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INCREASE EXPENSE:

A.21.4310.816.74500.01	Contractual Expenses	\$ 95,426
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CSS-118-23

From: Community Safety & Security and Administration Committees.
Dated: November 14, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE
ACCEPT 2023 PUBLIC SAFETY ANSWERING POINT OPERATIONS GRANT**

WHEREAS, the Niagara County Sheriff's Office has been notified it has been awarded a grant in the amount of \$182,545 from the New York State Division of Homeland Security and Emergency Services under 2023 Public Safety Answering Point Operations Grant (PSAP) for the performance period January 1, 2023 through December 31, 2023, and

WHEREAS, the grant assists with personnel operating costs in the Niagara County Communications Center, and

WHEREAS, the 2023 PSAP Grant is in the 2023 Budget, but needs to be accepted, now, therefore, be it

RESOLVED, that following the County Attorney's review, the 2023 Public Safety Answering Point Operations Grant (PSAP) may be executed pursuant to the Niagara County Contract Policy

Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CSS-119-23

From: Community Safety & Security and Administration Committees.
Dated: November 14, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE
ACCEPT 2023 STATEWIDE INTEROPERABLE COMMUNICATIONS FORMULA GRANT**

WHEREAS, the Niagara County Sheriff's Office has been notified that it has been awarded \$788,111 under the 2023 Statewide Interoperable Communications Formula Grant from the New York State Division of Homeland Security and Emergency Services for the performance period January 1, 2023 through December 31, 2025, and

WHEREAS, this grant allows the Sheriff's Office to continue the improvement of the interoperable communications network which will benefit the residents of Niagara County with improved reliability of communication for their safety and protection, and

WHEREAS, the funds for the grant will be added to the 2024 Budget by resolution in January but the grant needs to be accepted, now, therefore, be it

RESOLVED, that following the County Attorney's review, the 2023 Statewide Interoperable Communications Formula Grant may be executed pursuant to the Niagara County Contract Policy

Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CSS-120-23

From: Community Safety & Security and Administration Committees.
Dated: November 14, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE
AWARD CONSULTANT CONTRACT BUILDING ONE REMODEL**

WHEREAS, the Niagara County Sheriff's Office evaluated proposals from pre-qualified consulting engineering firms to assist the County with design services for the Niagara County Sheriff's Office Building One Remodel, and

WHEREAS, LaBella Associates, P.C. provided a proposal for the design of said 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 consultant services contract for the design of the Niagara County Sheriff's Office Building One Remodel, be awarded to Labella Associates, P.C., Olympic Towers, 300 Pearl Street, Suite 1320, Buffalo, New York 14202, for a contract amount not to exceed \$92,840, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CSS-121-23

From: Community Safety & Security and Administration Committees.

Dated: November 14, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – STATE AND LOCAL OVERTIME (SLOT) REVENUE**

WHEREAS, the Niagara County Sheriff's Office partners with Homeland Security Investigations on cases within Niagara County, and

WHEREAS, Homeland Security reimburses the Sheriff's Office for overtime spent on cases using State and Local Agency Overtime funding, and

WHEREAS, the Niagara County Sheriff's Office has received revenue above the 2023 budgeted amount which is the result of overtime above the budgeted amount for SLOT, and

WHEREAS, the 2023 budget needs to be amended to accept the additional revenue to cover the overtime expense, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.17.3110.000 42210.01	General Services, Other Gov General	\$17,000
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INCREASE APPROPRIATIONS:

A.17.3110.000 71050.00	Overtime Expense	\$17,000
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Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CSS-122-23

From: Community Safety & Security and Administration Committees.

Dated: November 14, 2023

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

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

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

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

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

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

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CSS-123-23

From: Community Safety & Security and Administration Committees.

Dated: November 14, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE
PENN POWER JAIL TOWER GENERATOR CHANGE ORDER NO. 1**

WHEREAS, the Niagara County Legislature passed Resolution CSS-037-23 on March 21, 2023 which authorized the expenditure of E911 cellular phones surcharge revenue to be used to connect the Jail Communications Tower Generator into the alarm system to alert the Sheriff's Office Communications Center in the event of a power issue or generator issue with the tower, and

WHEREAS, the Niagara County Sheriff's Office entered into a contract with Penn Power to complete the project for the amount of \$3,489.72, and

WHEREAS, upon working on the generator alarm, it was recommended that the existing controller be upgraded to enable bus communication capabilities, and

WHEREAS, the Niagara County Sheriff's Office has received a quote of \$2,620.30 to complete the work as a change order to the contract, and

WHEREAS, the additional work will require the contract with Penn Power to be extended until February 28, 2024, and

WHEREAS, prior to 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 following the County Attorney's review, the Penn Power Change Order No.1 may be executed pursuant to the Niagara County Contract Policy

Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CSS-124-23

From: Community Safety & Security and Administration Committees.
Dated: November 14, 2023

**NIAGARA COUNTY SHERIFF’S OFFICE
LABVANTAGE STANDARDIZATION/SOLE SOURCE OF INSTALLATION, TRAINING AND
SERVICE OF LABVANTAGE LABORATORY INFORMATION MANAGEMENT SYSTEM**

WHEREAS, the Niagara County Sheriff’s Office is purchasing a Laboratory Information Management System for use in the Forensic Laboratory as an upgrade to the current system which is no longer supported and for additional efficiencies within the Lab using GSA Contract Pricing from LabVantage Solutions Inc., and

WHEREAS, the LabVantage Laboratory Information Management System is being purchased using US Department of Justice Bureau of Justice Assistance FY 2023 Paul Coverdell Forensic Science Improvement Grants Program funds, and

WHEREAS, the installation (LabVantage Forensic Navigator Package), training and maintenance/support for the LabVantage system which are critical for the correct installation and execution of this system are not on GSA contract in an amount not to exceed \$202,000, and

WHEREAS, the only source for the LabVantage Laboratory Information Management System installation (LabVantage Forensic Navigator Package), training and maintenance/support is LabVantage Solutions Inc. now, therefore, be it

RESOLVED, that for reasons of efficiency and economy, pursuant to General Municipal Law 103(5), there is a need for standardization for the Niagara County Sheriff’s Office in the purchase of installation, training and maintenance/support of the LabVantage Laboratory Information Management System, and that the purchase of such be standardized to LabVantage Solutions Inc services, and be it further

RESOLVED, that it is hereby determined that LabVantage is the sole source for installation (LabVantage Forensic Navigator Package) and maintenance/service of the LabVantage Laboratory Information Management System, and that the Sheriff’s Office is hereby authorized to purchase the installation (LabVantage Forensic Navigator Package) and maintenance/service of the LabVantage Laboratory Information Management System directly from LabVantage Solutions Inc. without the need to solicit for alternate proposals or sealed bids, such purchases to be made in consultation with the Purchasing Department and in accordance with budgetary procedures.

Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CSS-125-23

From: Community Safety & Security and Administration Committees.
Dated: November 14, 2023

**NIAGARA COUNTY SHERIFF’S OFFICE
OVERHEAD DOOR OF GREATER ERIE CHANGE ORDER NO. 2**

WHEREAS, the Niagara County Legislature passed Resolution CSS-091-22 on October 18, 2022, which authorized the execution of an agreement with Overhead Door of Erie to replace the defective rolling gates around the perimeter of the Niagara County Jail, and

WHEREAS, the Niagara County Legislature passed Resolution #CSS-021-23 on February 21, 2023 to authorize funding of the County portion of the project expense in the 2023 budget, and

WHEREAS, the Niagara County Legislature passed Resolution #CSS-095-23 on September 19, 2023 for Change Order No. 1 to replace encoders on the gates which were found to need replacement, and

WHEREAS, upon replacement of the rolling gates' encoders, an additional issue was found with one PCL unit which needs to be replaced for the gate to work, and

WHEREAS, Overhead Door of Erie has agreed to provide the replacement PCL at no charge and only charge for the labor to replace it, and

WHEREAS, the Niagara County Sheriff's Office has received a quote of \$2,297.60 for a change order to the contract which will also require an extension of the contract until September 30, 2024, and

WHEREAS, prior to 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 following the County Attorney's review, the Overhead Door of Greater Erie Change Order No.2 may be executed pursuant to the Niagara County Contract Policy

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CSS-126-23

From: Community Safety & Security and Administration Committees.

Dated: November 14, 2023

EMERGENCY SERVICES – AGREEMENT WITH CATHOLIC HEALTH

WHEREAS, the Niagara County Emergency Services office is required to maintain, for public safety purposes, certified emergency medical response personnel and equipment requirements to meet state and regional guidelines, and

WHEREAS, Catholic Health has provided the Office of Emergency Services - Ambulance Division with an at cost or less for medication replenishment and will provide EMS training and education which is a required NYS CME Program to maintain certification, and

WHEREAS, funds are available in the 2023 and requested 2024 budget (A.19.4540), and

RESOLVED, that Niagara County enter into agreements for replenishment of medication and EMS Training and Education, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CSS-127-23

From: Community Safety & Security and Administration Committees.

Dated: November 14, 2023

EMERGENCY SERVICES – AMBULANCE DIVISION
AUTHORIZING THE ESTABLISHMENT AND OPERATION OF AN ADVANCED LIFE SUPPORT
TRANSPORTING SERVICE WITHIN NIAGARA COUNTY

WHEREAS, pursuant to the provisions of New York State Public Health Law Article 30, section 3008 (7a), notwithstanding any other provision of law and subject to the provisions of this article, any municipality within the State acting through its local legislative body, is hereby authorized and empowered to adopt a resolution to establish and operate advanced life support first responder services or municipal ambulance services within the municipality, upon meeting or exceeding all standards set by the department for appropriate training, staffing and equipment, and upon filing with the New York State Emergency Medical Services Council, a written request for such authorization, and

WHEREAS, the County of Niagara recognizes existing ambulance and EMS resources supported by local jurisdictions and desires to develop resources to further enhance local systems already in place, and

WHEREAS, the Niagara County Legislature has identified the need for a county-operated ambulance service, to ensure sustainable emergency medical service remains available to the County's citizens, businesses and community on a consistent and ongoing basis, now, therefore, be it,

RESOLVED, that the Chairman of this Legislature, on behalf of the County of Niagara, be and hereby is authorized to sign any and all applications, certifications and other such assurances necessary for the establishment of an ambulance service; after the County Manager's review and the County Attorney's review and approval, and be it further

RESOLVED, that this resolution shall take effect upon service to the Secretary of the New York State Emergency Medical Services Council.

Moved by Hill, second by Godfrey to Amend the Resolution.

Amendment: Deletion in second WHEREAS, "...and desires to develop..."

Addition in second WHEREAS, "...local jurisdictions have significant reductions in personnel and desires to develop municipal advanced life support ambulance resources to..."

Additional third and fourth WHEREAS's added "...WHEREAS, the County of Niagara has recognized the reduction in certified ambulance personnel and volunteers to staff and respond in ambulances for the citizens of Niagara County thus establishing a need for supplemental municipal run ambulance service, and

WHEREAS, the Niagara County Legislature recognizes the creation of supplemental advanced life support ambulance services to serve all of Niagara County, and..."

Amendment Approved.

Moved by Hill, seconded by Godfrey.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CSS-128-23

From: Community Safety & Security and Administration Committees.

Dated: November 14, 2023

ACCEPTANCE AND BUDGET MODIFICATION OF THE
FM GLOBAL FIRE PREVENTION GRANT

WHEREAS, the County of Niagara is required to certify its acceptance of the FM Global Fire Prevention Grant through FM Global, at no cost to the County, and

WHEREAS, the FM Global Fire Prevention Grant was awarded in the amount of \$4,960 and the funds are to be used for laptops and software for the county fire investigation team, and

WHEREAS, the Fire Investigation Team will purchase these items through their special task force budget line, now, therefore, be it

RESOLVED, that the following 2023 budget modification be effectuated:

INCREASE REVENUE:

A.19.3410.000 42705.00	Gift & Donate	\$4,960.00
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INCREASE APPROPRIATION:

A.19.3410.000 74550.32	Special Task Force	\$4,960.00
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Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CSS-129-23

From: Community Safety & Security and Administration Committees.

Dated: November 14, 2023

**2023 BUDGET MODIFICATION - FIRE COORDINATOR'S OFFICE
ACCEPT PAYMENT FOR HAZ-MAT INCIDENT ON 8/2/23**

WHEREAS, the County Haz-Mat team responded to an incident on August 2, 2023, which resulted in depleted supplies that cannot be reused, and

WHEREAS, under New York State's Navigation and Environmental Conservation Laws, the responsible party is liable for all costs associated with containment, cleanup and removal of spilled and contaminated materials, and

WHEREAS, the Fire Coordinator's Office invoiced and received payment on 11/6/23 for the replacement of these supplies from the responsible party from the 8/2/23 incident in the amount of \$1,694.96, and

WHEREAS, the Fire Coordinator's Office needs to replenish the supplies used by the Haz-Mat, at no cost to the County, now, therefore, be it

RESOLVED, that the following 2023 budget modification be effectuated:

INCREASE REVENUE:

A.19.3410.000 42690.04	Other Compensation for Loss Reimbursements	\$ 1,694.96
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INCREASE APPROPRIATION:

A.19.3410.000 74750.10	Supplies, Gen Hazmat Inventory	\$ 1,694.96
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Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CSS-130-23

From: Community Safety & Security and Administration Committees.

Dated: November 14, 2023

**PROBATION 2023 ACCEPT IGNITION INTERLOCK DEVICE
MONITORING PROGRAM AWARD**

WHEREAS, the New York State Division of Criminal Justice Services has made an award to Niagara County for the Ignition Interlock Device Monitoring Program for term dates October 1, 2023 through September 30, 2024 and,

WHEREAS, the Grant is being renewed in the amount of \$21,439, and said funds are used to offset expenses for monitoring Ignition Interlock Device installation by offenders, and the revenue has been budgeted for in the 2023 and 2024 budgets, and,

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

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

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CSS-131-23

From: Community Safety & Security and Administration Committees.

Dated: November 14, 2023

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

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

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

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

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

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CW-034-23

From: Committee of the Whole.

Dated: November 14, 2023

**A LOCAL LAW INCREASING THE SALARY OF NIAGARA COUNTY COMMISSIONER
OF THE DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Committee of the Whole present in writing the following proposed Local Law: of the County of Niagara, New York for the year 2023 increasing the salary of the Niagara County Commissioner of the Department of Social Services, and

WHEREAS Niagara County endeavors to set a level of compensation appropriate to the responsibilities attendant to a position and in-line with the compensation levels set in counties with similar characteristics, and

WHEREAS such policy is critical to attracting and retaining the most highly-qualified individuals available for each position, and necessitates ongoing review of compensation set for county employees as all levels, and

WHEREAS it is the belief of this Legislature that the Niagara County Commissioner of the Department of Social Services must be correctly compensated, and

WHEREAS the current salary of the Niagara County Commissioner of the Department of Social Services is set at \$97,044 for the year 2023 with 2% annual increases in subsequent years, and

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

1. The salary of the Niagara County Commissioner of the Department of Social Services shall be increased from \$97,044 per year to \$120,000 per year commencing 1/01/2024, with a 2% annual increase in 2025.
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 5th day of December, 2023 at 5:00 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

RESOLVED, that this Local Law shall become effective in accordance with the statutes of the State of New York.

Moved by Nemi, seconded by Grozio.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. CW-035-23

From: Committee of the Whole.

Dated: November 14, 2023

**NIAGARA COUNTY EMERGENCY SERVICES
AWARD OF CONTRACT FOR RFP 2023-70 THIRD PARTY
BILLING SERVICES FOR NIAGARA COUNTY EMERGENCY MEDICAL SERVICES**

WHEREAS, the Emergency Services, Ambulance Division, has prepared specifications and the Niagara County Purchasing Department issued a Request for Proposal 2023-70, Third Party Ambulance Billing Services for Niagara County Emergency Medical Services, and

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

WHEREAS, the proposal with the highest score was from Professional Ambulance Billing at the lowest billing fee of 4.99% per claim, and

WHEREAS, funds are available in the 2023 budget and requested 2024 budget (A.19.4540), now, therefore, be it

RESOLVED, the RFP 2023-70 Third Party Ambulance Billing Services for Niagara County Emergency Medical Services be awarded to Professional Ambulance Billing, Inc. 8610 Main Street, Williamsville, NY 14221, and be it further

RESOLVED, that following the County Attorney's review, the Third Party Ambulance Billing Services for Niagara County Emergency Medical Services contract with Professional Ambulance Billing may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. ED-011-23

From: Economic Development and Administration Committees.

Dated: November 14, 2023

AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR BLOCK GRANT FUNDING FOR 2429 MILITARY RD LLC

WHEREAS, 2429 Military Rd LLC dba Joe C's Truck Center (the "Company") is proposing to renovate a nearly 30,000 square foot warehouse/ repair facility located at 2429 Military Rd. in the Town of Niagara, New York (the "Project"), and

WHEREAS, the Company has requested that Niagara County apply for funding on its behalf from the New York State Office of Community Renewal (the "OCR") to finance a portion of the Project costs, and

WHEREAS, the Niagara County Development Corporation (the "NCDC") is assisting in the facilitation of the Project and has requested that the County provide the OCR funding to the NCDC as a grant for the purpose of making a loan or loans to the Company, and

WHEREAS, the Project will result in substantial benefit to Niagara County in the form of new investment and new employment positions, and

WHEREAS, the County has held a public hearing to obtain citizens' views regarding the CDBG program as administered by OCR and the project, now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to submit a grant application on behalf of Niagara County to the OCR to support the Project, and be it further

RESOLVED, that the Chairman is hereby authorized to execute a grant agreement between the County and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with the NCDC for the implementation of the Project and administration of the OCR grant, all such documents to be subject to review and approval by the County Attorney, and be it further

RESOLVED, that the Chairman is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. ED-012-23

From: Economic Development Committee.

Dated: November 14, 2023

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 5th day of December, at 5:45p.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 5th day of December 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. Eight (8) 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 81.02-2-63, consisting of 43.69 acres, located on Ridge Road in the Town of Newfane. Parcel 81.02-2-69, consisting of 10.63 acres, located on Wheeler Road in the Town of Newfane. Parcel 22.00-1-10, consisting of 15.29 acres, located on West Lake Road in the Town of Wilson. Parcel 22.00-1-9, consisting of 18.32 acres, located on West Lake Road in the Town of Wilson. Parcel 62.02-1-5.1 consisting of 5.01 acres, located on New Road in the Town of Wilson. Parcel 62.00-3-6.3, consisting of 8.85 acres, located on New Road in the Town of Wilson. Parcel 164.00-3-7.1, consisting of 46.64 acres, located on Meyer Road in the Town of Pendleton. Parcel 39.00-1-2.111 consisting of 70.91 acres, located in the Town of Newfane. Questions about Agricultural District inclusion may be directed to Amanda Henning, Cornell Cooperative Extension at 716-433-8839 x231.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. ED-013-23

From: Economic Development Committee.

Dated: November 14, 2023

**APPROVAL OF LOW COST POWER BENEFIT TO AQUARIUM OF NIAGARA
UNDER THE AGREEMENT FOR THE SALE & PURCHASE OF NIAGARA PROJECT
POWER & ENERGY (ASPNPPE)**

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

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

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

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

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

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

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

WHEREAS, the County of Niagara has previously awarded to the Aquarium of Niagara for this same project under resolution ED-022-20, 75 kw (at 70% load factor), which agreement will expire November 1, 2023, and for which the Aquarium of Niagara has met each part of the previous application, and

WHEREAS, the Aquarium of Niagara has requested an increase of its low cost power allocation from 75 kw (at 70% load factor) to 100kw (at 70% load factor), due to various capital improvement projects, including a new outdoor welcome plaza that opened in 2022, a new exhibit and forever home for rescued and non-releasable endangered sea turtles opening in November, 2023, and the Great Lakes 360 renovation project, which will feature regional wildlife from the Great Lakes and Niagara River region opening in 2024, and

WHEREAS, in addition, the Aquarium of Niagara has also recently installed LED lighting and will be implementing a new geothermal HVAC system, which will replace its old system which dates back to the 1960s, and

WHEREAS, the capital improvements represent an investment of over \$5.3 million and the Aquarium of Niagara has continued to apply for and receive assistance through the Cataract Fund which was instituted by Senator Ortt, and

WHEREAS, these improvements will bring increased tourism and educational opportunities to draw new and repeat visitors to the Aquarium of Niagara, as well as support the 63 employees and 10-20 additional employees during the tourist season, and

WHEREAS, the recommendation for the increase of the low cost power from 75kw (at 70% load factor) to 100kw (at 70% load factor) of low cost power benefits will continue to support, increase and maintain economic

development in the City of Niagara Falls and Niagara County, and

WHEREAS, the Empower Niagara Board will be recommending the increase of low cost power benefits from 75kw (at 70% load factor) to 100kw (at 70% load factor) for a period of three (3) years commencing November 1, 2023, to the Aquarium of Niagara, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby approves the Aquarium of Niagara's request for the increase of low cost power to the Aquarium of Niagara from 75kw (at 70% load factor) to 100 kw (at 70% load factor) low cost power benefits from Niagara County, pursuant to low cost power allocation received through the June 25, 2005 HCRSA and ASPNPPE, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute this Empower User Agreement for Low Cost Power with the Aquarium of Niagara, for an increase to 100 kw (at 70% load factor) of low cost power for an additional three year period.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IF-164-23

From: Infrastructure & Facilities and Administration Committees.

Dated: November 14, 2023

**CAPITAL PROJECT H712 CLOSEOUT
WATER DISTRICT**

WHEREAS, the following capital project has been completed and has an account balance remaining that needs to be transferred back to the original funding sources, now, therefore, be it

RESOLVED, that the following capital project be closed and the remaining account balance be returned to the Water District Operating Fund, which was the original funding source:

DECREASE ESTIMATED REVENUES:

H712.31.8397.000 45031.00	Interfund Transfers from Operating	\$228,200.00
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DECREASE APPROPRIATIONS:

H712.31.8397.000 72100.27	Water – Williams Road Pump Station Rehabilitation	\$228,200.00
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and be it further,

RESOLVED, that these unspent funds should be returned to the original funding source as follows:

Water Fund Operating:	\$228,200.00
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Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IF-165-23

From: Infrastructure & Facilities and Administration Committees.

Dated: November 14, 2023

**AWARD OF CONTRACT – TELECOMMUNICATIONS SOFTWARE
UPGRADE FOR NIAGARA COUNTY**

WHEREAS, the Information Technology Department has prepared specifications and the Niagara County Purchasing Department submitted request for quote using the Federal GSA contract for the Niagara County Telecommunications Software Upgrade project, and

WHEREAS, funds are available in account number A.16.1680.000 74500.01, Information Technology – Contractual Expenses, and

	<u>Quote</u>
ePlus Technology Inc.	\$50,147.00

and

WHEREAS, the Infrastructure and Facilities Committee has examined the Quote, and

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

RESOLVED, that the contract for the Telecommunications Software Upgrade for Niagara County be awarded to the lowest responsible bidder, ePlus Technology Inc., 13595 Dulles Technology Drive, Herndon, VA, 20171 in the amount of \$50,147.00, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IF-166-23

From: Infrastructure & Facilities and Administration Committees.

Dated: November 14, 2023

BUDGET MODIFICATION – PARKS DEPARTMENT

WHEREAS, the Niagara County Golf Course has had an exceptionally profitable 2023 golf season, and

WHEREAS, funds are required to replace the walk-in cooler equipment in the restaurant, which is beyond its useful life, purchase clothing merchandise for the Pro Shop’s 2024 season, purchase accessible golf carts, and to establish a capital account for the replacement of the irrigation system that has experienced some major system failures in 2023, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

INCREASE REVENUE:

A.15.7110.000.42001.01	Park and Recreation Charges General	\$147,002
A.15.7110.000.42025.02	Special Recreation Facility Charges – Pro Shop	\$ 4,792
A.15.7110.000.42025.04	Special Recreation Facility Charges – Cart Rental	\$ 58,278

INCREASE APPROPRIATIONS:

A.07.9950.000 79010.00	Transfer to Capital Projects	\$200,072
A.15.7110.000 74450.01	Pro Shop Merchandise	\$ 10,000

INCREASE ESTIMATED REVENUE:
HXXX.15.7110.000.45031.00 Transfer from Operating \$200,072

INCREASE APPROPRIATION:
HXXX.15.7110.000 72100.25 Machinery & Equipment – Golf Course Equipment \$ 60,000
HXXX.15.7110.000 72400.00 Land Improvements Expense \$140,072
Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IF-167-23

From: Infrastructure & Facilities and Administration Committees.

Dated: November 14, 2023

**NIAGARA COUNTY DEPARTMENT OF PUBLIC WORKS
BUDGET MODIFICATION – AMERICAN RESCUE PLAN ACT FUNDS**

WHEREAS, Niagara County has received fund through the American Rescue Plan Act Funds to address negative economic impacts caused by the COVID-19 public health emergency, and

WHEREAS, the Niagara County Parks Department utilizes equipment for a variety of services for the residents of Niagara County, and

WHEREAS, funds are required to allow for the replacement of equipment and golf carts, and

RESOLVED, that the following budget modifications be effectuated:

INCREASE ESTIMATED REVENUE:
H772.15.7110.000 44089.07 FederalAid,Other ARPA State/Local Fiscal Recovery \$170,000

INCREASE APPROPRIATIONS:
H772.15.7110.000 72100.10 Machinery and Equipment – Heavy Equipment \$100,000
H772.15.7110.000 72100.25 Machinery and Equipment – Golf Course Equipment \$ 70,000
Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IF-168-23

From: Infrastructure & Facilities and Administration Committees.

Dated: November 14, 2023

**ABOLISH TWO (2) BUILDING ATTENDANT POSITIONS/CREATE & FILL TWO (2)
CLEANER/LABORER POSITIONS**

WHEREAS, the duties of Building Attendant no longer meet the present needs of the department, and

WHEREAS, the duties of a Cleaner/Laborer position represent the duties necessary for the daily operations, and

WHEREAS, the change in title reflects a cost savings to the County, now, therefore, be it

RESOLVED, that effective November 15, 2023, the position of Building Attendant (Position #13355 & 13363), AFSCME Job Group 7-512, \$16.46 per hour, be abolished, and be it further

RESOLVED, that effective November 27, 2023, two (2) positions of Cleaner/Laborer, AFSCME Job Group 42-561 at \$16.35 per hour, be created and filled.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IF-169-23

From: Infrastructure & Facilities and Administration Committees.

Dated: November 14, 2023

**RECLASSIFICATION OF AMERICAN RESCUE PLAN ACT FUNDS TO
COURTHOUSE BOILER REPLACEMENT**

WHEREAS, Resolutions IF-149-22 and IF-118-23 authorized the use of fund balance for the Courthouse Boiler Replacement project and HVAC Phase II project, and

WHEREAS, revenue replacement funds are available from the American Rescue Plan Act that could cover a portion of the cost of this project rather than utilizing fund balance, now, therefore, be it

RESOLVED, that the funding source for the Courthouse Boiler Replacement and HVAC Phase II in capital project H763 be changed to utilize ARPA revenue replacement funds, and the following budget modification be effectuated:

DECREASE ANTICIPATED REVENUE:

H763.15.1620.000 45031.00	Transfer from Operating	\$3,000,000.00
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INCREASE ANTICIPATED REVENUE:

H763.15.1620.000 44089.07	Federal Aid, Other ARPA	\$3,000,000.00
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Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IF-170-23

From: Infrastructure & Facilities and Administration Committees.

Dated: November 14, 2023

**BUDGET MODIFICATION – CAPITAL PROJECTS
HVAC IMPROVEMENTS**

WHEREAS, it is necessary to complete needed improvements to the cooling tower located at the Angelo DelSignore Civic Building in Niagara Falls, NY, and

WHEREAS, it is also necessary to replace a failing roof top unit at the Niagara County Court House in Lockport, NY, and

WHEREAS, it is necessary to replace a failing boiler unit, which has exceeded its useful life, at the Trott ACCESS Center, and

WHEREAS, funding is available for the Trott boiler replacement from the low cost power committed fund balance and revenue replacement funds from the American Rescue Plan Act are available for the remaining improvements, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE APPROPRIATED FUND BALANCE		
A 40599.01	Appropriated Fund Balance - NYPA	\$80,000
INCREASE APPROPRIATIONS		
A.07.9950.000 79010.00	Transfers to Capital Projects	\$80,000
INCREASE ESTIMATED REVENUE:		
H795.15.1620.000 45031.10	Interfund Transfers – From Committed Funds	\$80,000
H795.15.1620.000 44089.07	Federal Aid, Other ARPA	\$680,000

INCREASE APPROPRIATIONS:		
H795.15.1620.000 72200.01	Building Improvements	\$760,000

Moved by Bradt, seconded by Robins.
 Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IF-171-23
 From: Infrastructure & Facilities and Administration Committees.
 Dated: November 14, 2023

**DEPARTMENT OF PUBLIC WORKS – BRIDGE MAINTENANCE PROJECT
 BUDGET MODIFICATION**

WHEREAS, additional funds are required to allow for the maintenance of Ewings Road Bridge over Eighteen Mile Creek, in the Town of Newfane, and the Quaker Road Bridge over Golden Hill in the Town of Somerset, project to proceed to the construction phase, and

WHEREAS, funds are available from the American Rescue Plan Act to allow for this bridge maintenance project to proceed to the construction phase, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

INCREASE ESTIMATED REVENUES:		
H765.15.5112.000 44089.07	Federal Aid, Other ARPA	\$660,000

INCREASE APPROPRIATIONS:		
H765.15.5112.000 72600.02	Infrastructure Bridges	\$660,000

Moved by Bradt, seconded by Robins.
 Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IF-172-23
 From: Infrastructure & Facilities and Administration Committees.
 Dated: November 14, 2023

AWARD OF CONTRACT – WILSON-BURT ROAD BRIDGE OVER EIGHTEEN MILE CREEK

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Wilson-Burt Road Bridge over Eighteen Mile Creek, and

WHEREAS, funds are available in account number H698.15.5197.000 72600.02, Bridges, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on October 5, 2023 as tabulated below:

- | | | |
|----|--|----------------|
| 1. | Edbauer Construction
2790 Clinton Street
West Seneca, NY 14224 | \$2,662,731.00 |
| 2. | Oakgrove Construction
1266 Townline Road
Alden, NY 14004 | \$2,914,480.00 |

and

WHEREAS, the Infrastructure & Facilities Committee has examined the bid, and

WHEREAS, the project budget will not support awarding the full base bid amount of the lowest responsible bidder, and

WHEREAS, the base scope of work was revised to eliminate/adjust certain items in the contract in order to meet the budget, and this revised scope of work was relayed to both contractors, and

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

RESOLVED, that the contract for the Wilson-Burt Road Bridge over Eighteen Mile Creek be awarded to the lowest responsible bidder, Edbauer Construction, 2790 Clinton Street, West Seneca, NY 14224, in the revised amount of \$1,500,669.64, contingent upon NYSDOT approval, and be it further

RESOLVED, that, following the County Attorney's review, the Agreement for the Wilson-Burt Road Bridge over Eighteen Mile Creek may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IF-173-23

From: Infrastructure & Facilities and Administration Committees.

Dated: November 14, 2023

AWARD CONSULTANT CONTRACT – HARTLAND ROAD CULVERT NO. 108-10

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with design services and bidding assistance for the Hartland Road Culvert No. 108-10 Project, and

WHEREAS, Greenman-Pedersen, Inc. provided a proposal for the design of said 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 following budget modification be effectuated to allow the project to proceed to cover design services and any ancillary expenses:

INCREASE REVENUE:

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

HXXX.15.5197.000 72600.01 Infrastructure Bridges-Hartland Rd Culvert \$100,000

and be it further

RESOLVED, that the consultant services contract for the design and bidding assistance of the Hartland Road Culvert No. 108-10 Project be awarded to Greenman-Pedersen, Inc. 4950 Genesee Street, Suite 100, Buffalo, NY 14225, for a contract amount not to exceed \$60,000, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IF-174-23

From: Infrastructure & Facilities and Administration Committees.

Dated: November 14, 2023

**BRIDGE NY CULVERT LOCAL PROJECT AGREEMENT, PIN 5765.02
BALMER ROAD OVER A TRIBUTARY TO TWELVE MILE CREEK,
TOWN OF PORTER**

WHEREAS, the Balmer Road Culvert over a Tributary to Keg Creek Project, PIN 5765.02 (the "Project"), Town of Porter, Niagara County, is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds, and

WHEREAS, the County of Niagara will design, let, and administer all phases of the Project, and

WHEREAS, the County of Niagara desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof, now, therefore, be it

RESOLVED, that the Legislature of the County of Niagara hereby approves the above-subject project, and be it further

RESOLVED, that the Legislature of the County of Niagara hereby authorizes the County of Niagara to pay 100% of the costs of the Preliminary Engineering (Design I-VI) and Construction/Construction Inspection phases of the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding, and be it further

RESOLVED, that the following budget modification be effectuated to reflect the funding levels set forth by Schedule A in the attached agreement:

INCREASE ESTIMATED REVENUE:

H773.15.5197.000 43591.00 State Aid Cap Const Hwy Revenue \$784,100

INCREASE ESTIMATED APPROPRIATIONS:

H773.15.5197.000 72600.02 Infrastructure Bridges \$784,100

and be it further

RESOLVED, that the sum of \$784,100 is hereby appropriated in account H773.15.5197.000 72600.02, Infrastructure Bridges, and is made available to cover the cost of participation in the above phases of the Project, and be it further

RESOLVED, that the Niagara County Legislature hereby agrees that the County of Niagara shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the Bridge NY funding awarded to the County of Niagara, and be it further

RESOLVED, that in the event the Project costs exceed the amount appropriated above, the County of Niagara shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation, and be it further

RESOLVED, that the County of Niagara hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months, and be it further

RESOLVED, that the Chair of the Legislature of the County of Niagara be, and hereby is, authorized to execute all necessary Agreements, certifications, or reimbursement requests with NYSDOT for state aid and/or Bridge NY funding on behalf of the County of Niagara, in connection with the advancement or approval of the Project providing for the administration of the Project and the County of Niagara's funding of Project costs, and be it further

RESOLVED, that the County of Niagara will be responsible for all maintenance of the Project, and be it further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IF-175-23

From: Infrastructure & Facilities and Administration Committees.

Dated: November 14, 2023

**BRIDGE NY CULVERT LOCAL PROJECT AGREEMENT, PIN 5765.03
RANSOMVILLE ROAD CULVERT NO. 17-1, TOWN OF LEWISTON**

WHEREAS, the Ransomville Road Culvert No. 17-1 Project, PIN 5765.03 (the "Project"), Town of Lewiston, Niagara County, is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds, and

WHEREAS, the County of Niagara will design, let, and administer all phases of the Project, and

WHEREAS, the County of Niagara desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof, now, therefore, be it

RESOLVED, that the Legislature of the County of Niagara hereby approves the above-subject project, and be it further

RESOLVED, that the Legislature of the County of Niagara hereby authorizes the County of Niagara to pay 100% of the costs of the Preliminary Engineering (Design I-VI) and Construction/Construction Inspection phases of the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding, and be it further

RESOLVED, that the following budget modification be effectuated to reflect the funding levels set forth by Schedule A in the attached agreement:

DECREASE REVENUE:

H794.15.5197.000 43591.00 State Aid Cap Const Hwy Revenue (\$132,600)

DECREASE APPROPRIATIONS:

H794.15.5197.000 72600.02 Infrastructure Bridges (\$132,600)

and be it further

RESOLVED, that the sum of \$867,400 is hereby appropriated in account H794.15.5197.000 72600.02, Infrastructure Bridges, and is made available to cover the cost of participation in the above phases of the Project, and be it further

RESOLVED, that the Niagara County Legislature hereby agrees that the County of Niagara shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the Bridge NY funding awarded to the County of Niagara, and be it further

RESOLVED, that in the event the Project costs exceed the amount appropriated above, the County of Niagara shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation, and be it further

RESOLVED, that the County of Niagara hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months, and be it further

RESOLVED, that the Chair of the Legislature of the County of Niagara be, and hereby is, authorized to execute all necessary Agreements, certifications, or reimbursement requests with NYSDOT for state aid and/or Bridge NY funding on behalf of the County of Niagara, in connection with the advancement or approval of the Project providing for the administration of the Project and the County of Niagara's funding of Project costs, and be it further

RESOLVED, that the County of Niagara will be responsible for all maintenance of the Project, and be it further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it further

RESOLVED, that following the County Attorney's review, the Agreement and all the necessary documents may be executed pursuant to the Niagara County Contract Policy.

RESOLVED, that this Resolution shall take effect immediately.

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IF-176-23

From: Infrastructure & Facilities and Administration Committees.

Dated: November 14, 2023

**NIAGARA COUNTY DEPARTMENT OF PUBLIC WORKS
BUDGET MODIFICATION – CONNECT NIAGARA**

WHEREAS, Niagara County has paid for the purchase and installation of radios and cameras for all five (5) of our Connect Niagara Rural Transportation Buses in the amount of \$22,506, and

WHEREAS, Niagara County Department of Public Works has applied for and received, per Contract C004130, Section 5311 Capital, ATC Funding reimbursement from NYSDOT for the full amount of \$22,506 for the purchase and installation of radios and cameras on all five (5) buses, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

INCREASE ESTIMATED REVENUE:

A.15.1490.000 44589.01 Other Transportation Rural Transportation Grant \$22,506

INCREASE APPROPRIATIONS:

A.15.1490.000 74550.13 Programs Niagara Falls Coach Lines \$22,506

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-118-23

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

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF ST. PATRICK’S CEMETERY THROUGH THE USE OF
COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, St. Patrick’s Cemetery is located at 23 Glenwood Dr. in Lockport NY, and

WHEREAS, St. Patrick’s Cemetery was consecrated in 1874, and

WHEREAS, St. Patrick’s Cemetery is the final resting place for over 11,000 people, and

WHEREAS, the cemetery has identified a need for raising and leveling veteran's stones, cleaning their stones, general tree and shrub maintenance around and near those stones, and

WHEREAS, St. Patrick’s Cemetery will need funds for these improvements, now, therefore, be it

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

RESOLVED, that Niagara County supports the St. Patrick’s Cemetery by appropriating monies from said Community Partnership Program Fund as follows:

St. Patrick’s Cemetery \$5,000.00

Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-119-23

From: Legislator William J. Collins and Economic Development Committee.

Dated: November 14, 2023

RESOLUTION IN SUPPORT OF THE KENAN CENTER THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING

WHEREAS, the Kenan Center has served the Lockport community since 1969, and

WHEREAS, the Kenan Center has been enriching lives by providing the community with cultural, educational and recreational opportunities, now, therefore, be it

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

RESOLVED, that Niagara County supports the Kenan Center by appropriating monies from said Community Partnership Fund as follows:

The Kenan Center	\$4,900.00
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Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-120-23

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

Dated: November 14, 2023

RESOLUTION IN SUPPORT OF SISTER HELEN’S FOOD PANTRY THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING

WHEREAS, Sister Helen’s Food Pantry is located at 160 Chestnut St. in Lockport NY, and

WHEREAS, Sister Helen’s Food Pantry was established in 2001 to dispense and provide food products for people in the Greater City of Lockport area, and

WHEREAS, the Food Pantry’s sole source of food products and funding is through donations of concerned residents and members of St. John’s Church, and

WHEREAS, Sister Helen’s Food Pantry is in need of funds for the holiday season, now, therefore, be it

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

RESOLVED, that Niagara County supports Sister Helen’s Food Pantry by appropriating monies from said Community Partnership Program Fund as follows:

Sister Helen’s Food Pantry	\$750.00
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Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-121-23

From: Legislator Anthony J. Nemi and Economic Development Committee.

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF THE NIAGARA USA CHAMBER ECONOMIC VISION
BREAKFAST THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara USA Chamber has consistently demonstrated its commitment to fostering economic growth, promoting business development, and enhancing the overall quality of life in Niagara County, and

WHEREAS, the Economic Vision Breakfast is a vital event that serves as a platform for local businesses, community leaders, and residents to come together and discuss opportunities and challenges related to economic development within the county, and

WHEREAS, the Economic Vision Breakfast is a catalyst for networking and knowledge-sharing, bringing together stakeholders who can contribute to the economic prosperity of Niagara County, and facilitating meaningful discussions that can lead to positive outcomes for the region, and

WHEREAS, the Niagara USA Chamber plays a significant role in advancing the economic interests of the county by providing resources, advocacy, and support to local businesses and entrepreneurs, and

WHEREAS, the Niagara USA Chamber in its role as a key driver of economic development, depends on funding and support to organize and execute events like the Economic Vision Breakfast that contribute to the betterment of the local economy, now, therefore, be it

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

RESOLVED, that Niagara County supports Niagara USA Chamber by appropriating monies from said Community Partnership Program Fund as follows:

Niagara USA Chamber	\$1,500.00
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and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2023 budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.814 40599.01	Appropriated Fund Balance – Committed Funds	\$1,500.00
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INCREASE APPROPRIATION:

A.28.8020.814 74500.01	Community Partnership Fund Expense	\$1,500.00
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Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-122-23

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

Dated: November 14, 2023

RESOLUTION IN SUPPORT OF THE CHALLENGER LEARNING CENTER OF LOCKPORT THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING

WHEREAS, the Challenger Learning Center of Lockport is located at 160 Washburn St. in Lockport NY, and

WHEREAS, the Challenger Learning Center of Lockport is a community-based learning-oriented organization geared towards enriching the minds of youth and adults alike, and

WHEREAS, using space exploration as a theme, the Challenger Learning Center of Lockport creates positive learning experiences that raise students' expectations of success, as well as foster a long-term interest in science, technology, engineering arts and math (STEAM) to motivate them into careers in these fields, and

WHEREAS, the Challenger Learning Center of Lockport is working on expanding their programming with the purchase of equipment that will allow them to offer events off-site, now, therefore, be it

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

RESOLVED, that Niagara County supports the Challenger Learning Center of Lockport by appropriating monies from said Community Partnership Program Fund as follows:

Challenger Learning Center of Lockport	\$1,500.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-123-23

From: Legislator Mark J. Grozio and Economic Development Committee.

Dated: November 14, 2023

RESOLUTION IN SUPPORT OF THE LASALLE SPORTSMEN'S CLUB THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING

WHEREAS, the LaSalle Sportsmen's Club, is located in the Town of Niagara, and for generations has provided an outlet for hunters and outdoor lovers to enjoy camaraderie with fellow sportsmen, and

WHEREAS, a conservation club is not just about hunting and shooting, the Outdoor Life Conservation Pledge states "I pledge to protect and conserve the natural resources of America. I promise to educate future generations so they may become caretakers of our water, air, land, and wildlife.", and

WHEREAS, conservation clubs are a vital partner in our community and offer our youth lifelong skills and safety training that will benefit them for life, now, therefore, be it

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

RESOLVED, that Niagara County supports The LaSalle Sportsmen's Club by appropriating monies from said Community Partnership Fund as follows:

LaSalle Sportsmen's Club	\$1,500.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-124-23

From: Legislators Mark J. Grozio, Christopher A. Robins, and Jeffrey Elder and Economic Development Committee.

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF NIAGARA FALLS EDUCATION FOUNDATION, INC.
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Falls Education Foundation, Inc., located in the City of Niagara Falls supports the youth of Niagara Falls by aiding the educational goals of graduating students, and

WHEREAS, Niagara Falls Education Foundation, Inc. provides financial assistance and resources to senior high students in need at Niagara Falls High School for further education, and

WHEREAS, Niagara Falls Education Foundation, Inc. continues to recognize accomplishments and promote future success of the students of Niagara Falls High School, and

WHEREAS, through scholarship awards Niagara Falls Education Foundation, Inc. helps the youth of Niagara Falls High School to better themselves by receiving a higher education and building a stronger community, and

WHEREAS, the Niagara County Legislature wishes to support the Niagara Falls Education Foundation, Inc. in their commitment to our local senior students in Niagara Falls, now, therefore, be it

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

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

Niagara Falls Education Foundation, Inc.	\$3,000.00
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Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-125-23

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

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF NIAGARA FALLS FIREFIGHTERS CHRISTMAS TOY FUND
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Falls Firefighters Toy Fund Charity is a 90 year old 501c3 charity, which buys new Christmas Toys and winter clothes for impoverished children in the Niagara Falls area, and

WHEREAS, the Niagara Falls Firefighters Toy Fund Charity, also host a festive holiday luncheon each year for the Niagara Falls area nursing homes, and

WHEREAS, these events brighten the holidays for over a thousand Niagara County residents, now, therefore be it

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

RESOLVED, that Niagara County supports the Niagara Falls Firefighters Toy Fund by appropriating monies from said Community Partnership Fund as follows:

Niagara Falls Firefighters Toy Fund	\$2,075.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-126-23

From: Legislator Christopher A. Robins and Economic Development Committee.
Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF NIAGARA ARTS AND CULTURAL CENTER
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Niagara Arts and Cultural Center (NACC) is home to more than 75 artists and arts groups, over 60 artist studios, 3 public galleries, and multiple private galleries, three theaters, a radio station, a certified sound stage / movie production facility, the Niagara Falls High School alumni center, and the NACC Artisan Café & Gift Shop, and

WHEREAS, and the NACC continues to grow as an education center offering adult and children classes to the public, including summer programs for kids that offer an array of art, music, dance, and technology classes to area elementary, middle and high school students, and

WHEREAS, the NACC is an important landmark in the City of Niagara Falls, now, therefore, be it

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

RESOLVED, that Niagara County supports the NACC by appropriating monies from said Community Partnership Fund as follows:

Niagara Arts and Cultural Center	\$1,500.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-127-23

From: Legislator Christopher A. Robins and Economic Development Committee.
Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF TOWN OF NIAGARA LIONS
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, The Town of Niagara Lions were chartered in 1953, and

WHEREAS, the club supports the Town of Niagara and the City of Niagara Falls, and

WHEREAS, the club sponsors the annual Memorial and Veteran's Day ceremonies, and

WHEREAS, the Town of Niagara Lions Club are a huge asset to the community, now, therefore, be it

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

RESOLVED, that Niagara County supports the Town of Niagara Lions Club by appropriating monies from said Community Partnership Fund as follows:

Town of Niagara Lions Club	\$825.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-128-23

From: Legislator Randy R. Bradt and Economic Development Committee.
Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF THE NORTH TONAWANDA FIRE DEPARTMENT
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the North Tonawanda Professional Firefighters Benevolent Association assists the North Tonawanda Fire Department with equipment for the health and fitness of its members, and

WHEREAS, the North Tonawanda Professional Firefighters Benevolent Association would like to purchase an air bike to help maintain and improve the cardiovascular health of the firefighters in a way that will not negatively impact their joints, and

WHEREAS, this piece of equipment will also assist firefighters with knee rehabilitation that may be needed as a result of injury in the line of duty, now, therefore, be it

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

RESOLVED, that Niagara County supports the North Tonawanda Professional Firefighters Benevolent Association by appropriating monies from said Community Partnership Fund as follows:

North Tonawanda Professional Firefighters Benevolent Association	\$750.00
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and be it further

RESOLVED, that the following budget modification be effectuated to the Niagara County Economic Development 2023 budget:

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.814 40599.01	Appropriated Fund Balance – Committed Funds	\$750.00
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INCREASE APPROPRIATION:

A.28.8020.814 74500.01	Community Partnership Fund Expense	\$750.00
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Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-129-23

From: Legislators Randy R. Bradt, Richard L. Andres and Economic Development Committee.
Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF THE NORTH TONAWANDA PROFESSIONAL
FIREFIGHTERS BENEVOLENT ASSOCIATION
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the North Tonawanda Professional Firefighters Benevolent Association assists the North Tonawanda Fire Department with equipment for the health and fitness of its members, and

WHEREAS, the North Tonawanda Professional Firefighters Benevolent Association is planning upgrades to the fitness center used by members of the North Tonawanda Fire Department, and

WHEREAS, these upgrades include new flooring and exercise equipment, now, therefore, be it

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

RESOLVED, that Niagara County supports the North Tonawanda Professional Firefighters Benevolent Association by appropriating monies from said Community Partnership Fund as follows:

North Tonawanda Professional Firefighters Benevolent Association	\$3,100.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-130-23

From: Legislators Richard L. Andres, Randy R. Bradt and Economic Development Committee.
Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF SWEENEY HOSE COMPANY, INC. NO. 7
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Sweeney Hose Company, Inc. No. 7 has been serving the citizens of North Tonawanda for over 125 years, and

WHEREAS, Sweeney Hose Company, Inc. No. 7 is looking to replace the exterior double doors of its emergency generator building, and

WHEREAS, this project is of utmost importance to ensuring access to the generator in an emergency, now, therefore, be it

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

RESOLVED, that Niagara County supports Sweeney Host Company, Inc. No. 7 by appropriating monies from said Community Partnership Fund as follows:

Sweeney Hose Company, Inc. No. 7	\$7,800.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-131-23

From: Legislator Shawn A. Foti and Economic Development Committee.
Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF THE VILLAGE OF BARKER
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Village of Barker is a rural community located in the Eastern portion of Niagara County with 583 residents, a vibrant and growing business district, and expanding community events, and

WHEREAS, the Village and community organizations have worked tirelessly to create new community events and to bring back previously held events, and

WHEREAS, these events are vital to creating togetherness and connection within our communities and to promote civic engagement, and

WHEREAS, on December 16, 2023 the Village of Barker will host a “Light Up Barker” event which will include Santa Claus, wagon rides, caroling, vendors, bonfire, and other Christmas activities, and

WHEREAS, funds are necessary to offset costs to host this event and help them to promote and host new community events in the future, now, therefore, be it

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

RESOLVED, that Niagara County supports the Village of Barker “Light Up Barker” event by appropriating monies from said Community Partnership Program Fund as follows:

Village of Barker	\$1,075.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-132-23

From: Legislator Jeffrey and Economic Development Committee.

Dated: November 14, 2023

RESOLUTION IN SUPPORT OF THE NIAGARA FALLS CIVIL AIR PATROL (CAP) COMPOSITE SQUADRON # 1 THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING

WHEREAS, the Civil Air Patrol is a congressionally chartered, federally funded, 501(c)(3) nonprofit corporation and the civilian auxiliary of the U.S. Air Force, and

WHEREAS, the Niagara Falls Composite Squadron #1 is the only CAP squadron that operates out of Niagara County and is committed to making a difference in the City of Niagara Falls, New York, and surrounding communities, and

WHEREAS, the CAP missions include search and rescue and other emergency services as well as disaster response, which CAP conducts for states/local communities as a nonprofit organization, and

WHEREAS, operating the world’s largest fleet of single-engine piston aircraft, Civil Air Patrol operates its aircraft for only \$170 per flight hour, which makes CAP an unrivaled low-cost provider to help the Air Force achieve its pilot training objectives, now, therefore, be it

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

RESOLVED, that Niagara County supports The Niagara Falls CAP Composite Squadron # 1, by appropriating monies from said Community Partnership Program Fund as follows:

The Niagara Falls CAP Composite Squadron # 1 \$1,200.00
Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-133-23

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

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF THE NIAGARA FALLS NY THE LINKS, INCORPORATED
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Links, Incorporated, is an International 501(c)(3) nonprofit established in 1946, with a membership consisting of more than 17,000 professional women of African descent, and

WHEREAS, the Niagara Falls (NY) Chapter The Links, Incorporated, chartered on May 24, 1950 in Niagara Falls, New York, and

WHEREAS, the Niagara Falls (NY) Chapter The Links, Incorporated, dedicated members have reached out near and far to assist others with contributions and given support to the United Way of Niagara, Niagara Community Center and Girls Club, Niagara Hospice, The Center for Young Parents, Community Missions, Inc., and Family and Children's Service of Niagara, as well as many others, and

WHEREAS, the Niagara Falls (NY) Chapter The Links, Incorporated, has sponsored and co-sponsored youth development programs and conferences, mentoring seminars, cultural festivals, theme luncheons and walk-a-thons for health and hunger, now, therefore, be it

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

RESOLVED, that Niagara County supports The Niagara Falls (NY) Chapter The Links, Incorporated, by appropriating monies from said Community Partnership Program Fund as follows:

The Niagara Falls (NY) Chapter The Links, Incorporated \$1,200.00
Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-134-23

From: Legislator Jeffrey Elder and Economic Development Committee.

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF THE POTTER'S FIELD, 99
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Potter's Field, 99, is a 501(c)(3) nonprofit children's ministry whose mission is to share the love of Jesus with children from the inner city of Niagara Falls, NY, and

WHEREAS, the Potter's Field, 99 strives to provide a safe, loving environment where children receive meals, clothing, hear the word of God, play, and get help with homework, and

WHEREAS, the Potter's Field, 99 is an example of discipleship so children will share the love of Christ with others, and

WHEREAS, the Potter's Field, 99's primary mission is to equip children with the knowledge and tools they need to grow in their spiritual walk with Christ, so they discover their God given worth and potential, now, therefore, be it

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

RESOLVED, that Niagara County supports The Potter's Field, 99, by appropriating monies from said Community Partnership Program Fund as follows:

The Potter's Field, 99	\$975.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-135-23

From: Legislators Mark J. Grozio, Christopher A. Robins, Jesse P. Gooch, David E. Godfrey and Economic Development Committee.

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF THE TOWN OF WHEATFIELD LIONS CLUB
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, The Town of Wheatfield Lions Club was chartered in 1973, and is located in the Five Senses Nature Park on Ward Rd, and

WHEREAS, the Five Senses Nature Park is a 17 acre area, part of which is specifically designed with plantings of herbs and other flowers, as well as a pond for the sight-impaired, and

WHEREAS, the Town of Wheatfield Lions Club, has the only clubhouse in the area, which hosts a variety of events throughout the year, and

WHEREAS, the clubhouse is available to rent for family reunions, birthday parties, and boy scouts; and other not for profit organizations can use the facilities free of charge, and

WHEREAS, the Town of Wheatfield Lions Club would like to secure a defibrillator for the Five Senses Nature Park and clubhouse given the extensive usage of the facilities for public and not for profit activities, now, therefore, be it

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

RESOLVED, that Niagara County supports The Town of Wheatfield Lions Club by appropriating monies from said Community Partnership Fund as follows:

Town of Wheatfield Lions Club	\$2,250.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-136-23

From: Legislator Michael A. Hill and Economic Development Committee.

Dated: November 14, 2023

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

WHEREAS, the Middleport Fire Company provides fire and EMS services to residents of the Village of Middleport and the Town of Royalton, and

WHEREAS, Middleport Fire Company members work tirelessly to protect our community and be public servants to our residents during all times of need, and

WHEREAS, rising costs, Covid pandemic, work and family responsibilities, and increasing regulations from NYS have made it more costly and time consuming to be a volunteer, and

WHEREAS, additional funds are necessary to offset these rising costs and help support our Niagara County volunteer fire departments, now, therefore, be it

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

RESOLVED, that Niagara County supports the volunteer firefighters at the Middleport Fire Company by appropriating monies from said Community Partnership Fund as follows:

Middleport Fire Company	\$2,500.00
Moved by Bradt, seconded by Robins.	
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.	

Resolution No. IL-137-23

From: Legislator Michael A. Hill and Economic Development Committee.

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF GASPORT CHEMICAL HOSE FIRE COMPANY
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Gasport Chemical Hose Fire Company was founded in 1920, and has been providing fire and EMS services to residents of the towns of Royalton and Lockport for over 100 years, and

WHEREAS, Gasport Chemical Hose Fire Company members work tirelessly to protect our community and be public servants to our residents during all times of need, and

WHEREAS, rising costs, Covid pandemic, work and family responsibilities, and increasing regulations from NYS have made it more costly and time consuming to be a volunteer, and

WHEREAS, additional funds are necessary to offset these rising costs and help support our Niagara County volunteer fire departments, now, therefore, be it

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

RESOLVED, that Niagara County supports the volunteer firefighters at the Gasport Chemical Hose Fire Company by appropriating monies from said Community Partnership Fund as follows:

Gasport Chemical Hose Fire Company	\$2,500.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-138-23

From: Legislator Michael A. Hill and Economic Development Committee.

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF TERRY’S CORNERS FIRE COMPANY
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Terry’s Corners Fire Company was founded in 1949, and has been providing fire and EMS services to residents of the towns of Royalton and Lockport for almost 75 years, and

WHEREAS, Terry’s Corners Fire Company members work tirelessly to protect our community and be public servants to our residents during all times of need, and

WHEREAS, rising costs, Covid pandemic, work and family responsibilities, and increasing regulations from NYS have made it more costly and time consuming to be a volunteer, and

WHEREAS, additional funds are necessary to offset these rising costs and help support our Niagara County volunteer fire departments, now, therefore, be it

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

RESOLVED, that Niagara County supports the volunteer firefighters at the Terry’s Corners Fire Company by appropriating monies from said Community Partnership Fund as follows:

Terry’s Corners Fire Company	\$2,500.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-139-23

From: Legislator Michael A. Hill and Economic Development Committee.

Dated: November 14, 2023

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

WHEREAS, Hartland Volunteer Fire Company was founded in 1970, and has been providing fire and EMS services to residents of the Gasport community for 53 years, and

WHEREAS, Hartland Volunteer Fire Company members work tirelessly to protect our community and be public servants to our residents during all times of need, and

WHEREAS, rising costs, Covid pandemic, work and family responsibilities, and increasing regulations from NYS have made it more costly and time consuming to be a volunteer, and

WHEREAS, additional funds are necessary to offset these rising costs and help support our Niagara County volunteer fire departments, now, therefore, be it

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

RESOLVED, that Niagara County supports the volunteer firefighters at the Hartland Volunteer Fire Company by appropriating monies from said Community Partnership Fund as follows:

Hartland Volunteer Fire Company \$2,500.00
Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-140-23

From: Legislator Michael A. Hill and Economic Development Committee.

Dated: November 14, 2023

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

WHEREAS, Rapids Volunteer Fire Company was founded in 1935, and has been providing fire and EMS services to residents of the towns of Lockport and Royalton for 88 years, and

WHEREAS, Rapids Volunteer Fire Company members work tirelessly to protect our community and be public servants to our residents during all times of need, and

WHEREAS, rising costs, Covid pandemic, work and family responsibilities, and increasing regulations from NYS have made it more costly and time consuming to be a volunteer, and

WHEREAS, additional funds are necessary to offset these rising costs and help support our Niagara County volunteer fire departments, now, therefore, be it

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

RESOLVED, that Niagara County supports the volunteer firefighters at the Rapids Volunteer Fire Company by appropriating monies from said Community Partnership Fund as follows:

Rapids Volunteer Fire Company \$2,500.00
Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-141-23

From: Legislator Michael A. Hill and Economic Development Committee.

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF TRI-TOWN AMBULANCE
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Tri-Town Ambulance was founded in 1968, and has been providing fire and EMS services to residents of the towns of Royalton, Hartland and Lockport for 55 years, and

WHEREAS, Tri-Town Ambulance members work tirelessly to protect our community and be public servants to our residents during all times of need, and

WHEREAS, rising costs, Covid pandemic, work and family responsibilities, and increasing regulations from NYS have made it more costly and time consuming to be a volunteer, and

WHEREAS, additional funds are necessary to offset these rising costs and help support our Niagara County volunteer fire departments, now, therefore, be it

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

RESOLVED, that Niagara County supports the volunteers at the Tri-Town Ambulance by appropriating monies from said Community Partnership Fund as follows:

Tri-Town Ambulance	\$2,500.00
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Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-142-23

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

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF THE CAMBRIA HISTORICAL SOCIETY
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Cambria Historical Society is proud to promote and preserve the history and artifacts of the oldest town in Niagara County, and

WHEREAS, the Cambria Historical Society is planning to purchase additional equipment to enhance its presentations, both at the museum and throughout the county, and

WHEREAS, the Cambria Historical Society is also upgrading its emergency response kit, so that it will be fully stocked and ready to prevent damage to precious artifacts in the event of a flood, now, therefore, be it

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

RESOLVED, that Niagara County supports the efforts of the Cambria Historical Society by appropriating monies from said Community Partnership Fund as follows:

Cambria Historical Society	\$1,600.00
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Moved by Bradt, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-143-23

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

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF BSA CAMBRIA TROOP 8
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, BSA Cambria Troop 8 has been in existence for 58 years in Niagara County, and for the last 52 chartered by the Cambria Volunteer Fire Company. Currently the troop has 30 boy scouts and 15 active adult leaders and junior leaders, making us one of the largest scout troops in the county, and

WHEREAS, the troop has graduated 76 Eagle Scouts in its history and each of them has given back in some way to Niagara County through their Eagle Scout Project, and

WHEREAS, in recent years the troop has become a feeder program for the Cambria Volunteer Fire Company Jr. Firefighting program, and have seen a number of scouts go on to serve in the fire service, and

WHEREAS, the troop is planning some additional updates, to the tow behind trailer that was purchased last year, and that is used multiple times a year to transport equipment to campsites both locally and up to 8 hours away from Cambria, now, therefore, be it

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

RESOLVED, that Niagara County supports the efforts of BSA Cambria Troop 8 by appropriating monies from said Community Partnership Fund as follows:

BSA Cambria Troop 8	\$500.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-144-23

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

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF THE TOWN OF WHEATFIELD
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Town of Wheatfield recently completed a new inclusive playground at Fairmount Park; celebrating the ribbon cutting on November 4, 2023, and

WHEREAS, this playground will allow children of all abilities to play in a safe manner, and

WHEREAS, the Town of Wheatfield is planning to add an observation pavilion next to the playground, so that parents have a shaded area to observe their children at play, now, therefore, be it

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

RESOLVED, that Niagara County supports the efforts of the Town of Wheatfield by appropriating monies from said Community Partnership Fund as follows:

Town of Wheatfield	\$5,000.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-145-23

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

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF THE WILSON HISTORICAL SOCIETY
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Wilson Historical Society is planning much needed upgrades of its electrical system, and

WHEREAS, these upgrades are long overdue, and will ensure that the electrical system is up to code, and

WHEREAS, the installation of LED lighting will allow for better lighting of the grounds and parking area, now, therefore, be it

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

RESOLVED, that Niagara County supports the efforts of the Wilson Historical Society by appropriating monies from said Community Partnership Fund as follows:

Wilson Historical Society	\$4,000.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-146-23

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

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF THE WILSON COMMUNITY LIBRARY
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Wilson Community Library is committed to excellent service and providing access to quality materials as a way to empower the community and connect people and ideas to inspire lifelong learning through curiosity and creativity, and

WHEREAS, the library is currently planning upgrades of several electronic devices, including a computer and printer/copier to better serve the needs of the community, now, therefore, be it

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

RESOLVED, that Niagara County supports the efforts of the Wilson Community Library by appropriating monies from said Community Partnership Fund as follows:

Wilson Community Library	\$1,400.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-147-23

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

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF THE TOWN OF WILSON
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Town of Wilson is always striving to enhance the lives of its citizens, and

WHEREAS, the Town of Wilson hosts a summer recreational programs, as a way to engage youth in supportive pro social activities, and

WHEREAS, in 2023, the Town of Wilson expanded its summer recreational program, through additional days, which allowed for expanded programming, now, therefore, be it

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

RESOLVED, that Niagara County supports the efforts of the Town of Wilson by appropriating monies from said Community Partnership Fund as follows:

Town of Wilson	\$2,000.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-148-23

From: Legislator David E. Godfrey and Economic Development Committee.
Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF THE VILLAGE OF WILSON
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Village of Wilson is proud of their heritage and strives to offer its citizens a variety of community events, and

WHEREAS, the Village of Wilson is planning to once again host a New Year’s Eve Ball Drop as a way to celebrate the start of 2024, and

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

RESOLVED, that Niagara County supports the efforts of the Village of Wilson by appropriating monies from said Community Partnership Fund as follows:

Village of Wilson	\$1,500.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-149-23

From: Legislators David E. Godfrey, Jesse P. Gooch, Rebecca J. Wydysh and Economic Development Committee.
Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF WHEATFIELD VETERANS MEMORIAL, INC.
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Wheatfield Veterans Memorial, Inc. strives to ensure that the sacrifices made by residents of the Town of Wheatfield, and their families; to ensure the safety of our nation, are recognized and celebrated, and

WHEREAS, Wheatfield Veterans Memorial, Inc. has been instrumental in the creation of the Town of Wheatfield Veterans Memorial, which is located on the grounds of town hall, and

WHEREAS, Wheatfield Veterans Memorial, Inc. is planning to expand the memorial to include a bronze statue in commemoration of the Gold Star Mothers, and their sacrifice for freedom, now, therefore, be it

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

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

Wheatfield Veterans Memorial, Inc.	\$4,700.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-150-23

From: Legislator Jesse P. Gooch and Economic Development Committee.

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF THE ST. JOHNSBURG FIRE COMPANY
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the St. Johnsburg Fire Company has been serving the residents of the Town of Wheatfield since 1926, and

WHEREAS, St. Johnsburg Fire Company recently purchased a new fire engine to ensure the safety of its members and the citizens of the Town of Wheatfield, and

WHEREAS, the St. Johnsburg Fire Company is in need of funding to facilitate the purchase of new firefighting hose valves for compatibility with the new fire engine, now, therefore, be

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

RESOLVED, that Niagara County supports the St. Johnsburg Fire Company by appropriating monies from said Community Partnership Fund as follows:

St. Johnsburg Fire Company	\$3,000.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-151-23

From: Legislator Jesse P. Gooch and Economic Development Committee.

Dated: November 14, 2023

**RESOLUTION IN SUPPORT OF TRI-COMMUNITY AMBULANCE SERVICE, INC.
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Tri-Community Ambulance has been serving the residents of Wheatfield, Sanborn, Lewiston and Cambria since 1956, and

WHEREAS, Tri-Community Ambulance is upgrading the pager system, and purchasing additional pagers to better serve the community, now, therefore, be it

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

RESOLVED, that Niagara County supports Tri-Community Ambulance by appropriating monies from said Community Partnership Fund as follows:

Tri-Community Ambulance	\$1,700.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-153-23

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

Dated: November 14, 2023

RESOLUTION IN SUPPORT OF INTER-COMMUNITY SERVICES, INC. CARE-N-SHARE FOOD PANTRY THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING

WHEREAS, the Inter-Community Services, Inc. Care-N-Share Food Pantry is a volunteer group that helps to provide services for food and clothing to meet the needs of individuals and families through the operation of the food pantry and provide access to quality clothing to community members, and

WHEREAS, the Inter-Community Services, Inc. Care-N-Share Food Pantry has been serving the communities of Ransomville, Youngstown, Lewiston, Sanborn and some parts of Wilson and Cambria since 2015, while prior to 2015 it operated as the Care -n-Share Food Pantry, and

WHEREAS, the Inter-Community Services, Inc. Care-N-Share Food Pantry will provide food and clothing on an emergency basis, such as in the event of a fire, now, therefore, be it

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

RESOLVED, that Niagara County supports the Inter-Community Services, Inc. Care-N-Share Food Pantry by appropriating monies from said Community Partnership Fund as follows

Inter-Community Services, Inc. Care-N-Share Food Pantry	\$1,000.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-154-23

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

Dated: November 14, 2023

RESOLUTION IN SUPPORT OF THE NIAGARA RIVER ANGLERS ASSOCIATION THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING

WHEREAS, the Niagara River Anglers Association is a non-profit group dedicated to a clean environment, fishing education, and the preservation of wildlife, and

WHEREAS, the Niagara River Anglers Association continues to enhance the fishing industry in the Niagara River and Lake Ontario by stocking and nurturing young steelhead and salmon which are released into Niagara County waters, and

WHEREAS, supporting the Niagara River Anglers Association at the north dock area in Youngstown, NY will enable the association to purchase more pens and expanding the project at that location, thereby allowing the association to receive a greater number of fish for stocking Niagara County waters, and

WHEREAS, by pen rearing salmon and trout we enhance survival which in turn leads to more fish in the system thus increasing the potential for greater economic impact in the Youngstown area, and

WHEREAS, fishing generated an estimated \$58.5 million economic impact in Niagara County in 2022, now, therefore, be it

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

RESOLVED, that Niagara County supports the Niagara River Anglers Association by appropriating monies from said Community Partnership Fund as follows

Niagara River Anglers Association	\$1,500.00
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Moved by Bradt, seconded by Robins.
Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-155-23

From: Legislator Irene M. Myers, Michael A. Hill, David E. Godfrey, Shawn A. Foti and Economic Development Committee.

Dated: November 14, 2023

RESOLUTION IN SUPPORT OF THE NIAGARA COUNTY AGRICULTURAL COMMUNITY THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING

WHEREAS, the Niagara County Legislature recognizes the importance of agricultural and agribusiness as a key industry sector within Niagara County, and

WHEREAS, through that recognition the Niagara County Legislature adopted IL-020-23 on February 21, 2023, forming Niagara County Agricultural Rights Advisory Panel, and

WHEREAS, during meetings of this committee, safety measures for those working in farming have been discussed, and

WHEREAS, a new Grain Rescue Tube and Auger is needed, a would be used in the event that a person became trapped in a grain bin or elevator, and

WHEREAS, this device is critical to saving someone who may become trapped, now, therefore, be it

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

RESOLVED, that Niagara County supports the Niagara County Agricultural Community by appropriating monies from said Community Partnership Fund as follows

Moved by Foti, second by Myers to add Legislator Foti as a sponsor. Approved.

Moved by Foti, seconded by Myers.

Adopted. 14 Ayes, 0 Noes, 1 Absent – Collins.

Resolution No. IL-156-23

From: Legislators Irene M. Myer and Mark J. Grozio.

Dated: November 14, 2023

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

Referred to the Administration Committee.

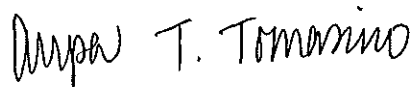
County Manager Richard E. Updegrave thanked all the Department Heads for diligently working through the budget process.

Chairman Wydysh announced Committee Meetings will be held on Monday, November 27th

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

The Chairman declared the Board adjourned 6:33 p.m., subject to the call of the Clerk.

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



Alysa T. Tomasino, Clerk