

A public hearing was held pursuant to ED-021-20, adopted by the Legislature on October 15, 2020, for the purpose of hearing public comments on the Empire Emergency Apparatus, Inc. Community Development Block Grant Application. Legislator Syracuse opened the hearing at 6:45 p.m. and closed it at approximately 6:46 p.m.

OFFICIAL RECORD

Lockport, New York
November 17, 2020

The meeting was called to order by Vice Chairman Syracuse at 7:31 p.m.

Assistant Clerk Moran called the roll. All Legislators were present.

PRESENTATION:

Vice Chairman Syracuse read a proclamation declaring the Month of November 2020 Adoption Awareness Month.

Moved by Wydysh, second by Bradt to implement Rule 26.

Carried

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

Carried

Moved by Virtuoso, Second by Myers to remove AD-021-20 from agenda.

Resolution No. AD-017-20

From: Administration Committee.

Dated: November 17, 2020

SET PUBLIC HEARING FOR THE TENTATIVE BUDGET FOR THE YEAR 2021

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 6:50 p.m. on the 1st day of December 2020, to review the tentative budget for the year 2021, and, be it further

RESOLVED, that the maximum salaries that may be fixed and payable during said fiscal year 2021 to members of the Legislature and the Chairman thereof, respectively, remain at the 2020 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

Moved by Godfrey, seconded by Grozio.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. AD-018-20

From: Administration Committee.

Dated: November 17, 2020

**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 6:20 p.m. on the 1st day of December 2020, 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 Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. AD-019-20

From: Administration Committee.

Dated: November 17, 2020

**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 6:30 p.m. on the 1st day of December 2020, 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 Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. AD-020-20

From: Administration Committee.

Dated: November 17, 2020

**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 6:40 p.m. on the 1st day of December 2020, 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 Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. AD-022-20

From: Administration Committee.

Dated: November 17, 2020

RESOLUTION IN SUPPORT OF NCCC CAPITAL FUNDING

WHEREAS, the Niagara County Legislature has consistently recognized the importance of Niagara County Community College as an invaluable asset to Niagara County, and

WHEREAS, the administration of Niagara County Community College has identified several areas of need to remain competitive within the Western New York higher education arena, and

WHEREAS, the proposed capital funding includes replacement and purchasing of equipment in Business, Culinary Arts, Fine Arts, Nursing, Rad Tech, and STEM departments, along with technology enhancements for Allied Health and the entire student population on Niagara County Community College, and

WHEREAS, the NCCC Foundation has pledged the amount of \$345,034 in support of this funding contingent on a SUNY match, now, therefore, be it

RESOLVED, that the Niagara County Legislature, as local sponsor of the college, does hereby support the proposed capital funding for equipment and technology upgrades, and be it further

RESOLVED, that the Niagara County Legislature recognizes that the cost for such capital funding shall be borne entirely by Niagara County Community College, utilizing the NCCC Foundation contribution, and in no way shall Niagara County bear any cost for the same.

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CS-044-20

From: Community Services and Administration Committees.

Dated: November 17, 2020

NIAGARA COUNTY YOUTH BUREAU – NEW YORK STATE AID APPLICATION

WHEREAS, the County of Niagara has been designated as eligible to receive State Aid for 2020 youth programs through its Youth Bureau from the New York State Office of Children and Family Services in the amount of \$292,639, and

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

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

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

Youth Development Program	\$230,794
Runaway and Homeless Youth	\$61,845
TOTAL	\$292,639

and be it further

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

Moved by Godfrey, seconded by Grozio.
Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-059-20

From: Community Safety & Security and Administration Committees.
Dated: November 17, 2020

**RESOLUTION PERMITTING NIAGARA COUNTY SHERIFF’S DEPUTY SEAN FUREY
TO TAKE CARE AND CUSTODY OF K-9, VEDDER**

WHEREAS, the Niagara County Sheriff’s Office purchased K-9, Vedder, in March 2012 and paid for training through donations to the Canine division, and

WHEREAS, Vedder has diligently served the county as an Explosive Detection K-9 Officer for the Niagara County Sheriff’s Office since that date, and

WHEREAS, Vedder has exceeded his determined work life for functional performance, and

WHEREAS, the Niagara County Sheriff’s Office has purchased and trained another Explosive Detection K-9 unit, and

WHEREAS, due to its specialized training in law enforcement, Vedder cannot be reasonably managed by an untrained individual, now, therefore, be it

RESOLVED, that Vedder be retired from service to the County, and be it further

RESOLVED, that Vedder's trainer, Lieutenant Sean Furey, be permitted to take custody and control over Vedder and to house and maintain care over Vedder at no cost to the County, as an alternative to euthanizing the dog and that Lieutenant Sean Furey sign a release absolving the County from all liability related thereto. Moved by Godfrey, seconded by Grozio. Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS- 060-20

From: Community Safety & Security and Administration Committees.

Dated: November 17, 2020

**NIAGARA COUNTY CONFLICTS DEFENDER/ASSIGNED COUNSEL'S OFFICE
BUDGET MODIFICATION
CONTRACT FOR STATEWIDE EXPANSION OF HURRELL-HARRING REFORM
OFFICE OF INDIGENT LEGAL SERVICES (OILS) GRANT
CONTRACT NUMBER CSTWIDEHH30**

WHEREAS, Niagara County Public Defender's Office and Conflicts Defender/Assigned Counsel has received an award from the New York State Office of Indigent Legal Services (OILS) in the amount of \$10,307,506.56 for a term from April 1, 2018 through March 31, 2023, and

WHEREAS, the 2020 budget will need to be modified to allow for the spending of this grant, and

WHEREAS, the Conflicts Office will create one part-time Conflict Attorney II position without health insurance at an annual salary of \$50,000.00 to be fully funded by this grant, and

WHEREAS, the Conflicts Office will create one full-time Confidential Secretary position with health insurance at an annual salary of \$54,000.00 to be fully funded by this grant, and

WHEREAS, the Conflicts Office will provide funding for the Conflicts Office Case Management System (PDCMS) for the 2020 calendar year at a cost of \$500.00 for an additional license which is to be fully funded by this contract, and

WHEREAS, the Conflicts Office will provide funding for additional Westlaw licenses for Attorneys use with legal research program in the amount of \$135.30 which is to be fully funded by this contract, and

WHEREAS, the Conflicts Office will provide funding for office furniture at a cost of \$2,000.00, which is to be fully funded from this contract, and

WHEREAS, the Conflicts Office will provide funding for computers and equipment at a cost of \$5,000.00, which is to be fully funded by this contract, and

WHEREAS, the Conflicts Office will provide funding for the Assigned Counsel Program Case Management System (PDCMS) for the 2020 calendar year at a cost of \$1,500.00 for additional licenses, which is to be fully funded by this contract, and

WHEREAS, these changes will be effective November 17, 2020 and reflect no cost increase to the County and will be coterminous with the grant, now, therefore, be it

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

RESOLVED, that the following 2020 budget be modified as follows:

INCREASE REVENUE:

A.04.1170.102 43025.03	Hurrell-Harring Reform Grant	\$21,466
------------------------	------------------------------	----------

INCREASE APPROPRIATIONS:

A.04.1170.102 71010.00	Positions	\$ 8,832
A.04.1170.102 78100.00	Retirement	\$ 842
A.04.1170.102 78200.00	FICA	\$ 676
A.04.1170.102 78300.00	Worker's Comp	\$ 255
A.04.1170.102 78400.01	Health Insurance	\$ 1,272
A.04.1170.102 78400.05	HRA	\$ 71
A.04.1170.102 78800.00	Flex 125	\$ 383
A.04.1170.102 72100.01	Furniture & Fixtures	\$ 2,000
A.04.1170.102 72100.05	Computer Equipment	\$ 5,000
A.04.1170.102 74250.01	Office Supplies	\$ 2,135

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. CSS-061-20

From: Community Safety & Security and Administration Committees.

Dated: November 17, 2020

**NIAGARA COUNTY PUBLIC DEFENDER'S OFFICE
ACCEPT OFFICE OF INDIGENT LEGAL SERVICES (OILS)
3RD COUNSEL AT FIRST APPEARANCE GRANT**

WHEREAS, the Niagara County Public Defender's Office has received an award from the New York State Office of Indigent Legal Services (OILS) in the amount of \$750,000 for the period of January 1, 2020, through December 31, 2022, and

WHEREAS, these funds are to be used to improve the quality of legally mandated representation in Niagara County, and

WHEREAS, the Public Defender's Office will use these funds for the Assistant Public Defender's and the court assistant's salary and fringe benefits to provide counsel at first appearance in Niagara Falls City Court. This grant also covers the salary and fringe for the Assistant Public Defender for the City of Lockport Court and Town of Lockport Court, and

WHEREAS, funding from the New York State Office of Indigent Legal Services for the above items is necessary so that the Niagara County Public Defender's Office can continue providing quality services pursuant to Article 18-B of the County Law, now, therefore, be it

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

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

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-119-20

From: Infrastructure & Facilities and Administration Committees.

Dated: November 17, 2020

**CULVERT REHABILITATION
CHANGE ORDER NO. 1**

WHEREAS, by Resolution No. IF-111-20, dated October 20, 2020, the Legislature awarded the contract for the Culvert Rehabilitation of four (4) County Culverts Project to Precision Trenchless LLC, 1710 Erie Blvd., Schenectady, NY 12308, for a contract amount of \$185,875, and

WHEREAS, it is necessary to increase the contract in the amount of \$3,000 for additional insurance requirements not included in the Onondaga County contract that this contract piggybacks off of, for a revised contract amount of \$188,875, and

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

RESOLVED, that Change Order No. 1 to increase the contract by \$3,000 for the Culvert Rehabilitation of four (4) County Culverts Project, for a revised contract amount of \$188,875, to Precision Trenchless LLC, 1710 Erie Blvd., Schenectady, NY 12308, be approved, and be it further

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

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-120-20

From: Infrastructure & Facilities and Administration Committees.

Dated: November 17, 2020

**AWARD PROFESSIONAL SERVICES CONTRACT
COURT HOUSE BOILER REPLACEMENT**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Niagara County Court House Boiler Replacement Project, and

WHEREAS, additional funds are required in account H689.15.1620.000 72200.01, Building Improvements, 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:

DECREASE REVENUE:

H611.15.1620.000 45031.10	Capital Reserves	\$40,000
---------------------------	------------------	----------

DECREASE APPROPRIATIONS:

H611.15.1620.000 72200.01	Building Imp	\$40,000
---------------------------	--------------	----------

INCREASE REVENUE:

H689.15.1620.000 45031.10	Capital Reserves	\$40,000
---------------------------	------------------	----------

INCREASE APPROPRIATIONS:

H689.15.1620.000 72200.01	Building Imp	\$40,000
---------------------------	--------------	----------

and be it further

RESOLVED, that the professional services contract for the Niagara County Court House Boiler Replacement Project be awarded to LaBella Associates, 300 Pearl Street, Suite 130, Buffalo, NY 14202, for a contract amount not to exceed \$191,442.70, plus any unforeseen expenses, and be it further

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

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-121-20

From: Infrastructure & Facilities and Administration Committees.

Dated: November 17, 2020

**ANGELO DELSIGNORE CIVIC BUILDING CURTAIN WALL RENOVATION
CHANGE ORDER NO. 2 - FINAL**

WHEREAS, by Resolution No. IF-023-20, dated February 18, 2020, the Legislature awarded the contract for the Angelo DelSignore Civic Building Curtain Wall Renovation Project to Huber Construction Inc., 136 Taylor Drive, Depew, NY 14043, for a contract amount of \$510,000, and

WHEREAS, Resolution No. IF-103-20, dated September 16, 2020, authorized Change Order No. 1 to increase the contract in the amount of \$28,559 for glass upgrades, deletion of blinds and temporary doors, and revisions to data drops, for a revised contract amount of \$538,559, and

WHEREAS, it is necessary to reduce the contract in the amount of \$10,670.95 for final quantities adjustments, for a revised contract amount of \$527,888.05, and

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

RESOLVED, that Change Order No. 2-Final to decrease the contract by \$10,670.95 for the Angelo DelSignore Civic Building Curtain Wall Renovation Project, for a revised contract amount of \$527,888.05, to Huber Construction Inc., 136 Taylor Drive, Depew, NY 14043, be approved, and be it further

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

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-122-20

From: Infrastructure & Facilities and Administration Committees.

Dated: November 17, 2020

**EXTENSION OF SNOW AND ICE AGREEMENT
WITH NYS DEPARTMENT OF TRANSPORTATION 2020-2021**

WHEREAS, the County of Niagara, pursuant of Section 12 of the Highway Law, relating to the control of snow and ice on State highways in towns and incorporated villages, has heretofore entered into an agreement with the State of New York for such purposes, and

WHEREAS, Section 7 of said agreement provides that the Commissioner of Public Works shall furnish the municipality with a suitable map for each term of the agreement, and

WHEREAS, Section 190 of the said agreement provides for an annual update of the estimated expenditure to be determined by the Commissioner of Public Works, subject to the provisions of Section 10 at the time for extension of the agreement, and

WHEREAS, it would be in the best interest of Niagara County to extend the agreement, as modified and updated, for the 2020-2021 Snow Season, 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 following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the required documents.

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-123-20

From: Infrastructure & Facilities and Administration Committees.

Dated: November 17, 2020

DEPARTMENT OF PUBLIC WORKS – PARKS DEPARTMENT BUDGET MODIFICATION

WHEREAS, due to COVID-19 impacts on the County workforce and supply vendors, various pavement/sidewalk improvements and signage upgrades for the various county parks could not be completed in 2020, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

DECREASE APPROPRIATIONS:

A.15.7110.000.72400.00	Land Improvement Expenses	\$ 6,000
A.15.7110.000.72100.14	Miscellaneous Equipment	\$ 9,000
A.15.7110.000.74750.13	Supplies, General Signs	\$10,000

INCREASE APPROPRIATIONS:

A.07.9950.000 79010.00	Transfer to Capital	\$25,000
------------------------	---------------------	----------

INCREASE ESTIMATED REVENUE:

H672.15.7110.000 45031.00	Transfer from Operating	\$25,000
---------------------------	-------------------------	----------

INCREASE APPROPRIATIONS:

H672.15.7110.000.72400.00	Land Improvements	\$15,000
H672.15.7110.000.72200.01	Building Improvements	\$10,000

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-124-20

From: Infrastructure & Facilities and Administration Committees.

Dated: November 17, 2020

**DEPARTMENT OF PUBLIC WORKS – CAPITAL BUDGET MODIFICATION
TROTT ACCESS CENTER**

WHEREAS, the Niagara County Trott ACCESS Center houses various service agencies for the residents of Niagara County, and

WHEREAS, the Niagara County Employment and Training Department partners with the New York State Department of Labor, creating a One-Stop office location, detailing the various opportunities and services available to job seekers with the county, and

WHEREAS, the Niagara County Employment and Training Department has funds available for the installation of a lift at the Trott ACCESS Center, One Stop location, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

CD.29.6290.000 72100.14	Misc. Equipment	\$24,000
-------------------------	-----------------	----------

INCREASE APPROPRIATIONS:

CD.29.9950.000 79010.00	Transfer to Capital	\$24,000
-------------------------	---------------------	----------

INCREASE ESTIMATED REVENUE:

H664.15.1620.000 45031.00	Transfer from Operating	\$24,000
---------------------------	-------------------------	----------

INCREASE APPROPRIATIONS:

H664.15.1620.000.72200.01	Building Improvements	\$24,000
---------------------------	-----------------------	----------

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-125-20

From: Infrastructure & Facilities and Administration Committees.

Dated: November 17, 2020

DEPARTMENT OF PUBLIC WORKS – BUILDINGS AND GROUNDS BUDGET MODIFICATION

WHEREAS, due to COVID-19 impacts on the County workforce and supply vendors, various pavement/sidewalk improvements and signage upgrades for the various county buildings could not be completed in 2020, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

DECREASE APPROPRIATIONS:

A.15.1620.000 72400.00	Land Improvement Expenses	\$16,000
------------------------	---------------------------	----------

A.15.1620.000 74750.13	Supplies, General Signs	\$15,000
------------------------	-------------------------	----------

INCREASE APPROPRIATIONS:

A.07.9950.000 79010.00	Transfer to Capital	\$31,000
------------------------	---------------------	----------

INCREASE ESTIMATED REVENUE:

H661.15.1620.000 45031.00	Transfer from Operating	\$16,000
H611.15.1620.000 45031.00	Transfer from Operating	\$10,000

INCREASE APPROPRIATIONS:

H661.15.1620.000 72400.00	Land Improvements	\$16,000
H611.15.1620.000 72200.01	Building Improvements	\$10,000

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-126-20

From: Infrastructure & Facilities and Administration Committees.

Dated: November 17, 2020

DEPARTMENT OF PUBLIC WORKS –BUDGET MODIFICATION

WHEREAS, the Department of Public Works has been exploring options for upgrading the card access system in the various county buildings, and

WHEREAS, due to COVID-19, efforts have been concentrated in other areas, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

DECREASE APPROPRIATIONS:

A.15.1490.000.72100.05	Computer Equipment	\$3,100
------------------------	--------------------	---------

INCREASE APPROPRIATIONS:

A.07.9950.000 79010.00	Transfer to Capital	\$3,100
------------------------	---------------------	---------

INCREASE ESTIMATED REVENUE:

H690.15.1620.000.45031.00	Transfer from Operating	\$3,100
---------------------------	-------------------------	---------

INCREASE APPROPRIATIONS:

H690.15.1620.000.72200.01	Building Improvements	\$3,100
---------------------------	-----------------------	---------

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-127-20

From: Infrastructure & Facilities and Administration Committees.

Dated: November 17, 2020

**DEPARTMENT OF PUBLIC WORKS – CAPITAL BUDGET MODIFICATION
SHAW BUILDING FEASIBILITY STUDY**

WHEREAS, the Public Works Department has been given direction to investigate the feasibility of relocating departments at, and potential divesting of the Shaw Building and surrounding property and buildings, instead of investing funds on improvements, and

WHEREAS, funds are required to perform the necessary surveys/studies required to divest the property, and

WHEREAS, funds are available in the A.15.1620.000.74200.01 Rent/Lease Rent line, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.15.1620.000.74200.01	Rent/Leases Rent	\$30,000
------------------------	------------------	----------

INCREASE APPROPRIATIONS:

A.07.9950.000 79010.00	Transfer to Capital	\$30,000
------------------------	---------------------	----------

INCREASE ESTIMATED REVENUE:

H707.15.9901.000.45031.00	Transfer from Operating	\$30,000
---------------------------	-------------------------	----------

INCREASE APPROPRIATIONS:

H707.15.1620.000.72200.01	Building Improvements	\$30,000
---------------------------	-----------------------	----------

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-128-20

From: Infrastructure & Facilities and Administration Committees.

Dated: November 17, 2020

**BRIDGE PAINTING AND STEEL REPAIRS:
ROBINSON ROAD BRIDGE OVER THE ERIE CANAL
CHANGE ORDER NO. 2 - FINAL**

WHEREAS, by Resolution No. IF-040-20, dated March 10, 2020, the Legislature awarded the contract for the Bridge Painting and Steel Repairs of Robinson Road Bridge over the Erie Canal Project to Niagara Coatings, 8025 Quarry Road, Niagara Falls, NY 14304, for a contract amount of \$273,999.54, and

WHEREAS, Resolution No. IF-081-20, dated June 16, 2020, authorized Change Order No. 1 to increase the contract in the amount of \$197,777.46 in order to paint the steel on the entire bridge, for a revised contract amount of \$471,777, and

WHEREAS, it is necessary to reduce the contract in the amount of \$620.25 for final quantities adjustments, for a revised contract amount of \$471,156.75, and

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

RESOLVED, that Change Order No. 2-Final to decrease the contract by \$620.25 for the Bridge Painting and Steel Repairs of Robinson Road Bridge over the Erie Canal Project, for a revised contract amount of \$471,156.75, to Niagara Coatings, 8025 Quarry Road, Niagara Falls, NY 14304, be approved, and be it further

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

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-129-20

From: Infrastructure & Facilities and Administration Committees.

Dated: November 17, 2020

**BRIDGE BEARINGS FOR BRIDGES IN THE TOWNS OF PENDLETON
AND ROYALTON AND THE CITY OF LOCKPORT IN NIAGARA COUNTY
FEDERAL AID LOCAL PROJECT AGREEMENT
SUPPLEMENTAL AGREEMENT NO. 2**

WHEREAS, the Bridge Bearings Project for various bridges in the towns of Hartland, Newfane, Niagara, Pendleton, and Royalton, Niagara County, is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the County of Niagara desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Construction/Construction Inspection phases of the project, and

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

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

RESOLVED, that the Legislature of the County of Niagara hereby authorizes the County of Niagara to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Construction/Construction Inspection phases of the Project or portions thereof, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

D.15.5120.000 43591.00	State Aid Cap Const Hwy	\$24,600
------------------------	-------------------------	----------

INCREASE APPROPRIATIONS:

D.15.5120.000 74800.06	Bridges-Repair & Maint	\$24,600
------------------------	------------------------	----------

and be it further

RESOLVED, that the sum of \$413,000 is hereby appropriated in account D.15.5120.000 74800.06 and made available to cover the cost of participation in the above phases of the project, and be it further

RESOLVED, that in the event the amount required to pay the full Federal and Non-Federal shares of the cost of the project's Construction/Construction Inspection phases exceeds the amount appropriated above, the County of Niagara shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation, and be it further

RESOLVED, that the Chair of the Legislature of the County of Niagara be, and hereby is, authorized to execute all necessary Agreements, certifications, or reimbursement requests for Federal Aid on behalf of the County of Niagara with the New York State Department of Transportation, in connection with the advancement or approval of the Project providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

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

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

RESOLVED, that this Resolution shall take effect immediately.

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-130-20

From: Infrastructure & Facilities and Administration Committees.

Dated: November 17, 2020

**BRIDGE PAINTING AND STEEL REPAIRS OF ROBINSON ROAD
OVER THE ERIE CANAL, TOWNS OF PENDLETON AND LOCKPORT
FEDERAL AID LOCAL PROJECT AGREEMENT
SUPPLEMENTAL AGREEMENT NO. 1**

WHEREAS, the Bridge Painting and Steel Repairs of Robinson Road over the Erie Canal Project, PIN 5762.44 (the "Project") Towns of Pendleton and Lockport, Niagara County, is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the County of Niagara desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Construction/Construction Inspection phases of the project, and

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

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

RESOLVED, that the Legislature of the County of Niagara hereby authorizes the County of Niagara to pay in the first instance 100% of the federal and non-federal shares of the cost of the Construction/Construction Inspection phases of the Project or portions thereof, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE REVENUE:

D.15.5120.000 43591.00	State Aid Cap Const Hwy	\$17,250
------------------------	-------------------------	----------

INCREASE APPROPRIATIONS:

D.15.5120.000 74800.06	Bridges-Repair & Maint	\$17,250
------------------------	------------------------	----------

and be it further

RESOLVED, that the sum of \$385,000 is hereby appropriated in account D.15.5120.000 74800.06 and made available to cover the cost of participation in the above phases of the project, and be it further

RESOLVED, that in the event the amount required to pay the full Federal and Non-Federal shares of the cost of the project's Construction/Construction Inspection phases exceeds the amount appropriated above, the County

of Niagara shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation, and be it further

RESOLVED, that the Chair of the Legislature of the County of Niagara be, and hereby is, authorized to execute all necessary Agreements, certifications, or reimbursement requests for Federal Aid on behalf of the County of Niagara with the New York State Department of Transportation, in connection with the advancement or approval of the Project providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

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

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

RESOLVED, that this Resolution shall take effect immediately.

Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Resolution No. IF-131-20

From: Infrastructure & Facilities and Administration Committees.

Dated: November 17, 2020

**NIAGARA COUNTY REFUSE DISTRICT
BUDGET MODIFICATION – BOND INTEREST**

WHEREAS, the Niagara County Legislature approved the authorization of \$4,500,000 in serial bonds of the County to finance improvements to the facilities of the Niagara County Refuse Disposal District on March 19, 2019, and

WHEREAS, the Chief Fiscal Officer issued a bond on June 12, 2019 in the amount of \$3,200,000, and

WHEREAS, the Refuse Disposal District budgeted funds for an initial interest payment for these bonds in the 2019 County budget, that remained unspent at the end of the calendar year thus being returned to fund balance, and

WHEREAS, additional funds are needed in the 2020 budget in order to make the second required interest payment as per the debt payment schedule, now, therefore, be it

RESOLVED, that the following budget modification be effectuated to the 2020 Refuse District budget:

INCREASE APPROPRIATED FUND BALANCE:

EL 40599.00	Appropriated Fund Balance	\$52,875.00
-------------	---------------------------	-------------

INCREASE APPROPRIATIONS:

EL.30.9710.000	77001.00	Interest Expense	\$52,875.00
----------------	----------	------------------	-------------

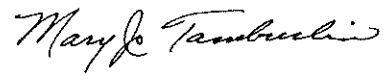
Moved by Godfrey, seconded by Grozio.

Adopted. 15 Ayes, 0 Noes, 0 Absent.

Moved by Andres, seconded by Steed that the Board adjourn.

The Chairman declared the Board adjourned at 8:05 p.m., subject to the call of the Clerk.

0 citizens spoke at this time on the General Welfare of the County.

A handwritten signature in cursive script that reads "Mary Jo Tamburlin".

Mary Jo Tamburlin, Clerk