

OFFICIAL RECORD

Lockport, New York
February 20, 2024

The meeting was called to order by Chairman Wydysh at 6:01 p.m.

Clerk Tomasino called the roll. All Legislators were present with the exception of Legislators Foti, Gooch, Hill and Myers.

Chairman Wydysh called Legislator Elder to the lectern to speak on the importance of Black History Month.

Chairman Wydysh congratulated Norman Allen, Deputy Commissioner of Public Works Engineering Division on receiving an award from the NYS American Public Works Association as Professional Manager of the Year.

Chairman Wydysh called Legislator Godfrey and Executive Director of NYSSA Peter Kehoe to the lectern to present the Civil Accreditation to Sheriff Filicetti and his staff.

Chairman Wydysh presented the 2024 State of the County Address.

No citizens spoke on the Agenda.

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

Resolution No. AD-005-24

From: Administration Committee.

Dated: February 20, 2024

BUDGET MODIFICATION – DISTRIBUTION OF SALES TAX

WHEREAS, the County Treasurer's Office has reviewed the year-to-date distribution of county-wide sales tax revenue for 2023, and

WHEREAS, sales tax revenue for the fiscal year 2023, the final payment of which was received in January 2024, came in higher than anticipated and must be accrued back to 2023 per Generally Accepted Accounting Principles (GAAP), and

WHEREAS, such unanticipated increase in sales tax revenue has led the County to distribute higher than anticipated amounts of revenue to the local municipalities, and

WHEREAS, budget modifications for the 2023 fiscal year can continue to be made into the first quarter of 2024, now, therefore, be it

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

INCREASE ESTIMATED REVENUE:

A.07.1985.000 41110.01 Sales and Use Tax General Distribution	\$7,602,855
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INCREASE APPROPRIATION:

A.07.1985.000 74500.01 Distribution of Sales Tax	\$7,602,855
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Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. AD-006-24

From: Administration Committee.

Dated: February 20, 2024

**FORMAL POLICY ADOPTION AS REQUIRED BY GASB
(GOVERNMENTAL ACCOUNTING STANDARDS BOARD)**

WHEREAS, the Governmental Accounting Standards Board (GASB), establishes standards for state and local governmental accounting to improve financial reporting which the County must comply with, and

WHEREAS, the Governmental Accounting Standards Board issued GASB Statement Number 87, Leases, changing the accounting and reporting treatment of County leases, and

WHEREAS, the Governmental Accounting Standards Board issued GASB Statement Number 96, Subscription-Based Information Technology Arrangements (SBITA), changing the accounting and reporting requirements for IT subscriptions, and

WHEREAS, both GASB statements suggest the adoption of separate policies from the capital asset policy, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby adopts a lease policy and subscription-based information technology Arrangements (SBITA) policy to ensure continued compliance with the Governmental Accounting Standards Board, and be it further

RESOLVED, that these policies, and applicable reporting definitions therein, be reflected in the financial statements of the County for calendar year 2023.

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. AD-007-24

From: Administration Committee.

Dated: February 20, 2024

**BUDGET MODIFICATION – LEASES AND
SUBSCRIPTION BASED IT ARRANGEMENTS**

WHEREAS, the Governmental Accounting Standards Board (GASB) issued GASB Statement Number 87, Leases, and GASB Statement Number 96, Subscription Based Information Technology Arrangements (SBITA), and

WHEREAS, the Niagara County Legislature has adopted the County's Lease Policy and SBITA Policy for calendar year ending December 31, 2023, and

WHEREAS, the County Treasurer's Office has reviewed 2023 Lease agreements and subscription based IT arrangements received from applicable departments, and

WHEREAS, the County Treasurer's Office must update the 2023 financial records to comply with GASB Statement Number 87 and 96 and the respective County policies, and

WHEREAS, budget modifications for the 2023 fiscal year can continue to be made into the first quarter of 2024, now, therefore, be it

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

INCREASE ESTIMATED REVENUE:

A.07.9788.000 41289.08	Other General Gov. Income Reimbursement	\$389,410
A.07.9781.000 41289.08	Other General Gov. Income Reimbursement	\$394,939

INCREASE APPROPRIATIONS:

A.07.9788.000 76001.02	Leases Principal Expense	\$366,140
A.07.9788.000 77001.02	Leases Interest Expense	\$23,270
A.07.9781.000 76001.03	SBITA Principal Expense	\$387,195
A.07.9781.000 77001.03	SBITA Interest Expense	\$7,744

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-003-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

**BUDGET MODIFICATION
RENTAL SUPPLEMENT PROGRAM 2024-2025**

WHEREAS, the New York State Office of Temporary and Disability Assistance (OTDA) did make state-wide funds available for the Rental Supplement Program, and

WHEREAS, these resources are available to provide rental supplements to individuals and families who are experiencing homelessness or facing an imminent loss of housing, and

WHEREAS, Niagara County has received an additional allocation of approximately \$742,819, which is 100% state funded, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services continue to administer the Rental Supplement Program as approved by OTDA, and be it further

RESOLVED, that the following budget modification be effectuated to the Social Services 2024 budget:

INCREASE REVENUE:

A.22.6010.000 3610.01	DSS Admin Revenue	\$ 742,819
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INCREASE APPROPRIATION:

A.22.6010.000 74000.03	Administrative Costs	\$ 742,819
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Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-004-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

**BUDGET MODIFICATION – REAPPROPRIATE CENTER FOR DISEASE CONTROL FUNDS
EMERGENCY PLANNING DIVISION - DEPARTMENT OF HEALTH**

WHEREAS, the Emergency Planning Division of the Niagara County Department of Health provides services, information and training to protect the health and safety of the citizens of Niagara County, and

WHEREAS, the New York State Department of Health passed through grant funding from the Center for Disease Control (CFDA #93.323/93.354) to conduct manage the Niagara County Portion of New York State Public Health Corps Fellowship Program approved through Resolution CS-034-23, and

WHEREAS, the Department of Health requests re-appropriation of fund balance, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.406 44489.11	Other Health Fellowship Program	\$ 32,020.43
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INCREASE APPROPRIATIONS:

CM.20.4189.406 74250.01	Office supplies	\$ 5,000.00
CM.20.4189.406 74300.01	Travel, conference	\$ 20,000.00
CM.20.4189.406 74675.03	Print shop supplies	\$ 2,000.00
CM.20.4189.406 74750.02	Supplies/Materials	\$ 5,020.43

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-005-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

**BUDGET MODIFICATION – ACCEPT CENTER FOR DISEASE CONTROL FUNDS
EMERGENCY PLANNING DIVISION - DEPARTMENT OF HEALTH**

WHEREAS, the Emergency Planning Division of the Niagara County Department of Health provides services, information and training to protect the health and safety of the citizens of Niagara County, and

WHEREAS, the New York State Department of Health passed through grant funding from the Center for Disease Control (CFDA #93.323/93.354) to conduct manage the Niagara County Portion of New York State Public Health Corps Fellowship Program approved through Resolution CS-034-23, and

WHEREAS, additional funds have been awarded, and

WHEREAS, the Department of Health requests authorization to accept funds, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.406 44489.11	Other Health Fellowship Program	\$172,904.00
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INCREASE APPROPRIATIONS:

CM.20.4189.406 72100.01	Furniture & Fixtures	\$ 29,086.00
CM.20.4189.406 72100.05	Computer Equipment	\$ 2,500.00
CM.20.4189.406 74250.01	Office Supplies	\$ 7,500.00
CM.20.4189.406 74300.01	Travel, conference	\$ 30,000.00
CM.20.4189.406 74600.03	Training & Development	\$ 50,000.00
CM.20.4189.406 74675.03	Print Shop Supplies	\$ 3,000.00
CM.20.4189.406 74750.02	Materials/Supplies	\$ 30,000.00
CM.20.4189.406 74300.06	Uniforms/clothing	\$ 10,818.00
CM.20.4189.406 74650.26	Professional HC Services	\$ 10,000.00

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-006-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

**BUDGET MODIFICATION – REAPPROPRIATE ELC COVID-19 RESPONSE FUNDS
EMERGENCY PLANNING DIVISION - DEPARTMENT OF HEALTH**

WHEREAS, the Emergency Response Division of the Niagara County Department of Health provides services, information and training to protect the health and safety of the citizens of Niagara County, and

WHEREAS, the New York State Department of Health awarded the Emergency Planning Division Center for Disease Control ELC (Epidemiology & Laboratory Capacity) COVID-19 Enhanced Detection funds to conduct case, contact investigation, testing & vaccination activities for Corona Virus (COVID-19) approved through Resolution CS-036-21, CS-008-22 & through 2023 county budget adoption Resolution B-16-22, and

WHEREAS, the Department of Health requests re-appropriation of fund balance, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.406 44489.08	Other Health Response	\$ 51,668.38
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INCREASE APPROPRIATIONS:

CM.20.4189.406 71050.00	Overtime	\$ 20,000.00
CM.20.4189.406 72100.04	Equipment >\$500	\$ 5,000.00
CM.20.4189.406 74250.01	Office Supplies	\$ 2,000.00
CM.20.4189.406 74300.01	Travel conference	\$ 5,000.00
CM.20.4189.406 74300.03	Mileage	\$ 1,500.00
CM.20.4189.406 74600.03	Training & Development	\$ 5,000.00
CM.20.4189.406 74675.02	Central Printing	\$ 1,000.00
CM.20.4189.406 74750.02	Supplies/Materials	\$ 7,946.38
CM.20.4189.406 78200.00	FICA	\$ 1,530.00
CM.20.4189.406 78100.00	Retirement	\$ 2,260.00
CM.20.4189.406 78300.00	Worker's Comp	\$ 432.00

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-007-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

**BUDGET MODIFICATION – ACCEPT ELC COVID-19 RESPONSE FUNDS
EMERGENCY PLANNING DIVISION - DEPARTMENT OF HEALTH**

WHEREAS, the Emergency Response Division of the Niagara County Department of Health provides services, information and training to protect the health and safety of the citizens of Niagara County, and

WHEREAS, the New York State Department of Health awarded the Emergency Planning Division Center for Disease Control ELC (Epidemiology & Laboratory Capacity) COVID-19 Enhanced Detection funds to conduct

case, contact investigation, testing & vaccination activities for Corona Virus (COVID-19) approved through Resolution CS-036-21, CS-008-22 & through 2023 county budget adoption Resolution B-16-22, and

WHEREAS, additional funds were added to this award, and

WHEREAS, the Department of Health requests authorization to accept the additional funds, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.406 44489.08	Other Health Response	\$302,500.00
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INCREASE APPROPRIATIONS:

CM.20.4189.406 72100.01	Furniture & Fixtures	\$ 20,250.00
CM.20.4189.406 72100.04	Equipment >\$500	\$ 8,001.00
CM.20.4189.406 72100.05	Computer Equipment	\$ 130,000.00
CM.20.4189.406 74250.01	Office Supplies	\$ 2,500.00
CM.20.4189.406 74300.01	Travel conference	\$ 5,000.00
CM.20.4189.406 74300.03	Mileage	\$ 1,500.00
CM.20.4189.406 74600.03	Training & Development	\$ 20,000.00
CM.20.4189.406 74675.02	Central Printing	\$ 3,000.00
CM.20.4189.406 74750.02	Supplies/Materials	\$ 76,584.00
CM.20.4189.406 74750.21	Gas & Oil	\$ 665.00
CM.20.4189.406 74800.10	Misc Equipment <\$500	\$ 30,000.00
CM.20.4189.406 74800.11	Vehicle Maintenance	\$ 5,000.00

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-008-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

**BUDGET MODIFICATION – REAPPROPRIATE VACCINE RESPONSE GRANT FUNDS
NURSING DIVISION - DEPARTMENT OF HEALTH**

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

WHEREAS, the New York State Department of Health awarded federal COVID-19 Vaccine Response Funds (CFDA #93.268)) to conduct activities to promote and increase vaccine uptake to be used by 6/30/2024 approved through 2023 county budget adoption Resolution B-16-22, and

WHEREAS, the Department of Health requests re-appropriation of fund balance, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.404 44489.01	COVID Vaccine Response	\$379,527.00
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INCREASE APPROPRIATIONS:

CM.20.4189.404 72100.01	Furniture & Fixtures	\$ 130,000.00
CM.20.4189.404 72100.04	Hospital, Medical Lab Equipment	\$ 100,000.00
CM.20.4189.404 72100.05	Computer Equipment	\$ 35,000.00
CM.20.4189.404 74300.03	Mileage	\$ 3,000.00
CM.20.4189.404 74375.01	Adv & promo	\$ 61,000.00
CM.20.4189.404 74500.01	Contractual	\$ 30,000.00
CM.20.4189.404 74750.02	Supplies/Materials	\$ 20,527.00

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-009-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

**BUDGET MODIFICATION – ACCEPT VACCINE RESPONSE GRANT FUNDS
NURSING DIVISION - DEPARTMENT OF HEALTH**

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

WHEREAS, the New York State Department of Health awarded federal COVID-19 Vaccine Response Funds (CFDA #93.268) to conduct activities to promote and increase vaccine uptake to be used by 6/30/2024 approved through 2023 County budget adoption Resolution B-16-22, and

WHEREAS, COVID-19 Vaccine Response funding has an additional balance, and

WHEREAS, the Department of Health requests authorization to accept balance, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.404 44489.01	COVID Vaccine Response	\$ 22,728.36
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INCREASE APPROPRIATIONS:

CM.20.4189.404 74750.02	Supplies/Materials	\$ 22,728.36
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Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-010-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

**BUDGET MODIFICATION – REAPPROPRIATE DISABILITIES GRANT FUNDS
EMERGENCY PLANNING DIVISION - DEPARTMENT OF HEALTH**

WHEREAS, the Emergency Planning Division of the Niagara County Department of Health provides services, information and training to protect the health and safety of the citizens of Niagara County, and

WHEREAS, the National Association of County and City Health Officials awarded the Public Health Emergency Planning Division funding to Address Needs of People with Disabilities approved through 2023 county budget adoption Resolution B-16-22, and

WHEREAS, the Department of Health requests re-appropriation of fund balance, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.406 44401.00	Public Health Federal Aid	\$58,580.13
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INCREASE APPROPRIATIONS:

CM.20.4189.406 74600.04	Dues & Memberships	\$ 1,000.00
CM.20.4189.406 72100.01	Furniture & Fixtures	\$ 5,858.00
CM.20.4189.406 74500.01	Contractual Expenses	\$ 20,000.00
CM.20.4189.406 74250.03	Printing/duplicating	\$ 1,080.14
CM.20.4189.406 74300.01	Travel, conference	\$ 5,000.00
CM.20.4189.406 74300.03	Travel/mileage	\$ 1,141.99
CM.20.4189.406 74600.03	Training & Education	\$ 10,000.00
CM.20.4189.406 74750.02	Supplies/Materials	\$ 7,500.00
CM.20.4189.406 74800.10	Miscellaneous Equip under \$500	\$ 7,000.00

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-011-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

**BUDGET MODIFICATION – REAPPROPRIATE MEDICAL RESERVE CORPS FUNDS
EMERGENCY PLANNING- DEPARTMENT OF HEALTH**

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

WHEREAS, The National Association of County & City Health Officials awarded Emergency Planning Program funds to assist in preparedness of local Medical Reserve Corps (MRC) capabilities approved through resolution CS-013-21, re-appropriated through resolution CS-011-23, and

WHEREAS the Department of Health requests re-appropriation of 2023 MRC balance to 2024 budget, now, therefore, be it

RESOLVED, the budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.406 44489.24	Other Health MRC	\$ 2,268.84
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INCREASE APPROPRIATIONS:

CM.20.4189.406 74300.06	Uniform/clothing	\$ 1,000.00
CM.20.4189.406 74375.01	Adv & Promo	\$ 500.00
CM.20.4189.406 74750.02	Supplies	\$ 768.84

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-012-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

**BUDGET MODIFICATION – ACCEPT MEDICAL RESERVE CORPS FUNDS
EMERGENCY PLANNING- DEPARTMENT OF HEALTH**

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

WHEREAS, Health Research Incorporated (HRI) (CFDA #93.008) has awarded Emergency Planning Program funds to assist in preparedness of local Medical Reserve Corps (MRC) capabilities from 6/1/23 through 5/31/2025, and

WHEREAS the Department of Health requests authorization to accept funds, now, therefore, be it

RESOLVED, the budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.406 44489.24	Other Health MRC	\$12,100.00
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INCREASE APPROPRIATIONS:

CM.20.4189.406 74250.03	Printing/duplicating	\$ 2,000.00
CM.20.4189.406 74600.03	Training & Education	\$ 4,000.00
CM.20.4189.406 74750.02	Supplies/Materials	\$ 6,100.00

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-013-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

**BUDGET MODIFICATION – ACCEPT NEW YORK STATE ASSOCIATION OF COUNTY HEALTH
OFFICIALS FUNDS, EMERGENCY PLANNING DIVISION - DEPARTMENT OF HEALTH**

WHEREAS, the Emergency Response Division of the Niagara County Department of Health provides services, information and training to protect the health and safety of the citizens of Niagara County, and

WHEREAS, the New York State Association of County Health Officials awarded the Emergency Planning Division funds to support climate and health adaptation initiatives, and

WHEREAS, the Department of Health requests authorization to accept the additional funds, now, therefore, be it

RESOLVED, the following budget modification be effectuated:

INCREASE REVENUE:

CM.20.4189.406 43450.01	Other Community Outreach	\$ 3,000.00
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INCREASE APPROPRIATIONS:

CM.20.4189.406 74250.03	Printing/Duplicating	\$ 300.00
CM.20.4189.406 74750.02	Supplies/Materials	\$ 2,700.00

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-014-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

**PARTICIPATE IN AND RECEIVE FUNDS FROM NYS FRONTLINE HEALTH CARE WORKER
BONUS PROGRAM THIRD AND FOURTH VESTING PERIODS
DEPARTMENT OF HEALTH**

WHEREAS, Governor Hochul launched the Health Care Worker Bonus Program pursuant to Part ZZ of Chapter 56 of the Laws of 2022, and

WHEREAS, the Health Care Worker Bonus Program allows qualified employers to issue bonus payments to frontline health care workers to “recruit, retain, and reward health care and mental hygiene workers” meeting specified eligibility requirements, and

WHEREAS, the bonus amounts will be commensurate with the number of hours worked by eligible workers covered by the Health Care Worker Bonus Program during the five designated vesting periods for up to a total of \$3,000 per covered worker, and

WHEREAS, vesting periods designated as Vesting Period Vesting Period 3: 10/1/22 – 3/31/23 and Vesting Period 4: 4/1/23 – 9/30/23, and

WHEREAS, that qualified employees who work at least 20 hours but no more than 30 hours per week are eligible for a bonus of \$500, qualified employees who work at least 30 but no more than 35 hours per week are eligible for a bonus of \$1,000, qualified employees who work at least 35 hours per week are eligible for a bonus of \$1,500, and

WHEREAS, that qualified employees are eligible for up to two vesting periods and the maximum any qualified employee may receive is \$3,000, and

WHEREAS, the funds to pay for this initiative will be paid by the NYS Frontline Health Care Worker Bonus Program, and

WHEREAS, eligible frontline direct care health and mental hygiene care workers are designated by title within the regulation, and

WHEREAS, Niagara County is designated as a qualified employer and must provide eligible employees with an Employee Attestation Form, which must be completed and returned to Niagara County administration prior to submitting claims for bonus payments, and

WHEREAS, Niagara County as a qualified employer must submit timely claims to NYS and must pay timely approved and funded bonus amounts to qualified employees based on the number of hours worked during the applicable vesting periods, and

WHEREAS, budget modifications for the 2023 fiscal year can continue to be made into the first quarter of 2024, now, therefore, be it

RESOLVED, that the following budget modification be effectuated to the 2023 County Budget:

INCREASE ESTIMATED REVENUE:

A.20.4059.000 43489.07	Other Health – NYS Healthcare Worker’s Bonus	\$3,230.00
A.20.4189.401 43489.07	Other Health – NYS Healthcare Worker’s Bonus	\$4,845.00

INCREASE APPROPRIATIONS

A.20.4059.000 71015.00	NYS Healthcare Worker's Bonus	\$3,000.00
A.20.4189.401 71015.00	NYS Healthcare Worker's Bonus	\$4,500.00
A.20.4059.000 78200.00	FICA Expense	\$ 230.00
A.20.4189.401 78200.00	FICA Expense	\$ 345.00

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-015-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

ABOLISH PRINCIPAL PUBLIC HEALTH ENGINEER/CREATE & FILL SUPERVISING PUBLIC HEALTH ENGINEER – PUBLIC HEALTH – ENVIRONMENTAL HEALTH

WHEREAS, the job specifications of Principal Public Health Engineer position do not meet the present needs of the Environmental Health Division, and

WHEREAS, the specifications of Supervising Public Health Engineer represent the duties necessary for the daily operations of the Environmental Health Division, and

WHEREAS, the flexibility and scope of duties of Supervising Public Health Engineer better serve the Environmental Health Division needs, and

WHEREAS, the change reflects no cost increase to the County, now, therefore, be it

RESOLVED, that effective March 31, 2024 the position of Principal Public Health Engineer (Position #4298), CSEA Job Group 16 at \$46.68-\$54.07 per hour, be abolished, and be it further

RESOLVED, that effective March 3, 2024 the position of Supervising Public Health Engineer, CSEA Job Group 15 at \$42.95-\$50.06 per hour, be created and filled; the position of Supervising Public Health Engineer will need to be filled before the position of Principal Public Health Engineer is abolished for training purposes.

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-016-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

APPROVAL OF A MONTH-TO-MONTH PAYMENT TO INFO QUICK SOLUTIONS INC. BY COUNTY OF NIAGARA FOR ESSENTIAL SERVICES PROVIDED BY INFO QUICK SOLUTIONS, INC. TO COUNTY OF NIAGARA AND NIAGARA COUNTY CLERK'S OFFICE

WHEREAS, County of Niagara (hereinafter referred to as "County") and Info Quick Solutions, Inc. (hereinafter referred to as "IQS") entered into a Contract on February 18, 2014 (hereinafter referred to as "Contract"), whereby IQS agreed to provide County with updated computer software and hardware and agreed to provide the Niagara County Clerk's Office (hereinafter referred to as "NCCO") with an Integrated County Clerk Record Management System in accordance with the specifications outlined in County RFP 2013-56, and

WHEREAS, the term of said Contract was for five (5) years commencing on February 18, 2014, and terminating on February 18, 2019, with County having the option to renew the Contract for one (1) two (2) year term and one (1) three (3) year term, and

WHEREAS, County exercised both aforementioned extension options, namely County renewed said Contract for one (1) two (2) year term and one (1) three (3) year term, and

WHEREAS, said Contract will expire on February 18, 2024, as all extensions of the Contract under the Contract terms have been exhausted, and

WHEREAS, the services provided by IQS to County and NCCO are absolutely essential in that the filing and management of documents in the NCCO are currently exclusively filed, managed, protected, and supported by the hardware, software, and services provided by IQS, and

WHEREAS, the NCCO needs to have the hardware, software, and services provided by IQS or the hardware, software, and services of a similar provider in order to function and provide the filing of documents and to have the general public and legal entities access to legally permitted documents, and

WHEREAS, an RFP needs to be issued to ascertain the lowest responsible bidder to provide the aforementioned services to County and NCCO as the Contract with IQS expires on February 18, 2024, and

WHEREAS, the Niagara County Management and Budget Department is currently seeking an appropriate consultant to draft said RFP as the requirements for the aforementioned services are highly technical in nature and said RFP must state and include the exact services, skills, and safeguards said successful bidder must comply with and possess in order to fully protect County and NCCO against any security breaches relating to the filing and retention of the aforementioned documents and information, and

WHEREAS, the drafting and promulgation of said RFP and the process to award a new contract to the lowest responsible bidder will not be completed prior to the expiration of the Contract with IQS, namely February 18, 2024, and

WHEREAS, County and NCCO absolutely cannot have any cessation or break in the services provided by IQS on February 18, 2024 or at any time thereafter until a new contract is executed with either IQS or a similar service provider, and

WHEREAS, it is essential IQS continues to provide its current hardware, software, and services to County and NCCO until a new contract is executed, and

WHEREAS, , until such time as the RFP process is completed, it is the desire of the County to continue to have these same services provided by IQS on a month-to-month basis, funding is available in the budget, of the NCCO now, therefore, be it

RESOLVED, that the County enter into an agreement with IQS on a month-to-month basis in an amount not to exceed the present monthly Contract amount of \$15,040.00 for IQS to continue to provide the aforementioned hardware, software, and services to County and NCCO from February 18, 2024, up to the date when either a new contract is executed with IQS or a new contract is executed with a new service provider including any time period potentially necessary for a complete and seamless transition is made to a potential new service provider, and be it further

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

RESOLVED, that the Chair of the County Legislature be, and hereby is, authorized to execute the Contract.

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-017-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

**LEASE AGREEMENT WITH BENDERSON DEVELOPMENT FOR NIAGARA COUNTY
DEPARTMENT OF MENTAL HEALTH, 475 SOUTH TRANSIT ROAD, LOCKPORT, NY**

WHEREAS, the sale of the Shaw Building is imminent, and Niagara County Department of Mental Health (NCDMH), has been looking for a suitable location to meet their needs, and

WHEREAS, a Request for Proposal for a suitable location was performed, and

WHEREAS, Benderson Development has identified office space at 475 South Transit Road, Lockport, New York, that would be suitable to meet the needs of Mental Health Administrative Offices and Mental Health Clinic, 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 Public Works Department, Niagara County Manager, and NCDMH recommend a lease agreement be entered into with Benderson Development for office space at 475 South Transit Road, Lockport, NY, 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 Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-018-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

MH - 2024 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, Niagara County Department of Mental Health and Substance Abuse Services and Orleans/Niagara BOCES and its component district seek to increase knowledge, skills, and resources that foster practice, transformation in intervention, prevention and crisis recovery, and establish a local Trauma, Illness and Grief (TIG) infrastructure in order to create the Orleans/Niagara TIG Consortium, and

WHEREAS, TIG is a comprehensive training in crisis response network for K-12 education and beyond. The innovative TIG program model trains networks of school-based professionals to meet the holistic needs of students and equips them with evidence-based crisis response skills, resources, and ongoing technical support to help students cope with trauma, violence, illness, death and grief in the school setting, and

WHEREAS, the goal of TIG is to strengthen and grow an organizations internal capacity to prepare to have appropriate support for students and staff in place to help minimize risk for crisis, respond more effectively and efficiently, and recover quickly by promoting health recovery strategies in the event of a traumatic incident. The TIG framework is aligned with best practices to Prevent, Protect, Mitigate, Respond, and Recover, and

WHEREAS, Coordinated Care Services, Inc. (CCSI) is a not-for-profit management services organization with more than 30 years of experience working with the behavioral health and human services delivery systems, and provides an array of management and technical assistance services to local government, behavioral health providers, community based organizations, schools and school districts, and other not-for-profits across NYS and beyond, and

WHEREAS, effective February 20, 2024, NCDMH will partner with Coordinated Care Services, Inc. (CCSI), who will provide staff training, consultation, and technical assistance in order to establish an initial TIG Crisis Response Network among NCDMH, Orleans/Niagara BOCES, and participating districts and to support infrastructure and collaborative cross-systems coordination to implement strategies to abate the opioid epidemic, now, therefore, be it

RESOLVED, that the Director of NCDMH is authorized to engage in the process to carry out the necessary agreements between the County and Coordinated Care Services, Inc. (CCSI), subject 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	\$ 85,000
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INCREASE EXPENSE:

A.21.4310.816.74500.01	Contractual Expenses	\$ 85,000
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Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-019-24

From: Community Services and Administration Committees.

Dated: February 20, 2024

**RESOLUTION – MH BUDGET MODIFICATION
PARTICIPATE IN HEALTHCARE WORKERS BONUS**

WHEREAS, Governor Hochul launched the Health Care Worker Bonus Program pursuant to Part ZZ of Chapter 56 of the Laws of 2022, and

WHEREAS, the Health Care Worker Bonus Program allows qualified employers to issue bonus payments to frontline health care workers to "recruit, retain, and reward health care and mental hygiene workers" meeting specified eligibility requirements, and

WHEREAS, the bonus amounts will be commensurate with the number of hours worked by eligible workers covered by the Health Care Worker Bonus Program during the five designated vesting periods for up to a total of \$3,000 per covered worker, and

WHEREAS, vesting periods designated as Period 3: 10/1/22 – 3/31/23, Period 4: 4/1/23 – 9/30/23, and

WHEREAS, qualified employees who work at least 20 hours but no more than 30 hours per week are eligible for a bonus of \$500, qualified employees who work at least 30 but no more than 35 hours per week are eligible for a bonus of \$1,000, qualified employees who work at least 35 hours per week are eligible for a bonus of \$1,500, and

WHEREAS, qualified employees are eligible for up to two vesting periods and the maximum any qualified employee may receive is \$3,000, and

WHEREAS, the funds to pay for this initiative will be paid by the NYS Frontline Health Care Worker Bonus Program, and

WHEREAS, eligible frontline direct care health and mental hygiene care workers are designated by title within the regulation, and

WHEREAS, Niagara County is designated as a qualified employer and must provide eligible employees with an Employee Attestation Form which must be completed and returned to Niagara County administration prior to submitting claims for bonus payments, and

WHEREAS, Niagara County as a qualified employer must submit timely claims to NYS and must pay timely approved and funded bonus amounts to qualified employees based on the number of hours worked during the applicable vesting periods, and

WHEREAS, budget modifications for the 2023 fiscal year can continue to be made into the first quarter of 2024, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated to the 2023 County budget:

INCREASE REVENUE:

A.21.4310.000 43489.07	NYS Healthcare Workers' Bonus	\$9,688.50
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INCREASE APPROPRIATIONS:

A.21.4310.000 71015.00	NYS Healthcare Workers' Bonus	\$9,000.00
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A.21.4310.000 78200.00 FICA Expense \$ 688.50
Moved by Bradt, seconded by Robins.
Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CS-020-24

From: Community Services and Administration Committees.
Dated: February 20, 2024

**NIAGARA COUNTY DEPARTMENT OF MENTAL HEALTH & SUBSTANCE ABUSE SVCS -
ABOLISH FULL TIME ACCOUNT CLERICAL II POSITION/ CREATE AND FILL FULL TIME
CLERICAL III POSITION – BUDGET MODIFICATION**

WHEREAS, the Niagara County Department of Mental Health & Substance Abuse Services (NCDMH) is committed to providing exceptional treatment and integrated care services to Niagara County residents in need, and

WHEREAS, position changes within the Department are necessary to address departmental needs, and

WHEREAS, NCDMH is committed to and has demonstrated operating in a fiscally responsible manner, and

WHEREAS, the position we are seeking to abolish was vacated due a recent retirement and the Department evaluated the responsibilities of the position which include medical and psychiatric dictation/transcription as well as the evaluation and processing of medical records requests for release of information, and

WHEREAS, the Clerical III title is more appropriate to these job functions, especially in light of recently updated OMH regulations and HIPAA/Corporate Compliance requirements, and

WHEREAS, abolishing the Account Clerical II position and creating the Clerical III position is supported 100% through 3rd Party Revenue, and is at no cost to the County; now, therefore, be it

RESOLVED, that one Account Clerical II (vacant as of December 1, 2023), Grade 5, Step 1, position number MHD300100.10921, salary \$40,935 - \$45,667, be abolished, effective March 3, 2024, and be it further

RESOLVED, that one full time Clerical III, Grade 6, Step 1, position number, MHD300100.XXXXXX, salary \$42,439 - \$48,106, be created within the Niagara County Department of Mental Health, and filled effective March 3, 2024, and be it further

RESOLVED, the following 2024 budget modification be effectuated:

INCREASE REVENUE:

A.21.4310.000.41620.00	Mental Health Fees	\$ 2,657
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INCREASE APPROPRIATIONS:

A.21.4310.000.71010.XXXXXX	Positions (Clerical III)	\$ 35,150
A.21.4310.000.78100.00	Retirement Expense	\$ 3,814
A.21.4310.000.78200.00	FICA	\$ 2,689
A.21.4310.000.78300.00	Worker's Comp	\$ 759
A.21.4310.000.78400.01	Hospital/Medical Insurance	\$ 11,838
A.21.4310.000.78400.05	HRA Employer Contribution	\$ 708
A.21.4310.000.78700.00	NYS Disability Insurance	\$ 64
A.21.4310.000.78800.00	Flex 125	\$ 446

DECREASE APPROPRIATIONS:

A.21.4310.000.71010.00.10921	Positions (Account Clerical II)	\$ 33,904
A.21.4310.000.78100.00	Retirement Expense	\$ 3,679
A.21.4310.000.78200.00	FICA	\$ 2,594
A.21.4310.000.78300.00	Worker's Comp	\$ 732
A.21.4310.000.78400.01	Hospital/Medical Insurance	\$ 11,838
A.21.4310.000.78700.00	NYS Disability Insurance	\$ 64

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CSS-013-24

From: Community Safety & Security and Administration Committees.

Dated: February 20, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE
ACCEPT OVW ENHANCED TRAINING AND
SERVICES TO END ABUSE IN LATER LIFE GRANT**

WHEREAS, the Niagara County Sheriff's Office is a subrecipient of an OVW Enhanced Training and Services to End Abuse in Later Life Program grant through the Center for Elder Law and Justice, and

WHEREAS, this grant funds overtime and fringe for the Niagara County Sheriff's Office to train sworn personnel on addressing abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation and neglect, and

WHEREAS, the grant funds are in the 2024 budget, 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 OVW Enhanced Training and Services to End Abuse in Later Life Grant Agreement may be executed pursuant to the Niagara County Contract Policy

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CSS-014-24

From: Community Safety & Security and Administration Committees.

Dated: February 20, 2024

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

WHEREAS, the Niagara County Legislature passed Resolution # CSS-119-23 on 11/14/2023 to accept a grant award of \$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 need to be added to the 2024 Budget in order to execute the grant, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.17.3645.000 43305.02	State Aid, Civil Defense Homeland Security	\$788,111
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INCREASE APPROPRIATIONS:

A.17.3645.000 72100.15	Communications Equipment	\$688,111
A.17.3645.000 74500.01	Contractual Expenses	\$100,000

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CSS-015-24

From: Community Safety & Security and Administration Committees.

Dated: February 20, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION - ACCEPT GUN INVOLVED VIOLENCE ELIMINATION GRANT
BUDGET MODIFICATION**

WHEREAS, the Niagara County Legislature passed Resolution #CSS-075-23 to accept a New York State Division of Criminal Justice Services award of \$266,250 under the Gun Involved Violence Elimination (GIVE) Grant for the period July 1, 2023 through June 30, 2024, and

WHEREAS, the GIVE Grant is a partnership with the Niagara County District Attorney's Office and the Niagara Falls Police Department to benefit Niagara County, and

WHEREAS, the NYS Division of Criminal Justice Services has approved a budget modification of the current grant to use a portion of the overtime funds to fund a contract for the NCSO Forensic Lab to have Firearms Validation services to facilitate the firearms caseload analysis to enable prosecution and deterrence for gun involved crimes, and

WHEREAS, the 2024 Budget needs to be modified in order to utilize these funds, now, therefore, be it

RESOLVED, that following the County Attorney review, the New York State Division of Criminal Justice Services Gun Involved Violence Elimination Grant modification may be executed pursuant to the Niagara County Contract Policy, and be it further

RESOLVED, that the following budget modification be effectuated:

DECREASE APPROPRIATIONS:

A.17.3110.000 71050.00	Overtime Expense	\$10,000
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INCREASE APPROPRIATIONS:

A.17.3110.000 74500.01	Contractual Expenses	\$10,000
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Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CSS-016-24

From: Community Safety & Security and Administration Committees.

Dated: February 20, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – FY22 PAUL COVERDELL FORENSIC
SCIENCE IMPROVEMENTS GRANT**

WHEREAS, the Niagara County Legislature passed Resolution #CSS-090-22 on October 18, 2021 to accept an award of \$254,664 in federal grant funds for the performance period October 1, 2022 through September 30, 2025 under the FY22 Paul Coverdell Forensic Science Improvements Grant Program from the Bureau of Justice Assistance, and

WHEREAS, the grant is used to improve operations in the Niagara County Sheriff's Office Forensic Laboratory through: the purchase of a new laboratory system to automate processes that are currently done manually, purchasing equipment for increased laboratory safety, purchasing laboratory supplies, funds for laboratory training classes and certification tests, and consultant services with overtime for validation of a new LC-MS/MS System, and

WHEREAS, there are funds remaining in the grant which are not in the 2024 budget, and

WHEREAS, a budget modification would need to be made in order to start utilizing these grant funds, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.17.3110.000 44389.07	Other Public Safety Forensic Lab	\$3,907
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INCREASE APPROPRIATIONS

A.17.3110.000 74750.11	General Medical/Lab/Clinic Supplies	\$3,907
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Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CSS-017-24

From: Community Safety & Security and Administration Committees.

Dated: February 20, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE
RESCIND CONTRACT EXTENSION TOXICOLOGY SOLUTIONS**

WHEREAS, the Niagara County Legislature passed Resolution # CSS-135-23 on 11/14/2023 to extend a contract with Toxicology Solutions, LLC for Forensic Toxicology Method Development which ended on November 1, 2023, and

WHEREAS, the Niagara County Sheriff's Office Forensic Laboratory has come to the decision not to proceed with the methodology started by Toxicology Solutions, LLC, and

WHEREAS, an extension to the existing contract was not executed, now, therefore, be it

RESOLVED, that the proposed contract extension with Toxicology Solutions, LLC be rescinded, and not executed.

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CSS-018-24

From: Community Safety & Security and Administration Committees.

Dated: February 20, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE
STANDARDIZATION OF THERMO FISHER SCIENTIFIC'S APPLIED
BIOSYSTEMS SOFTWARE FOR HUMAN IDENTIFICATION**

WHEREAS, the Niagara County Sheriff's Office Forensic Laboratory works in partnership with the Erie County Forensic Laboratory to have Niagara County Forensic Scientists conduct DNA analysis in the Erie County Lab using Erie County instrumentation, and

WHEREAS, the Niagara County Sheriff's Office Forensic Laboratory has two Forensic Scientists for DNA analysis due to the large caseload, and

WHEREAS, in order to optimize efficiency for the DNA caseload and have the ability to have both Forensic Scientists working on caseload in the Erie County Forensic Laboratory at the same time we are required to purchase a Gene-Mapper software license in order to read results of the gene analyzer instrumentation, and

WHEREAS, the Gene-mapper software is proprietary to Thermo Fisher Scientific for their gene analyzer instrumentation, 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 Gene-mapper software license, and be it further

RESOLVED, that it is hereby determined that Thermo Fisher Scientific is the sole source for such DNA Analysis software for the purposes of Human Identification, and that the Sheriff's Office is hereby authorized to purchase such software directly from Thermo Fisher Scientific without the need to solicit for alternate proposals, such purchase to be made in consultation with the Purchasing Department and in accordance with budgetary procedures.

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CSS-019-24

From: Community Safety & Security and Administration Committees.

Dated: February 20, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION –DOMESTIC TERRORISM PREVENTION GRANT AND SOLE
SOURCE OCV.LLC/THE SHERIFFAPP.COM FOR PROJECT**

WHEREAS, the Niagara County Legislature passed Resolution #CSS-089-22 to accept a grant in the amount of \$172,413 from the New York State Division of Homeland Security and Emergency Services (DHSES) for the performance period September 1, 2022 through August 31, 2024 under the FY2022 DHSES Domestic Terrorism Prevention Grant Program, and

WHEREAS, the purpose of the grant is to prevent targeted violence and domestic terrorism through the utilization of Threat Assessment and Management (TAM) teams and the development of comprehensive Domestic Terrorism Plans, and

WHEREAS, the Niagara Threat Assessment and Management Team is a multi-agency team designed to prevent Domestic Terrorism through threat assessment and planned intervention, and

WHEREAS, the Sheriff's Office has approval from DHSES to use Domestic Terrorism Prevention Grant Funds to have OCV.LLC/TheSheriffApp.com create a website integrated with the Niagara County Sheriff's Office existing website and application for the Niagara County TAM team which will increase its effectiveness with public knowledge and involvement, and

WHEREAS, OCV.LLC/TheSheriffApp.com is the only company that can integrate a new website into the Niagara County Sheriff's Office existing website and application which were custom designed by OCV.LLC/TheSheriffApp.com, now, therefore, be it

RESOLVED, that following the County Attorney's review, the Domestic Terrorism Prevention Grant budget modification may be executed pursuant to the Niagara County Contract Policy, and be it further

RESOLVED, that it is hereby determined that OCV.LLC/TheSheriffApp.com is the sole source for creation of a website to integrate with the Niagara County Sheriff's Office website and app, and that the Sheriff's Office is hereby authorized to purchase such service directly from OCV.LLC/TheSheriffApp.com without the need to solicit for alternate proposals, such purchase to be made in consultation with the Purchasing Department and in accordance with budgetary procedures, and, be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

A.17.3110.000 43305.02	State Aid, Civil Defense Homeland Security	\$19,000
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INCREASE APPROPRIATIONS:

A.17.3110.000 74500.01	Contractual Expenses	\$19,000
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Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CSS-020-24

From: Community Safety & Security and Administration Committees.

Dated: February 20, 2024

**NIAGARA COUNTY SHERIFF'S OFFICE
DISPOSITION OF TACTICAL GROUND ROBOT**

WHEREAS, the Niagara County Sheriff's Office and the Niagara County Haz-Mat Team responded to an incident on March 30, 2023, and

WHEREAS, the Niagara County Sheriff's Office deployed its tactical ground robot to further investigate the scene which resulted in the robot's inability to be fully decontaminated, 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 all spilled and contaminated materials, and

WHEREAS, the Niagara County Emergency Management Office has been working with the company to replace the contaminated ground robot with the contaminated robot going to the company that is paying for the replacement, now, therefore, be it

RESOLVED, that Asset Number 61651 Robotex Avatar III Tactical Robot be removed from Niagara County assets upon receipt of revenue to replace the robot.

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CSS-021-24

From: Community Safety & Security and Administration Committees.

Dated: February 20, 2024

**NIAGARA COUNTY OFFICE OF EMERGENCY SERVICES
2024 BUDGET MODIFICATION
ROLLOVER 2023 HOMELAND SECURITY UNSPENT FUNDS**

WHEREAS, Homeland Security funds were not fully expended in 2023, now, therefore, be it

RESOLVED, that the remaining funds for 2020 State Homeland Security Program (approved # CSS-056-20), 2021 State Homeland Security Program (approved #CSS-095-21), and 2022 State Homeland Security Program (approved #CSS-083-22 be re-appropriated into the 2024 budget, and be it further

RESOLVED, that the remaining funds for 2022 Emergency Management Preparedness Grant (approved #CSS-082-22) and 2023 Emergency Management Preparedness Grant (approved #CSS-113-23), be re-appropriated into the 2024 budget and county contributions be re-appropriated from the Fund Balance, and be it further

RESOLVED, that the following 2024 budget modification be effectuated effective immediately:

INCREASE REVENUE: **SHSP20**

A.19.3645.000 44305.02	Civil Defense Homeland Security	\$ 55,733.07
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INCREASE APPROPRIATION: **SHSP20**

A.19.3645.000 72100.14	M&E Misc. Equipment	\$ 55,733.07
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INCREASE REVENUE: ** SHSP21**

A.19.3645.000 44305.02	Civil Defense Homeland Security	\$298,186.04
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INCREASE APPROPRIATION: **SHSP21**

A.19.3645.000 72100.05	M&E Computer Equipment	\$ 13,544.13
A.19.3645.000 72100.14	M&E Misc. Equipment	\$ 42,246.00
A.19.3645.000 74500.02	Contr. Expense-Maint Contr.	\$175,087.08
A.19.3645.000 74750.11	Supplies, Clinical (PPE) supplies	\$ 50,756.20
A.19.3645.000 74800.10	Misc. Equipment <\$500	\$ 16,552.63

INCREASE REVENUE: ** SHSP22**

A.19.3645.000 44305.02	Civil Defense Homeland Security	\$438,120.22
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INCREASE APPROPRIATION: **SHSP22**

A.19.3645.000 71050.00	Overtime	\$ 63,840.08
A.19.3645.000 72100.05	M&E Computer Equipment	\$ 30,000.00
A.19.3645.000 72100.14	M&E Misc. Equipment	\$ 16,668.54
A.19.3645.000 72100.15	M&E-Communications Equip	\$ 50,000.00
A.19.3645.000 74300.01	Reimbursements Travel, Conference	\$ 7,285.30
A.19.3645.000 74500.01	Contractual Expense	\$ 30,000.00
A.19.3645.000 74500.02	Contr. Expense-Maint Contr.	\$177,278.97
A.19.3645.000 74800.01	Communication Supplies/Svc	\$ 26,221.30
A.19.3645.000 74800.10	Misc. Equipment <\$500	\$ 19,500.00
A.19.3645.000 78100.00	Retirement	\$ 10,856.36
A.19.3645.000 78200.00	FICA	\$ 4,883.83
A.19.3645.000 78300.00	Workers Comp	\$ 1,585.84

INCREASE APPROPRIATION FUND BALANCE - ASSIGNED: **EMPG22**

A.40599.00	Appropriated Fund Balance	\$ 22,528.97
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INCREASE REVENUE: ** EMPG22**

A.19.3645.000 44305.02	Civil Defense HS	\$ 22,528.96
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INCREASE APPROPRIATION: ** EMPG22**

A.19.3645.000 72100.11	M&E Other Vehicles	\$ 10,999.01
A.19.3645.000 72100.14	M&E Misc. Equipment	\$ 15,000.00
A.19.3645.000 72100.15	M&E-Communications Equip	\$ 19,058.92

INCREASE APPROPRIATION FUND BALANCE - ASSIGNED: **EMPG23**

A.40599.00	Appropriated Fund Balance	\$ 12,385.85
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INCREASE REVENUE: ** EMPG23**

A.19.3645.000 44305.02	Civil Defense Homeland Security	\$ 12,385.85
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INCREASE APPROPRIATION: ** EMPG23**

A.19.3645.000 72100.11	M&E Other Vehicles	\$ 24,771.70
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Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CSS-022-24

From: Community Safety & Security and Administration Committees.

Dated: February 20, 2024

**NIAGARA COUNTY EMERGENCY SERVICES
EXPENDITURE OF CELLULAR E911 FUNDS
TO REMOVE AND INSTALL VERTICAL PIVOTING GATE AT
THE PUBLIC SAFETY TRAINING FACILITY**

WHEREAS, the Niagara County Legislature passed a Local Law on 11/5/2017 which established an E911 surcharge for cellular phones to establish a dedicated revenue to be used for future payments for system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, enhanced wireless 911 service costs serving Niagara County, and

WHEREAS, such expenditures require the authorization of the Niagara County Legislature, and

WHEREAS, the offices of Emergency Services and Sheriff have collaboratively identified a need to replace the existing gate at the Public Safety Training Facility with two vertical pivoting gates for added safety and security to the 911 communications center and county ambulance operations, and

WHEREAS, the funds are already in the 2024 Budget, now, therefore, be it

RESOLVED, that the Niagara County Emergency Services Office be authorized to spend up to \$150,000 in cellular E911 funds for the necessary project to remove the existing gate entry and install vertical pivoting gates, following Purchasing Guidelines.

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CSS-023-24

From: Community Safety & Security and Administration Committees.

Dated: February 20, 2024

**WAIVER OF RESIDENCY REQUIREMENT
CONFLICT ATTORNEY**

WHEREAS, the Niagara County Conflicts Office & Assigned Counsel has permission to fill presently vacant Conflict Attorney position, these are important positions that are required to provide legal representation of indigent persons entitled to public defense who cannot be represented by the Public Defender's Office due to a conflict of interest, and

WHEREAS, due to recent challenges with recruitment efforts of Niagara County residents that are experienced criminal trial attorneys for these vacant positions of Conflict Attorney, and

WHEREAS, the Conflicts Office & Assigned Counsel has made diligent and sincere efforts to recruit highly qualified candidates for these vacant positions from within Niagara County, including multiple advertisements and postings for an extended period of time, now, therefore, be it

RESOLVED, that a Waiver of Residence from the policy to hire only Niagara County residents be approved to fill this vacant position of Conflict Attorney when the most qualified applicant or only qualified candidates reside outside Niagara County.

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. CW-003-24

From: Committee of the Whole.

Dated: February 20, 2024

**REORGANIZATION - ABOLISH ADMINISTRATIVE ASSISTANT
CREATE ACCOUNT CLERICAL III – ECONOMIC DEVELOPMENT**

WHEREAS, an Administrative Assistant position will become vacant due to a retirement on March 22, 2024, and

WHEREAS, the Commissioner of Economic Development has analyzed the duties of the position and the needs of the department, evaluated the likely recruitment field, and consulted with the Human Resources Director, Civil Service, and the County Manager, and

WHEREAS, it has been determined that reclassifying the vacancy will allow for the greater likelihood of recruiting a qualified candidate to meet the operational needs, will provide for growth and development opportunities for a mid-level position, and the duties of the position are most accurately reflected in the Account Clerical III job specification, now, therefore, be it

RESOLVED, that the Administrative Assistant, CSEA grade 10 \$29.46 - \$34.20, position #13533 will be abolished and an Account Clerical III, CSEA grade 6 \$23.14 - \$26.23, will be created and filled effective March 25, 2024.

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. ED-003-24

From: Economic Development Committee.

Dated: February 20, 2024

**APPROVING THE INCLUSION OF VIABLE AGRICULTURAL LAND WITHIN CERTIFIED
AGRICULTURAL DISTRICTS PURSUANT TO SECTION 303-B OF THE NEW YORK STATE
AGRICULTURE AND MARKETS LAW**

WHEREAS, Section 303-b of Agriculture and Markets Law provides land owners with an annual thirty-day period to submit requests for the inclusion of predominantly viable agricultural lands within certified agricultural districts, and

WHEREAS, that thirty-day period began June 1, 2023, and ended June 30, 2023, and

WHEREAS, land owners have filed a request for inclusion of predominantly viable agricultural land within the certified agricultural district, and

WHEREAS, the County Legislature referred the requests to the Niagara County Agricultural and Farmland Protection Board, and that Board has reviewed the requests and provided its recommendations that such property consists predominantly of viable agricultural land and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district, and

WHEREAS, a public hearing was held on Tuesday, December 5, 2023 at 5:45 p.m. relating to such requested inclusions, now, therefore, be it

RESOLVED, that based on the recommendations of the Agricultural and Farmland Protection Board, the Niagara County Legislature hereby adopts and approves the inclusion of the requested viable agricultural land within certified Agricultural District #7, and be it further

RESOLVED, that in accordance with Section 303-b of Agriculture and Markets Law the modifications to Agricultural District #7, are hereby described as follows, and include the following parcels listed by agricultural district, town, owner, tax map number, and acreage:

2023 Additions

Agricultural District	Town	Owner	Tax Map Number	Acreage
7	Newfane	Alan Buhr	81.02-2-63	43.69
7	Newfane	Newroyal Orchards	81.02-2-69	10.63
7	Newfane	Russell Farms	39.00-1-2.111	70.91
7	Pendleton	Lemieux	164.00-3-7.1	46.64

7	Wilson	Clark Property Management	22.00-1-10	15.29
7	Wilson	Clark Property Management	22.00-1-9	18.32
7	Wilson	Jerrold Farnham	62.02-1-5.1	5.01
7	Wilson	Jerrold Farnham	62.00-3-6.3	8.85

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. ED-004-24

From: Economic Development and Administration Committees.

Dated: February 20, 2024

**BUDGET MODIFICATION – REAPPROPRIATE GRANT FUNDS
BROWNFIELDS ASSESSMENT**

WHEREAS, Resolution ED-019-21 authorized acceptance of a grant in the amount of Three Hundred Thousand Dollars (\$300,000) from the United States Environmental Protection Agency for a Brownfield Assessment Project that is 100% reimbursable, and

WHEREAS, Fifteen Thousand Eighty Three Dollars (\$15,083) was budgeted for the 2024 Budget, and

WHEREAS, more money was spent than anticipated from the 2023 Budget, in the amount of Fourteen Thousand Sixty Five Dollars (\$14,065), now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

DECREASE REVENUE:

CM.28.6989.611.44989.04	Other Home and Community Services	\$14,065
	EPA Brownfield Revenue	

DECREASE APPROPRIATION:

CM.28.6989.611.71050.00	Overtime Expense	\$2,224
CM.28.6989.611.74300.01	Reimbursements Travel, Conference	\$3,252
CM.28.6989.611.74500.01	Contractual Expenses	\$7,991
CM.28.6989.611.78100.00	Retirement Expense	\$ 380
CM.28.6989.611.78200.00	FICA Expense	\$ 170
CM.28.6989.611.78300.00	Worker's Compensation	\$ 48

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. ED-005-24

From: Economic Development Committee.

Dated: February 20, 2024

**DEPARTMENT OF ECONOMIC DEVELOPMENT
CREATE NIAGARA COUNTY FAÇADE PROGRAM 2.0**

WHEREAS, Niagara County has received funds from the Coronavirus State and Local Fiscal Recovery Fund (CSLFRF), a part of the American Rescue Plan Act, and

WHEREAS, the Coronavirus State and Local Fiscal Recovery Fund (CSLFRF), American Rescue Plan Act, Small Business Economic Assistance, provides aid for small businesses to respond to the negative economic impacts of the COVID-19 public health crisis, and

WHEREAS, the Niagara County Legislature recognizes the continued importance of exterior capital improvements to individual businesses and business districts and the positive impact that these upgrades create, and

WHEREAS, the Niagara County Legislature will allocate funding for the redevelopment of small business facades along our commercial corridors, for those businesses which suffered negative economic impact as a result of the COVID-19 public health emergency, now, therefore, be it

RESOLVED, the Department of Economic Development will implement the Niagara County Façade Program 2.0 to facilitate said investment, within the parameters of the American Rescue Plan, be it further

RESOLVED, the Department of Economic Development will request applications for the program and determine qualified applicants, and be it further

RESOLVED, the Department of Economic Development will request funding to satisfy approved applicants.

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. ED-006-24

From: Economic Development and Administration Committees.

Dated: February 20, 2024

RESOLUTION TO PROVIDE FUNDING FOR UPGRADED FISH STOCKING PENS

WHEREAS, Niagara County has a long and proud history of supporting sportfishing along the shores of Lake Ontario and tributaries associated with the lake, and

WHEREAS, our Sportfishing Coordinator and Niagara County Fisheries Board collaborate with outside organizations to promote sportfishing and also to advance the fishery by breeding/stocking hundreds of thousands of Salmon and Trout every year, and

WHEREAS, Lake Ontario Trout and Salmon Association (LOTSAs) is an association that volunteers time to manage the salmon/trout pen rearing project at 3 locations in Niagara County; Youngstown, Wilson, and Olcott, and

WHEREAS, maintenance and upgrades are required on the current fish pens to have a successful Spring fish raising and releasing program, and

WHEREAS, a Fishing Derby Account TA 2085.07 within the Treasurer's office was created decades ago and contains funds to be used toward sportfishing, now, therefore, be it

RESOLVED, that the Niagara County Legislature direct the County Treasurer to issue a check from the General Trust Account TA 2085.07 in the amount of \$4,000 payable to Lake Ontario Trout and Salmon Association for the repair and replacement of fish stocking pens.

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IF-034-24

From: Infrastructure & Facilities and Administration Committees.

Dated: February 20, 2024

ASSIGNMENT OF AGREEMENT BETWEEN NIAGARA COUNTY AND AC POWER 15, LLC TO CALIBRANT NY III, LLC PURSUANT TO ACQUISITION

WHEREAS, Niagara County entered into a Non-Disturbance Agreement with AC Power 15, LLC, effective December 15, 2023, in connection with AC Power 15, LLC's construction of a solar-powered energy generation facility located at 5600 Niagara Falls Boulevard, Niagara Falls, New York (the "Project"), and

WHEREAS, said Non-Disturbance Agreement was entered into pursuant to resolution IF-178-23, and

WHEREAS, paragraph 12 of said Non-Disturbance Agreement provided, upon mutual consent of the parties, for the assignment of said agreement to a successor entity, however, AC Power 15, LLC shall not be relieved of liability until the transferee or assignee expressly agrees to assume and be bound by the terms and conditions of the Non-Disturbance Agreement, and

WHEREAS, AC Power 15, LLC assigned the Project to Calibrant NY III, LLC pursuant to a certain asset purchase agreement entered into between said parties, and

WHEREAS, pursuant to such asset purchase agreement it is the desire and in the best interest of the County of Niagara to assign the current Non-Disturbance Agreement to Calibrant NY III, LLC by way of entering in to an assignment agreement with AC Power 15, LLC and Calibrant NY III, LLC, in accordance with the terms and provisions of the Non-Disturbance Agreement referenced above, now, therefore, be it

RESOLVED, that following the County Attorney's Office review, the Non-Disturbance Agreement with AC Power 15, LLC shall be assigned to Calibrant NY III, LLC pursuant to the Assignment of Non-Disturbance Agreement to be executed by the parties referenced herein and pursuant to the Niagara County Contract Policy Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IF-035-24

From: Infrastructure & Facilities and Administration Committees.

Dated: February 20, 2024

LEASE AGREEMENT WITH BMBM PROPERTIES, LLC

WHEREAS, the Niagara County Public Health Department desires to rent space at 55 Stevens St., within the City of Lockport, New York, and

WHEREAS, BMBM Properties, LLC has provided pricing for a five (5) year lease term, at \$15.50 per square foot, for an annual base rent of \$187,031.68, 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 Infrastructures and Facilities Committee recommends the attached lease agreement to be entered into with BMBM Properties, LLC, 6427 Dysinger Road, Suite B, Lockport, NY 14094, for 21,000 square feet of office space at 55 Stevens Street, Lockport, NY for an initial period of five (5) years, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IF-036-24

From: Infrastructure & Facilities and Administration Committees.

Dated: February 20, 2024

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA
AND THE OLCOTT LION'S CLUB**

WHEREAS, the Olcott Lions Club has requested that the County of Niagara grant them permission to use the north section of Krull Park on March 3, 2024 for the purpose of holding the annual charity event known as the Lion's Club Polar Swim for Sight, and

WHEREAS, this event has been successful for many years in attracting thousands of visitors from across Niagara County and Greater Western New York in order to raise money for Lion's Club sight and other charity programs, and

WHEREAS, The Lion's Club has also raised money through this event for improvements which benefit Krull Park, the surrounding community and Niagara County as a whole, and

WHEREAS, the event coordinator will provide all insurances required by the Risk Management Office, and agree to cover all extraordinary expenses associated with event, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Olcott Lion's Club, and

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

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the Olcott Lion's Club, as appears on the proposed agreement, is hereby approved in all respects, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IF-037-24

From: Infrastructure & Facilities and Administration Committees.

Dated: February 20, 2024

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND
THE BURMASTER LAKE ENVIRONMENTAL COMMITTEE**

WHEREAS, Resolution IL-003-95 the Burmaster Lake Environmental Committee was established as an advisory board to assist in the planning of the Clyde L. Burmaster Park improvements and enhancing the Clyde L. Burmaster Park as an educational asset for the County of Niagara, and

WHEREAS, Resolution IF 021-23, dated February 21, 2023, re-established the Burmaster Park Environmental

Committee to re-establish an active committee, and

WHEREAS, in past years, the Burmaster Lake Environmental Committee has been responsible for securing funds for major educational and conservational improvements at the Clyde L. Burmaster Park, and

WHEREAS, the Burmaster Lake Environmental Committee has promoted these improvements to increase the awareness and use of the Clyde L. Burmaster Park and its environmental assets through community awareness and educational events, and

WHEREAS, Burmaster Lake Environmental Committee has requested that the County of Niagara allow them to continue these educational events and grant them permission to use portions of the Clyde L. Burmaster Park for the purpose of holding these events, and

WHEREAS, the event coordinator will provide all insurances required by the Risk Management Office, and agree to cover all extraordinary expenses associated with event, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with Burmaster Lake Environmental Committee, for planned events in 2024, per the attached agreement, and

WHEREAS, prior to the execution of the License Agreement between the County of Niagara and Burmaster Lake Environmental Committee, the County Attorney will review said Agreement for approval as to legal form, language, and compliance, now, therefore, be it

RESOLVED, that, following the County Attorney's review, the Burmaster Lake Environmental Committee agreement may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IF-038-24

From: Infrastructure & Facilities and Administration Committees.

Dated: February 20, 2024

**BURMASTER PARK STORAGE BUILDING WATERLINE
INSTALLATION PROJECT- CHANGE ORDER NO. 1**

WHEREAS, Resolution No. CW-036-23, dated December 5, 2023, awarded the Burmaster Park Storage Building Waterline Installation Project to Palladino Excavating, 5653 Wendy Circle, Lockport, NY 14094, in the amount of \$97,000, and

WHEREAS, it is necessary to extend the contract completion date to February 29, 2024, at no cost to the County, and

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

RESOLVED, that the contract for the Burmaster Park Storage Building Waterline Installation Project to Palladino Excavating, 5653 Wendy Circle, Lockport, NY 14094, be extended to February 29, 2024, at no additional cost to the county, 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. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IF-039-24

From: Infrastructure & Facilities and Administration Committees.

Dated: February 20, 2024

**BRIDGE NY LOCAL PROJECT AGREEMENT, PIN 5764.94
STONE ROAD OVER TRIBUTARY TO JEDDO CREEK, TOWN OF HARTLAND**

WHEREAS, the Stone Road over a Tributary to Jeddo Creek Project, PIN 5764.94 (the "Project"), Town of Hartland, Niagara County, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Bridge NY funds and 5% non-Bridge NY funds, and

WHEREAS, the County of Niagara will design, let, and construct 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 Engineering (Design I-VI) and Right-of-Way Incidentals phases of the Project or portions thereof, with the understanding that qualified costs may be eligible for federal aid, state aid, or reimbursement from Bridge NY funds, 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:

H799.15.5197.000 44597.01	Fed Aid Cap Const Hwy Revenue	\$286,900
H799.15.5197.000 43501.00	Consol Hwy Aid Revenue	\$ 15,100

INCREASE ESTIMATED APPROPRIATIONS:

H799.15.5197.000 72600.02	Infrastructure Bridges	\$302,000
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and be it further

RESOLVED, that the sum of \$302,000 is hereby appropriated in account H799.15.5197.000 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 federal aid, state aid, or Bridge NY funding awarded to the County of Niagara, and be it further

RESOLVED, that in the event the Project costs not covered by federal aid, state aid, or Bridge NY funding 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 Chairman 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 and/or state aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Niagara's funding of Project costs and permanent funding of the local share of federal aid and state aid eligible Project costs and all Project costs within appropriations therefore 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 Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IF-040-24

From: Infrastructure & Facilities and Administration Committees.

Dated: February 20, 2024

**BRIDGE NY LOCAL PROJECT AGREEMENT, PIN 5764.93
CARMEN ROAD BRIDGE OVER GOLDEN HILL CREEK, TOWN OF SOMERSET**

WHEREAS, a project for the Carmen Road Bridge over Golden Hill Creek, PIN 5764.93 (the "Project"), Town of Somerset, Niagara County, is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB.L. 117-58, also known as the "Bipartisan Infrastructure Law" (BIL), and

WHEREAS, the County of Niagara will design, let, and construct 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 Right-of-Way Incidentals phases of the Project or portions thereof, with the understanding that qualified costs may be eligible for federal aid, state aid, or reimbursements from Bridge New York funds, 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:

H583.15.5197.000 44597.01	Fed Aid Cap Const Hwy Revenue	\$51,390
H583.15.5197.000 43501.00	Consol Hwy Aid Revenue	\$14,810

INCREASE ESTIMATED APPROPRIATIONS:

H583.15.5197.000 72600.02 Infrastructure Bridges \$66,200

and be it further

RESOLVED, that the sum of \$296,200 is hereby appropriated in account H583.15.5197.000 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 which exceed the amount of federal aid, state aid, or Bridge New York funding awarded to the County of Niagara, and be it further

RESOLVED, that in the event the Project costs not covered by federal aid, state aid, or Bridge New York funding 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 for federal aid and/or state aid with the New York State Department of Transportation, in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Niagara's funding of Project costs and permanent funding of the local share of federal aid and state aid eligible Project costs and all Project costs within appropriations therefore 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 Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IF-041-24

From: Infrastructure & Facilities and Administration Committees.

Dated: February 20, 2024

**AWARD CONSULTANT CONTRACT – REPLACEMENT OF STONE ROAD BRIDGE
OVER A TRIBUTARY TO JEDDO CREEK**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Replacement of Stone Road Bridge over a Tributary to Jeddo Creek Project, and

WHEREAS, funds are available in account H799.15.5197.000 72600.02, Bridges, 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 Replacement of Stone Road Bridge over a Tributary to Jeddo Creek Project be awarded to CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, for a contract amount not to exceed \$270,000, 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. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IF-042-24

From: Infrastructure & Facilities and Administration Committees.

Dated: February 20, 2024

**AWARD CONSULTANT CONTRACT – REPLACEMENT OF CARMEN ROAD BRIDGE
OVER GOLDEN HILL CREEK - SOUTH**

WHEREAS, the Department of Public Works evaluated proposals from pre-qualified consulting engineering firms to assist the County with the Replacement of Carmen Road Bridge over Golden Hill Creek - South Project, and

WHEREAS, funds are available in account H583.15.5197.000 72600.02, Bridges, 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 Replacement of Carmen Road Bridge over Golden Hill Creek - South Project be awarded to CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, for a contract amount not to exceed \$269,000, 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. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IF-043-24

From: Infrastructure & Facilities and Administration Committees.

Dated: February 20, 2024

**CARMEN ROAD BRIDGE OVER JOHNSON CREEK
CONSULTANT AMENDMENT NO. 4-FINAL**

WHEREAS, Resolution No. IF-104-60, dated September 15, 2020, authorized the contract for consultant services for the Carmen Road Bridge over Johnson Creek Project to CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, for a contract amount not to exceed \$242,000, and

WHEREAS, Resolution No. IF-006-22, dated January 18, 2022, increased the contract in the amount of \$199,000 for construction inspection and construction administration, for a revised contract amount of \$441,000, and

WHEREAS, Resolution No. IF-005-23, dated January 17, 2023, increased the contract by \$22,000 for additional construction inspection and administration services, for a revised contract amount of \$463,000, and

WHEREAS, Resolution No. IF-070-23, dated April 25, 2023, amended the contract completion date to December 31, 2024, at no additional cost to the County, and

WHEREAS, it is necessary to reduce the contract by \$13,276.84, as the project is now complete, for a revised contract amount of \$449,723.16, 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 Amendment No. 4-Final to reduce the contract by \$13,276.84, for the Carmen Road Bridge over Johnson Creek Project, for the contract amount of \$449,723.16, to CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, be approved, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IF-044-24

From: Infrastructure & Facilities and Administration Committees.

Dated: February 20, 2024

**CARMEN ROAD BRIDGE OVER JOHNSON CREEK
CHANGE ORDER NO. 1-FINAL**

WHEREAS, Resolution No. IF-050-22, dated March 22, 2022, authorized the contract for the Carmen Road Bridge over Johnson Creek Project to Hunting Valley Construction Inc., 825 Rein Road, Cheektowaga, NY 14225, for a contract amount of \$1,523,263.20, and

WHEREAS, it is necessary to decrease the contract in the amount of \$100,717.84, as the project is now complete, for a revised contract amount of \$1,422,545.36, 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-Final to decrease the contract by \$100,717.84 for the Carmen Road Bridge over Johnson Creek Project, for a revised contract amount of \$1,422,545.36, to Hunting Valley Construction Inc., 825 Rein Road, Cheektowaga, NY 14225, be approved, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IF-045-24

From: Infrastructure & Facilities and Administration Committees.

Dated: February 20, 2024

**COURT HOUSE 2ND FLOOR RENOVATIONS
AMENDMENT NO. 1-FINAL**

WHEREAS, Resolution No. IF-113-22, dated September 13, 2022, authorized the contract for the Court House 2nd Floor Renovations Project to LaBella Associates, Olympic Towers, 300 Pearl Street, Suite 130, Buffalo, NY 14202, for a contract amount of \$39,205.43, and

WHEREAS, it is necessary to decrease the contract in the amount of \$15,710.29, as the project is now complete, for a revised contract amount of \$23,495.14, 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 Amendment No. 1-Final to decrease the contract by \$15,710.29 for the Court House 2nd Floor Renovations Project to LaBella Associates, Olympic Towers, 300 Pearl Street, Buffalo, NY 14202, for a revised contract amount of \$23,495.14, be approved, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IF-046-24

From: Infrastructure & Facilities and Administration Committees.

Dated: February 20, 2024

**NEW PUBLIC WORKS FACILITY
CHANGE ORDER NO. 2**

WHEREAS, Resolution No. IF-086-23, dated May 16, 2023, awarded the contract for a Highway Facility – Feasibility Study and Master Plan in relation to the DPW Facilities at 225 South Niagara Street, Lockport, to C & S Engineers, 141 Elm Street, Suite 100, Buffalo, NY 14203, for a contract amount of \$38,720,

WHEREAS, Resolution No. IF-158-23, dated October 17, 2023, extended the contract completion date to December 31, 2023, at no additional cost to the County, and

WHEREAS, it is necessary to increase the contract by \$1,598,505 for the design, bidding and construction services portion of the contract, for a revised contract amount of \$1,637,225, and also to extend the contract date until December 31, 2026, 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 modifications be effectuated to allow the contract to be increased and for other incidental expenditures associated with the project to proceed:

INCREASE APPROPRIATED FUND BALANCE:

A 40599.00	Appropriated Fund Balance	\$2,000,000
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INCREASE APROPRIATION:

A.07.9950.000 79010.000	Transfer to Capital Projects	\$2,000,000
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INCREASE APPROPRIATION:

H523.15.1620.000 45031.00	Transfer from Operating	\$2,000,000
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INCREASE ESTIMATED APPROPRIATIONS:

H523.15.1620.000 72200.00	Buildings Expense	\$2,000,000
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and be it further

RESOLVED, that Change Order No. 2 to increase the contract by \$1,598,505 for the Highway Facility Project, for the contract amount of \$1,637,225, to C & S Engineers, 141 Elm Street, Suite 100, Buffalo, NY 14203, be approved, and be it further

RESOLVED, that the contract completion date be extended until December 31, 2026, and be it further

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

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IF-047-24

From: Infrastructure & Facilities and Administration Committees.

Dated: February 20, 2024

**ANGELO DELSIGNORE CIVIC BUILDING ROOF REPLACEMENT
CHANGE ORDER NO. 2 - FINAL**

WHEREAS, Resolution No. IF-146-22, dated November 15, 2022, awarded the contract for the Angelo DelSignore Civic Building Roof Replacement Project to Jameson Roofing Company, 3649 Lake Shore Drive East, Dunkirk, NY 14048, for a contract amount not to exceed \$607,695, and

WHEREAS, Resolution No. IF-015-24, dated January 23, 2024, authorized Change Order No. 1 to extend the contract completion date to February 29, 2024 and increase the contract in the amount of \$3,911 for additional work to extend the third floor exhaust fans through the roof, for a revised contract amount of \$611,606, and

WHEREAS, it is necessary to reduce the contract in the amount of \$300 for final quantities adjustments, for a revised contract amount of \$611,306, 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 \$300 for the Angelo DelSignore Civic Building Roof Replacement Project, for a revised contract amount of \$611,306, to Jameson Roofing Company, 3649 Lake Shore Drive East, Dunkirk, NY 14048, be approved, and be it further

RESOLVED, that, following the County Attorney's review, Change Order No. 2-Final may be executed pursuant to the Niagara County Contract Policy.

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IL-005-24

From: Legislator Richard E. Abbott and Economic Development Committee.

Dated: February 20, 2024

**RESOLUTION IN SUPPORT OF FUNDING LOCKPORT IN BLOOM
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Lockport in Bloom is a not-for-profit organization, chartered in 2005, that promotes the beautification of Lockport by encouraging residents to share with others their beautiful and creative gardens, and

WHEREAS, by encouraging neighborhood beautification, Lockport in Bloom helps promote community pride by bringing people to the area to view the many beautiful gardens, and

WHEREAS, through their annual Garden Festival, Lockport in Bloom brings thousands of visitors to the City of Lockport to view the 40 plus gardens that are put on display every summer, and

WHEREAS, local businesses and restaurants benefit greatly from the increase in foot traffic that Lockport in Bloom generates throughout the City of Lockport, and

WHEREAS, Niagara County is interested in supporting efforts that generate increased revenue for businesses and create a sense of pride throughout 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 Lockport in Bloom by appropriating monies from said Community Partnership Program Fund as follows:

Lockport in Bloom

\$1,500.00

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IL-006-24

From: Legislator Rebecca J. Wydysh and Economic Development Committee.

Dated: February 20, 2024

**RESOLUTION IN SUPPORT OF THE LEWISTON JAZZ FESTIVAL
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Northwest Jazz Festival will be held in historic Lewiston, NY on August 23-24, 2024, and

WHEREAS, the committee plans a weekend of spectacular entertainment featuring international stars, as well as its own local super talents, and

WHEREAS, the festival plays a significant role in enhancing the quality of life in the Niagara region and also serves as an economic engine for local businesses, attracting more than 40,000 attendees from across Western New York and beyond, and

WHEREAS, an economic impact on the area is estimated to be in excess of \$1.4 million, and

WHEREAS, an event of this magnitude can only be successful through full community participation and sponsorships, and the Niagara County Legislature wishes to support this influx of revenue, now, therefore, be it

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

RESOLVED, that Niagara County supports the efforts of the Lewiston Jazz Festival committee by appropriating monies from said Community Partnership Fund as follows:

Lewiston Jazz Festival

\$2,500.00

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IL-007-24

From: Legislator Christopher J. McKimmie and Economic Development Committee.

Dated: February 20, 2024

**RESOLUTION IN SUPPORT OF THE ST JOHN DE LASALLE CHURCH
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the St. John de LaSalle parish is a Catholic church in the LaSalle section of the City of Niagara Falls, bordering the picturesque Cayuga Island neighborhood, surrounded by family homes, apartment buildings and thriving small businesses, and

WHEREAS, the St. John de LaSalle parish draws more than 250 mass attending parishioners from the LaSalle area, the broader City of Niagara Falls, the Towns of Niagara and Wheatfield, and other nearby communities, and

WHEREAS, the St. John de LaSalle parish is a community hub that draws many more community members to events in its community center, at its food pantry, and supports Boy Scout Troop 841, in addition to its spiritual activities, and

WHEREAS, the St John de LaSalle parish's intention is to purchase an Automated External Defibrillator (AED) to protect the parishioners and community members that attend functions at their church, community center, and food pantry, and

WHEREAS, the placement of an Automated External Defibrillator at public locations, such as churches, has been found to increase the survival rates of Out-Of-Hospital Cardiac Arrests, 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 St John de LaSalle Church by appropriating monies from said Community Partnership Fund as follows:

St John de LaSalle Parish

\$2,200.00

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IL-008-24

From: Legislators Rebecca J. Wydysh, Irene M. Myers and Economic Development Committee.

Dated: February 20, 2024

**RESOLUTION IN SUPPORT OF THE LEWISTON GARDENFEST
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Lewiston Garden Club is a not-for-profit organization that promotes all phases of home gardening, good horticultural practices, civic beauty and conservation of natural resources, and

WHEREAS, the Lewiston Garden Club will hold Lewiston GardenFest 2024 in historic Lewiston, NY on June 15-16, 2024, and

WHEREAS, the committee plans a weekend full of all aspects of gardening, including landscaping displays, local gardens open to the public, advice and workshops from garden societies, and presentations from over 80 vendors of plants and garden furniture, accessories, and art, and

WHEREAS, the festival plays a significant role in enhancing the quality of life in the Niagara region and also serves as an economic engine for local businesses, attracting attendees from across Western New York and beyond, and

WHEREAS, an event of this magnitude can only be successful through full community participation and sponsorships, and the Niagara County Legislature wishes to support this influx of revenue, now, therefore, be it

RESOLVED, that the Niagara County Legislature authorized the allocation of funding for the Community Partnership Program Fund through resolution CW-001-24, and be it further

RESOLVED, that Niagara County supports the efforts of the Lewiston Garden Club's GardenFest event by appropriating monies from said Community Partnership Fund as follows:

Lewiston Garden Club	\$2,000.00
Moved by Bradt, seconded by Robins.	
Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.	

Resolution No. IL-009-24

From: Legislator Rebecca J. Wydysh and Economic Development Committee.

Dated: February 20, 2024

**RESOLUTION IN SUPPORT OF THE LEWISTON ART FESTIVAL
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Lewiston Council on the Arts is dedicated to improving the quality of life for all by nurturing a thriving environment for the arts and for cultural activities, promoting opportunities for artists, encouraging public participation in the arts, and actively advocating for the arts, and

WHEREAS, the Lewiston Art Festival, which is sponsored by the Lewiston Council on the Arts, has become a highlight of the summer season in Niagara County, and

WHEREAS, the Lewiston Council on the Arts has scheduled the 2024 Lewiston Art Festival for August 10th & 11th, 2024, and

WHEREAS, the Lewiston Art Festival will feature over 175 artists and vendors from across the country and draw thousands of visitors from all over Western New York, Southern Ontario and beyond, and

WHEREAS, an event of this magnitude can only be successful through full community participation and sponsorships, and

WHEREAS, the Lewiston Art Festival is an economic driver that supports jobs, generates government revenue and is a cornerstone of local tourism, and the Niagara County Legislature wishes to support this influx of revenue, 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 Lewiston Art Festival committee by appropriating monies from said Community Partnership Fund as follows:

Lewiston Council on the Arts	\$2,500.00
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Moved by Bradt, seconded by Robins.
Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IL-010-24

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

Dated: February 20, 2024

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

WHEREAS, Community Partnership Funds help support numerous organizations across Niagara County that are important to local communities, and

WHEREAS, the various organizations and groups throughout the Town of Porter help with activities, enrichment programs, community events, education, beautification, conservation, support, maintenance and or repair, for our community and citizens of all ages, and

WHEREAS, the Town of Porter supports the business and social community, wishing to provide for the citizens a sense of well-being individually and socially, 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 organizations listed below as follows:

Ransomville Historical Society	\$250.00
Youngstown Historical Society	\$250.00
Ransomville Library	\$1500.00
Youngstown Library	\$1500.00
Youngstown Lions Club	\$1500.00
Town of Porter Recreation	\$1000.00
Town of Porter Summer Fest	\$1000.00
Ransomville Garden Club	\$500.00
Youngstown Garden Club	\$500.00
O'Leo Curtiss Legion Post	\$500.00
Youngstown VFW Post	\$500.00
3-F Club	\$1500.00
St. John's Episcopal Church Strawberry Festival	\$500.00
Ransomville Business Association	\$500.00
Youngstown Business Association	\$500.00
Cub Scout Pack#829	\$850.00
Boy Scout Pack#829	\$2000.00

Moved by Bradt, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IL-011-24

From: Legislator David E. Godfrey.

Dated: February 20, 2024

**INTER-MUNICIPAL VEHICLE TRANSFER AGREEMENT
NIAGARA COUNTY SHERIFF'S OFFICE AND
THE WILSON FIRE COMPANY**

WHEREAS, Niagara County currently possesses 2021 Dodge Charger previously used by the Niagara County Sheriff's Office which is no longer needed for County use and which the County wishes to declare as surplus property, and

WHEREAS, the Wilson Fire Company has a need for a vehicle matching the above description for use by the Wilson Fire Company in the performance of their duties, and

WHEREAS, an Inter-Municipal Agreement between the County of Niagara and the Wilson Fire Company has been drafted by the County Attorney's Office which details the terms of a transfer of the aforementioned 2021 Dodge Charger VIN# 2C3CDXKGMH595613, now, therefore, be it

RESOLVED, that the County of Niagara declares the 2021 Dodge Charger to be surplus property and authorizes an agreement with the Wilson Fire Company to transfer the ownership of the 2021 Dodge Charger, and be it further

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

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

Carried.

Moved by Godfrey, seconded by Robins.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IL-012-24

From: Legislators Jesse P. Gooch and Rebecca J. Wydysh.

Dated: February 20, 2024

**INTER-MUNICIPAL VEHICLE TRANSFER AGREEMENT
NIAGARA COUNTY SHERIFF'S OFFICE AND
THE WHEATFIELD CONSTABLES**

WHEREAS, Niagara County currently possesses 2021 Dodge Charger previously used by the Niagara County Sheriff's Office which is no longer needed for County use and which the County wishes to declare as surplus property, and

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

WHEREAS, an Inter-Municipal Agreement between the County of Niagara and the Wheatfield has been drafted by the County Attorney's Office which details the terms of a transfer of the aforementioned 2021 Dodge Charger VIN#2C3CDXKG8MH595612, now, therefore, be it

RESOLVED, that the County of Niagara declares the 2021 Dodge Charger to be surplus property and authorizes an agreement with the Town of Wheatfield Constables to transfer the ownership of the 2021 Dodge Charger, and be it further

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

Moved by Godfrey, 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 Godfrey, seconded by Bradt.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IL-013-24

From: Legislator Shawn A. Foti.

Dated: February 20, 2024

**INTER-MUNICIPAL VEHICLE TRANSFER AGREEMENT
NIAGARA COUNTY SHERIFF'S OFFICE AND
THE TOWN OF NEWFANE DOG CONTROL**

WHEREAS, Niagara County currently possesses 2021 Dodge Charger previously used by the Niagara County Sheriff's Office which is no longer needed for County use and which the County wishes to declare as surplus property, and

WHEREAS, the Town of Newfane Dog Control Office has a need for a vehicle matching the above description for use by the Town of Newfane Dog Control in the performance of their duties, and

WHEREAS, an Inter-Municipal Agreement between the County of Niagara and the Town of Newfane Dog Control has been drafted by the County Attorney's Office which details the terms of a transfer of the aforementioned 2021 Dodge Charger VIN# 2C3CDXKGMH609087, now, therefore, be it

RESOLVED, that the County of Niagara declares the 2021 Dodge Charger to be surplus property and authorizes an agreement with the Town of Newfane Dog Control to transfer the ownership of the 2021 Dodge Charger, and be it further

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

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

Carried.

Moved by Nemi, seconded by Abbott.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

Resolution No. IL-014-24

From: Legislators Richard E. Abbott, Anthony J. Nemi and Carla L. Speranza.

Dated: February 20, 2024

**RENEWAL OF ELIMINATION OF NIAGARA COUNTY TAX FOR
CITY OF LOCKPORT WATER SUPPLY LINE**

WHEREAS, the City of Lockport raw water intake is in North Tonawanda, and

WHEREAS, the raw water line intake travels from the North Tonawanda through the municipalities of Pendleton, Wheatfield, Lockport (Town) and North Tonawanda for a total of 13 miles to get to the City of Lockport Summit Street filtration plant, and

WHEREAS, the City of Lockport prior to June 17, 2007, paid Niagara County property tax based upon the assessment of the raw water line which resulted in a water bill increases for each homeowner in the City of Lockport, and

WHEREAS, a 100% tax exemption for the City of Lockport from the Niagara County taxes on the above described 13 mile raw water line resulted in a tax levy impact of less than one cent per thousand of assessed property values, and

WHEREAS, the County passed resolution IL-046-08 on June 17, 2008 granting a tax exemption for a period of five years upon the condition that the savings be deposited into a fund designed for and used to repair or replace damaged Lockport City owned water lines thereby providing lower water bill costs to the City of Lockport residents who are residents of the County of Niagara as well, and

WHEREAS, the County passed Resolution IL-045-18 and the City of Lockport passed Resolution 120518.14B in 2018 extending the exemption for an additional five (5) years until March 1, 2024, and

WHEREAS, the City of Lockport and County of Niagara desires to renew said exemption for one (1) additional year, and

WHEREAS, the City of Lockport set up an account to deposit said savings for repairs and improvement, and the Department of Utilities prepared and submitted a plan each year to the Mayor and Common Council for expenditure in accordance with the above, now, therefore, be it

RESOLVED, that the County Attorney be directed to prepare the proper documents between the City of Lockport and the County of Niagara to finalize a 100% county tax exemption arrangement on the above described water intake line for one additional year until March 1, 2025.

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

Carried.

Moved by Abbott, seconded by Nemi.

Adopted. 11 Ayes, 0 Noes, 4 Absent – Foti, Gooch, Hill, Myers.

APPOINTMENTS:

COMMUNITY SERVICES BOARD:

Dr. Annette Dobrasz

1318 Ridge Rd., Lewiston 14092

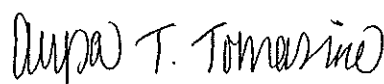
Moved by Bradt, second by Robins.

Approved.

Moved by McKimmie, seconded by Speranza that the Board adjourn.

The Chairman declared the Board adjourned 6:43 p.m., subject to the call of the Clerk.

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



Alysia T. Tomasino, Clerk

Appt.

Expires

02/20/24

12/31/27