

OFFICIAL RECORD

Lockport, NY
March 13, 2020

The special meeting was called to order by Chairman Wydysh at 4:40 p.m.

Clerk Tamburlin called the roll. All Legislators were present, with the exception of Legislators Godfrey, Hill, Myers, Nemi Steed and Virtuoso.

Suspension of Rules was made.
Moved by Bradt, second by Grozio.
Carried.

Resolution No. CW-008-20
From: Committee of the Whole.
Dated: March 27, 2020

**DUTIES OF THE CHAIRMAN OF THE NIAGARA COUNTY LEGISLATURE
CONCERNING THE CORONAVIRUS**

WHEREAS, the Niagara County Administrative Code as adopted in 2003 by Resolution No. AD-027-03 provides as follows:

§A2-3. Powers and Duties

A. The County Legislature shall exercise all the powers and duties now or hereafter conferred or imposed by state law upon . . . a County Legislature of a county and all powers and duties necessarily implied or incidental thereto.

and

WHEREAS, the Niagara County Administrative Code aforesaid further provides:

§A2-5. Chair of the County Legislature; Power and Duties

Except as may otherwise be provided in this Administrative Code, the Chair of the County Legislature shall have all the powers and duties now or hereafter conferred or imposed upon a Chair of a County Legislature by law. Among such powers and duties, but not by way of limitation, the Chair shall: . . .

C. Perform such other administrative duties as the Legislature determines.

and

WHEREAS, the Coronavirus has become a pandemic and requires emergency action on behalf of Niagara County and its Departments in order to protect the health and safety of the residents of Niagara County, and

WHEREAS, the Rules of Order of the Niagara County Legislature provide that Special Meetings shall be conducted upon forty-eight (48) hours' notice, [See Rule 2 of the Niagara County Legislature], and

WHEREAS, on March 7, 2020, the Governor of the State of New York, Andrew M. Cuomo, by Executive Order No. 202: Declared a Disaster Emergency in the State of New York, and

WHEREAS, such March 7, 2020 Executive Order temporarily suspends or modifies any local law, order or rules if compliance with such would prevent, hinder or delay action necessary to cope with the disaster or emergency, and

WHEREAS, the Rules of the Legislature permit the suspension at any time during the session by two-thirds votes of all member/s of the Legislature prevent, upon statement by a member present of the purpose of making such application [See Rules 26], and

WHEREAS, the necessary responses by the Niagara County Legislature require immediate actions for which no unnecessary delay can occur, and

WHEREAS, the Niagara County Legislature as stated aforesaid has the authority to increase the powers and duties of the Chairman of the Niagara County Legislature, and

WHEREAS, it is the intent of the Niagara County Legislature to authorize the Chairman of the Niagara County Legislature, following consultation with the Niagara County Manager and the Niagara County Attorney and the consent of such Niagara County Officers to sign and any all documents and/or contracts necessary to protect the residents of Niagara County from Coronavirus, now, therefore, be it

RESOLVED, that the forty-eight (48) hour notice requirement of Rule 2 of the Rules of Order of the Niagara County Legislature is hereby suspended, and be it further

RESOLVED, that the Chairman of the Niagara County Legislature is hereby authorized to sign and execute any and all documents, contracts or agreements relative to the Coronavirus following consultation with the Niagara County Manager and the Niagara County Attorney and after receiving their approval, and be it further

RESOLVED, that this additional authority given to the Chairman of the Niagara County Legislature concerning the Coronavirus shall remain in full force and effect until such time as the Niagara County Legislature shall repeal, rescind or otherwise amend this Resolution, and be it further


RESOLVED, that members of the Niagara County Legislature shall be informed of any and all action so taken by the Chairman of the Niagara County Legislature by email of any and all documents so executed within forty-eight (48) hours of such execution by the Chairman of the Niagara County Legislature.

Moved by Bradt, second by Grozio.

Adopted. 9 Ayes, 0 Noes, 6 Absent- Godfrey, Hill, Myers, Nemi, Steed, Virtuoso.

Moved by Grozio, second by Bradt that the Board adjourn.

The Chairman declared the Board adjourned at 4:52 p.m., subject to the call of the Clerk.


Mary Jo Tamburlin, Clerk