

OFFICIAL RECORD

Lockport, New York
April 25, 2023

The meeting was called to order by Chairman Wydysh at 6:02 p.m.

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

Chairman Wydysh called Legislator Godfrey, Sheriff Michael Filicetti and Staff to the lectern to read a proclamation declaring May 7th-13th, 2023 "Corrections Officers Week" in Niagara County.

Chairman Wydysh called Legislator Gooch and Commissioner of Social Services Meghan Lutz to the lectern to read a proclamation declaring April 2023 "Child Abuse Prevention Month" in Niagara County.

Chairman Wydysh called Legislator Andres and Commissioner of Economic Development Michael Casale to the lectern to present the 2023 Economic Address.

No citizens spoke on the Agenda.

Moved by Wydysh, second by Robins to remove IF-072-23 from the preferred agenda.

Moved by Abbott, second by Andres to remove IL-036-23 from the preferred agenda.

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

Resolution No. CW-010-23 was read at this time. (Appears in numerical order)

Resolution No. CW-011-23 was read at this time. (Appears in numerical order)

Resolution No. CW-012-23 was read at this time. (Appears in numerical order)

Resolution No. CW-013-23 was read at this time. (Appears in numerical order)

Resolution No. AD-011-23

From: Administration Committee.

Dated: April 25, 2023

SUMMER HOURS – 2023

WHEREAS, the County has agreed to a ten-week period for a summer work schedule change, and

WHEREAS, it was agreed that this new schedule will apply only to those departments and employees who are on a Monday through Friday, 9:00 a.m. to 5:00 p.m. schedule, now, therefore, be it

RESOLVED, that effective June 25, 2023 through September 2, 2023 the work schedule of the County employees mentioned above will be 8:30 a.m. to 4:30 p.m. with the following regulations:

1. Any department required by local regulations or law to remain open until 5:00 p.m. may be exempt from this schedule.

2. Each Department Head is authorized to return to the 9:00 a.m. to 5:00 p.m. schedule if the new hours cause operational problems, or if the employees abuse the new work schedule.
3. This agreement is for the ten-week period as stated above and will not be repeated without further Legislative action.
4. Public notice of the hours will be posted in all County offices affected.
5. Any deviation from the above must be cleared with the Human Resources Department.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CS-017-23

From: Community Services and Administration Committees.

Dated: April 25, 2023

**BUDGET MODIFICATION
EMERGENCY RENTAL ASSISTANCE PROGRAM**

WHEREAS, the New York State Office of Temporary and Disability Assistance did make state-wide funds available for outreach and application assistance for the Emergency Rental Assistance Program, and

WHEREAS, these resources are directed toward community agencies to provide outreach to eligible households and assist them in applying for rental and utility arrears payments, and

WHEREAS, Niagara County did receive an allocation of \$620,757.95, 100% federally funded, not all of which has been expended, now, therefore, be it

RESOLVED, that Niagara County Department of Social Services will continue to contract with VIA 211 Visually Impaired Advancement, to provide the necessary services as outlined in the Emergency Rental Assistance Program requirements, and be it further

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

INCREASE REVENUE:

A.22.6010.000 44089.06 Federal Aid, Other Coronavirus Emerg Suppl Funding \$ 149,429.00

INCREASE APPROPRIATION:

A.22.6010.000 74500.01 Contractual Exp – Contractual \$ 149,429.00

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CS-018-23

From: Community Services and Administration Committees.

Dated: April 25, 2023

**MH - 2023 BUDGET MODIFICATION – ACCEPT NEW YORK STATE OFFICE OF
MENTAL HEALTH ONE-TIME ONLY FUNDING FOR SCHOOL BASED MENTAL
HEALTH CLINIC SERVICES FOR NIAGARA COUNTY**

WHEREAS, Niagara County Department of Mental Health and Substance Abuse Services receives funding from the New York State Office of Mental Health (OMH) for the oversight and provision of mental health, alcohol and substance abuse, and developmental disabilities services in Niagara County, and

WHEREAS, the New York State Office of Mental Health has given a one-time allocation of funding to enhance school based mental health clinic services in Niagara County, now, therefore, be it

RESOLVED, that the following 2023 budget modifications be effectuated to the department and contract agency budgets and the department is given authorization to accept New York State Office of Mental Health funding effective April 25, 2023 and engage in the process to carry out the necessary agreements between the County and BestSelf Behavioral Health, Inc. and Gateway-Longview, Inc., subject to the approval of the County Attorney's Office, and that the Agreements may be executed, pursuant to the Niagara County Contract Policy:

INCREASE REVENUES:

| | | |
|------------------------|--|-----------|
| A.21.4322.415.43490.01 | Community Support Services Programs | \$ 86,560 |
| | (BestSelf Behavioral Health, Inc., Gateway-Longview, Inc.) | |

INCREASE APPROPRIATIONS:

| | | |
|------------------------|--|-----------|
| A.21.4322.415.74500.01 | Community Support Services Programs | \$ 86,560 |
| | (BestSelf Behavioral Health, Inc., Gateway-Longview, Inc.) | |

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CS-019-23

From: Community Services and Administration Committees.

Dated: April 25, 2023

**WAIVER OF RESIDENCY REQUIREMENT
FOR REGISTERED NURSE AND SENIOR REGISTERED NURSE
POSITIONS – CURRENT VACANCIES -
DEPARTMENT OF MENTAL HEALTH & SUBSTANCE ABUSE SERVICES**

WHEREAS, the Niagara County Department of Mental Health & Substance Abuse Services has received permission to fill vacant positions within the Department of Mental Health and Substance Abuse Services, which are critical for maintaining quality service to Niagara County residents, and

WHEREAS, due to long standing challenges with recruitment and professional workforce shortages for Specialized Clinical positions, and

WHEREAS, the Department has made a diligent and sincere effort to recruit candidates for these positions from within Niagara County, including through the County website, social media pages, job/career fairs, and job recruitment sites, and

WHEREAS, the department continues to prioritize the hiring of Niagara County residents for these positions when available, now, therefore, be it

RESOLVED, that a Waiver of Residency from the policy to hire only Niagara County residents be approved to fill the following position numbers: #13490 Senior RN-Mental Health, #13663 RN-Mental Health.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CSS-044-23

From: Community Safety & Security and Administration Committees.

Dated: April 25, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE
EXTENSION OF FORENSIC FIREARMS CONSULTANT AGREEMENT**

WHEREAS, the County of Niagara entered into a Consulting Agreement with Mark Shaw as a consultant for forensic firearms testing and examinations for the Niagara County Sheriff's Office Forensic Laboratory, and

WHEREAS, the current agreement is dated May 1, 2017 and has a term of two (2) years from that date with the option of extending the agreement by an amendment, and

WHEREAS, the Sheriff's Office wishes to extend the agreement with Mark Shaw for a fifth one-year extension period due to a turnover in staffing which necessitated hiring a new Firearms Consultant who has to complete training, now, therefore, be it

RESOLVED, that the Niagara County Legislature has determined that the services to be provided by the consultant requires a high degree of specialized skill constituting "professional services" and hereby waives any requirement that additional proposals be obtained or solicited, and be it further

RESOLVED, that the County Attorney will draft an amendment for a one-year extension, and be it further

RESOLVED, that the Forensic Firearms Consultant Agreement extension with Mark Shaw may be executed pursuant to the Niagara County Contract Policy.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CSS-045-23

From: Community Safety & Security and Administration Committees.

Dated: April 25, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – STOP DWI FOUNDATION GRANT**

WHEREAS, the New York State STOP-DWI Foundation, Inc. has notified the Niagara County Sheriff's Office of an additional \$8,000 in grant funds available to use for High Visibility Engagement Campaigns this year, and

WHEREAS, the grant funds are utilized for enforcement efforts by multiple law enforcement agencies during peak holidays with the goal of reducing the number of crashes, injuries and deaths on Niagara County roads, and

WHEREAS, it is necessary to modify the 2023 budget to utilize these funds, now, therefore, be it

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

| | | |
|------------------------|-----------------------------|---------|
| A.17.3315.000 44389.09 | Other Public Safety Traffic | \$8,000 |
|------------------------|-----------------------------|---------|

INCREASE APPROPRIATIONS:

| | | |
|------------------------|--|---------|
| A.17.3315.000 74400.09 | Miscellaneous Expenses Payments Other Agencies | \$8,000 |
|------------------------|--|---------|

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CSS-046-23

From: Community Safety & Security and Administration Committees.

Dated: April 25, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION – ACCEPT FY22 STONEGARDEN GRANT**

WHEREAS, the Niagara County Sheriff's Office has been notified by the New York State Department of Homeland Security and Emergency Services that it has been awarded \$101,700 under the FY2022 Operation Stonegarden Program, whose funding is provided by the U.S. Department of Homeland Security and Emergency Services, and

WHEREAS, Operation Stonegarden has been awarded to the Niagara County Sheriff's Office for many years for expenses to assist the County in conducting border centric, intelligence driven operations with the goal of reduction or elimination of threat, risk and vulnerability along our nation's borders, and

WHEREAS, the performance period for the grant is September 1, 2022 through August 31, 2025, and

WHEREAS, the 2023 budget needs to be amended to accept the revenue, now, therefore, be it

RESOLVED, that following the County Attorney's review, the FY22 Operation Stonegarden Grant may be executed pursuant to the Niagara County Contract Policy, and be it further

RESOLVED, that the following budget modification be effectuated:

INCREASE ESTIMATED REVENUE:

| | | |
|------------------------|---------------------------------|-----------|
| A.17.3645.000 44305.02 | Civil Defense Homeland Security | \$101,700 |
|------------------------|---------------------------------|-----------|

INCREASE APPROPRIATIONS:

| | | |
|------------------------|-------------------------------|----------|
| A.17.3645.000 71050.00 | Overtime Expense | \$22,460 |
| A.17.3645.000 74400.09 | Payments Other Agencies | \$72,400 |
| A.17.3645.000 78100.00 | Retirement Expense | \$ 4,541 |
| A.17.3645.000 78200.00 | FICA Expense | \$ 1,718 |
| A.17.3645.000 78300.00 | Worker's Compensation Expense | \$ 581 |

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CSS-047-23

From: Community Safety & Security and Administration Committees.

Dated: April 25, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE
ACCEPT STOP VIOLENCE AGAINST WOMEN ACT FORMULA GRANT**

WHEREAS, the Niagara County Sheriff's Office has been notified by the New York State Division of Criminal Justice Services that it has been awarded \$50,000 under period 3 of the STOP Violence Against Women Act (VAWA) Formula Grant, and

WHEREAS, the STOP VAWA grant funds are used to help fund a full time Crime Victim Advocate dedicated to Domestic Violence cases to help Domestic Violence victims throughout Niagara County, and

WHEREAS, the performance period for the grant is January 1, 2023 through December 31, 2023, and

WHEREAS, the funds are already in the 2023 budget, now, therefore, be it

RESOLVED, that following the County Attorney's review, the STOP Violence Against Women Act Formula Grant may be executed pursuant to the Niagara County Contract Policy.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CSS-048-23

From: Community Safety & Security and Administration Committees.

Dated: April 25, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE
WILMAC SOLE/ SINGLE SOURCE DESIGNATION FOR UPGRADE OF NICE SYSTEM**

WHEREAS, the Niagara County Sheriff's Office Communication 911 Center has a NICE Systems Inc. digital recording system which records and plays back the Sheriff's Office telephone system 911 calls and radio system calls, and

WHEREAS, this system is critical for the function of the Communication Center as well as law enforcement agencies throughout Niagara County and is due for a system upgrade, and

WHEREAS, the NICE system licenses are on OGS contract but the upgrade service is not on OGS contract, and

WHEREAS, Wilmac is the only NICE contracted Premier Public Safety Dealer Business Partner in Western New York State, now, therefore be it

RESOLVED, that the Niagara County Sheriff's Office be authorized to waive the requirement for a Request for Proposal or additional bids to install the upgrade to the NICE Systems Inc digital recording system and that Wilmac be recognized as the sole source provider for this upgrade.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CSS-049-23

From: Community Safety & Security and Administration Committees.

Dated: April 25, 2023

**NIAGARA COUNTY SHERIFF'S OFFICE
STANLEY SECURITY SINGLE SOURCE DESIGNATION
FOR SECURITY SYSTEM CARD READER UPGRADE**

WHEREAS, the Niagara County Sheriff's Office Correctional Facility has an integrated security system through Stanley Security which includes card reader security for some of the doors of the jail, and

WHEREAS, the Niagara County Sheriff's Office has Capital Project H726 to replace the outdated card reader security systems for the Sheriff's Office, Jail and Harmon Building because they are outdated and no longer supported, and

WHEREAS, it is imperative that the security system within the Niagara County Jail be fully integrated within itself but should be separate for the rest of the security of the Sheriff's Office for added safety, and

WHEREAS, the Sheriff's Office wishes to complete the needed upgrade to the card reader security system within the Niagara County Jail using Stanley Security to ensure an effective integrated security system within the Jail, now, therefore, be it

RESOLVED, that the Niagara County Sheriff's Office be authorized to waive the requirement for Sealed Bids or Request for Proposal to upgrade the Card Reader Security System in the Niagara County Jail and that Stanley Security be recognized as the single source provider for this upgrade.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CSS-050-23

From: Community Safety & Security and Administration Committees.

Dated: April 25, 2023

**EMERGENCY SERVICES – AMBULANCE DIVISION
AWARD OF BID – EMS SOFTWARE**

WHEREAS, the Emergency Services, Ambulance Division, has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Bid #2023-07, Electronic Patient Care Report Software ("EPCR"), and

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

| | | |
|----|---------------------|-------------|
| 1. | GenesisTMG LLC | \$1,449,135 |
| 2. | ImageTrend, LLC | \$ 55,920 |
| 3. | ESO Solutions, Inc. | \$ 29,340 |

WHEREAS, funds are available through the State Homeland Security Program Grant FY2020, 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 proposal for the Electronic Patient Care Report Software be awarded to the lowest responsible bidder, ESO Solutions, Inc 11500 Alterra Parkway, Suite 100, Austin, TX 78758, in the amount of \$29,340, and be it further

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

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CSS-051-23

From: Community Safety & Security and Administration Committees.

Dated: April 25, 2023

**AWARD OF CONTRACT – COUNTY AMBULANCE SERVICES MEDICAL DIRECTOR
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, the Niagara County Department of Emergency Services, Ambulance Division, has evaluated proposals from pre-qualified service providers for Professional Services for an EMS Medical Director, and

WHEREAS, funds are set to be available in 2023 budget under account number A.19.4540.000 74650.08 professional consultants and services will commence April 25, 2023, and

WHEREAS, prior to the execution of the Medical Director Agreement with Dr. John McNamara from UB|MD Emergency Medicine, Community Division, the County Attorney will review the agreement for approval as to legal form, language and compliance, now, therefore, be it

RESOLVED, that the contract for Professional Services for an EMS Medical Director be awarded UB|MD Emergency Medicine EMS Division, 462 Grider Street, Buffalo, NY 14215, for a contract not to exceed \$19,900, 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 Medical Director Agreement.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CW-008-23

From: Committee of the Whole.

Dated: April 25, 2023

**RESOLUTION REQUESTING TO AMEND THE TAX LAW, IN RELATION TO
CONTINUING TO AUTHORIZE NIAGARA COUNTY TO IMPOSE
AN ADDITIONAL RATE OF SALES AND COMPENSATING USE TAXES, PURSUANT TO
SENATE BILL NO. S6064 AND ASSEMBLY BILL NO. A6171**

WHEREAS, in 2003 the County of Niagara requested the State of New York to amend Article 29, Sections, 1210, 1224 and 1262-n of the State of New York to authorize the County of Niagara to impose an additional one percent (1%) rate of tax in addition to the three percent (3%) the County is authorized to impose and pursuant thereto the County imposed the additional one percent (1%) rate and dedicated the funds so raised to the payment of the local share of Medicaid costs, and

WHEREAS, the County of Niagara deemed it necessary to extend the additional one percent (1%) in the Niagara County sales tax which was imposed pursuant to Home Rule Message resolution FN-005-03 adopted January 21, 2003 and pursuant to imposition resolution FN-006-03 adopted January 22, 2003 to enable the County of Niagara to offset the cost of the local share of Medicaid, and

WHEREAS, the additional one percent (1%) was imposed for the period beginning March 1, 2003 and ending November 30, 2005, and

WHEREAS, the County of Niagara thereafter deemed it necessary to extend the additional one percent (1%) in the Niagara County sales tax, as set forth in Home Rule Message resolution AD-017-05 adopted April 19, 2005 and imposition resolution AD-027-05 adopted July 12, 2005 to enable the County of Niagara to continue to offset the cost of the local share of mandated Medicaid costs, and

WHEREAS, the extension of the additional one percent (1%) rate was imposed for the period beginning December 1, 2005 and ending November 30, 2007, and

WHEREAS, the County of Niagara thereafter deemed it necessary to extend the additional one percent (1%) in the Niagara County sales tax, as set forth in Home Rule Message resolution AD-017-07 adopted May 1, 2007 and imposition resolution CW-001-07 adopted August 7, 2007 to enable the County of Niagara to continue to offset the cost of the local share mandated Medicaid costs, and

WHEREAS, the extension of the additional one percent (1%) rate was imposed for the period beginning December 1, 2007 and ending November 30, 2009, and

WHEREAS, the County of Niagara thereafter deemed it necessary to extend the additional one percent (1%) in the Niagara County sales tax, as set forth in Home Rule Message Resolution AD-012-09 adopted May 5, 2009 and imposition resolution CW-001-09 adopted July 28, 2009 to enable the County of Niagara to continue to offset the cost of the local share mandated Medicaid costs, and

WHEREAS, the extension of the one percent (1%) rate was imposed from the period beginning December 1, 2009 and ending November 30, 2011, and

WHEREAS, the County of Niagara thereafter deemed it necessary to extend the additional one percent (1%) in the Niagara County sales tax, as set forth in Home Rule Message Resolution AD-015-11 adopted May 17, 2011 and imposition resolution CW-001-11 adopted August 22, 2011 to enable the County of Niagara to continue to offset the cost of the local share mandated Medicaid costs, and

WHEREAS, the extension of the one (1%) percent rate was imposed from the period beginning December 1, 2011 and ending November 30, 2013, and

WHEREAS, the County of Niagara thereafter deemed it necessary to extend the additional one percent (1%) sales tax, as set forth in Home Rule Message Resolution AD-009-13 adopted May 21, 2013 and imposition resolution AD-019-13 adopted August 6, 2013 to enable the County of Niagara to continue to offset the cost of the local share of mandated Medicaid costs, and

WHEREAS, the extension of the one (1%) percent rate was imposed from the period beginning December 1, 2013 and ending November 30, 2015, and

WHEREAS, the County of Niagara thereafter deemed it necessary to extend the additional one percent (1%) sales tax, as set forth in Home Rule Message Resolution CW-009-15 adopted May 19, 2015 and imposition resolution CW-013-15 adopted September 9, 2015 to enable the County of Niagara to continue to offset the cost of the local share of mandated Medicaid costs, and

WHEREAS, the extension of the one percent (1%) rate was imposed from the period beginning December 1, 2015 and ending November 30, 2017, and

WHEREAS, the County of Niagara thereafter deemed it necessary to extend the additional one percent (1%) sales tax, as set forth in Home Rule Message Resolution CW-003-17 adopted May 2, 2017 and imposition resolution CW-005-17 adopted August 1, 2017 to enable the County of Niagara to continue to offset the cost of the local share of mandated Medicaid costs, and

WHEREAS, the extension of the one percent (1%) rate was imposed from the period beginning December 1, 2017 and ending November 30, 2020, and

WHEREAS, the County of Niagara thereafter deemed it necessary to extend the additional one percent (1%) sales tax, as set forth in Home Rule Message Resolution CW-007-20 adopted March 10, 2020 and imposition

resolution CW-018-20 adopted June 16, 2020 to enable the County of Niagara to continue to offset the cost of the local share of mandated Medicaid costs, and

WHEREAS, the extension of the one percent (1%) rate was imposed from the period beginning December 1, 2020 and ending November 30, 2023, and

WHEREAS, the Niagara County Legislature hereby finds that it is necessary to further extend the additional one percent (1%) sales tax for the period beginning December 1, 2023 and ending November 30, 2025 to enable the County of Niagara to continue to offset the cost of the local share of mandated Medicaid costs, now, therefore, be it

RESOLVED, that the Niagara County Legislature requests the New York Legislature to authorize the County of Niagara to continue to impose an additional one percent (1%) rate of tax for the period beginning December 1, 2023 and ending November 30, 2025 in addition to the three percent (3%) the County is authorized to impose and to dedicate the funds from the additional one percent (1%) rate to the payment of the local share of Medicaid costs, said authorization in the form of Senate Bill No. S6064 and Assembly Bill No. A6171, and be it further

RESOLVED, that the Clerk of the Niagara County Legislature be authorized to execute the proper Home Rule Message documents and immediately forward them to the New York State Legislature.

Moved by Nemi, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CW-009-23

From: Committee of the Whole.

Dated: April 25, 2023

**CREATE TEMPORARY SENIOR RN POSITION / BUDGET MODIFICATION
NIAGARA COUNTY DEPARTMENT OF MENTAL HEALTH & SUBSTANCE ABUSE SVCS**

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

WHEREAS, the Department's current Senior RN – Mental Health is vacating their position, and

WHEREAS, the Senior RN - Mental Health position is a key position within the department, which is necessary to address the acute Mental Health and co-occurring substance use concerns of our clinic population, and

WHEREAS, the department wishes to ensure the appropriate orientation and training of the new hire, an external employee, who will be taking the Senior RN – Mental Health position and ensure continuity of care to our clinic clients, and

WHEREAS, orientation and training to the policies and procedures of the Department and to the Senior RN role may take up to sixteen weeks, and

WHEREAS, the creation of a temporary Senior RN position will allow the new employee to receive the necessary training from the departing Senior RN, and

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

WHEREAS, the temporary Senior RN position is supported 100% through generated revenue; any additional costs are offset by the broader range of billable services the Senior RN can provide, now, therefore, be it

RESOLVED, that one temporary Senior RN, Grade 13, Step 5, position number MHD300100.XXXXXX, at \$40.59 per hour be created effective May 14, 2023, and be it further

RESOLVED, that the following transfer of position funds in the 2023 budget be effectuated:

INCREASE REVENUE:

| | | |
|------------------------|--------------------|-----------|
| A.21.4310.000.41620.00 | Mental Health Fees | \$ 30,922 |
|------------------------|--------------------|-----------|

INCREASE APPROPRIATIONS:

| | | |
|-----------------------------|--|-----------|
| A.21.4310.000.71010.00xxxxx | Positions (Temporary Sr. RN – Mental Health) | \$ 22,730 |
| A.21.4310.000.78100.00 | Retirement Expense | \$ 2,159 |
| A.21.4310.000.78200.00 | FICA | \$ 1,739 |
| A.21.4310.000.78300.00 | Worker's Comp | \$ 589 |
| A.21.4310.000.78400.01 | Insurance, Health Active Hospital/Medical | \$ 3,654 |
| A.21.4310.000.78700.00 | Disability | \$ 51 |

Moved by Gooch, seconded by Elder.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CW-010-23

From: Committee of the Whole.

Dated: April 25, 2023

**RESOLUTION FOR FUNDING TO CONSTRUCT THE
NIAGARA COUNTY LAW ENFORCEMENT ACADEMY**

WHEREAS, the County of Niagara, City of Niagara Falls and Niagara County Community College entered into an Intermunicipal Agreement for the operation of the Niagara County Law Enforcement Academy at the college campus of Niagara County Community College, and

WHEREAS, the Niagara County Community College provided space as a short-term solution, however a new space with up-to-date technology is needed to provide optimal training and education to the law enforcement officers and pre-employed students in the Criminal Justice program, and

WHEREAS, to meet this need, Niagara County Community College, as part of its capital plan, will undertake development of a new 14,000 square foot facility to provide simulation labs and classroom space for the Niagara County Law Enforcement Academy (NCLEA), which will be utilized to provide the foundation anchor for their Criminal Justice Program, while simultaneously allowing for the County's law enforcement officers to be integrated/educated utilizing this up to date and modern facility, and

WHEREAS, the initial cost of developing the NCLEA building had been estimated at \$4,540,000.00, and

WHEREAS, the initial IL-028-21 has been approved with funding of up to \$3,000,000 for the NCLEA building and Parking lot #4, and

WHEREAS, an additional resolution CW-023-22 was approved to provide additional \$1,000,000.00 in matching funds with the Niagara County Community College to address rising costs due to inflationary and labor pressures that escalated the initial investment needed from a \$4,940,000 total to a \$6,940,000 total cost, and

WHEREAS, the Niagara County Community College issued a Sealed Bid for the project, and

WHEREAS, the lowest bid is \$1,603,735 more than the committed funding for the project, now, therefore, be it

RESOLVED, that the County of Niagara agrees to participate in this vital investment of an additional \$1,603,735, and be it further

RESOLVED, that the County of Niagara will utilize funds from the Coronavirus State and Local Fiscal Recovery Fund, a part of the American Rescue Plan Act, and be it further

RESOLVED, that the following budget modifications be effectuated:

INCREASE REVENUE:

| | | |
|---------------------------|---------------------------|-------------|
| H762.17.2497.000 44089.07 | ARPA State/local Rec Fund | \$1,603,735 |
|---------------------------|---------------------------|-------------|

INCREASE APPROPRIATION:

| | | |
|---------------------------|----------------|-------------|
| H762.17.2497.000 72200.02 | Buildings-NCCC | \$1,603,375 |
|---------------------------|----------------|-------------|

Moved by Voccio, seconded by Grozio.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CW-011-23

From: Committee of the Whole.

Dated: April 25, 2023

AWARD OF CONTRACT – OPERATIONAL ANALYSIS AND DEPLOYMENT ALTERNATIVES FOR THE EMERGENCY MEDICAL SERVICES DEPLOYMENT AND RESPONSE SYSTEM

WHEREAS, the Emergency Services Department has prepared specifications and the Niagara County Purchasing Department has solicited for bids for the Professional Services Contract to provide Operational Analysis and Deployment Alternatives for the Emergency Medical Services Deployment and Response System in Niagara County as directed in the Request for Proposal No. 2023-06 prepared by the Purchasing Department, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on March 30, 2023:

1. Center for Governmental Research
1 South Washington Street, Suite 400
Rochester, NY 14614
2. Center for Public Safety Management, LLC
475 K Street NW, Suite 702
Washington, DC 20001
3. Fitch & Associates, LLC
2901 Williamsburg Terrace, Suite G
Platte City, MO 64079
4. The Cambridge Consulting Group, LLC
PO Box 1086
Cambridge, Maryland 21613

and

WHEREAS, the Office of Management & Budget, County Manager, County Attorney and Emergency Services Department have examined the bids, 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 Professional Services Contract to provide Operational Analysis and Deployment Alternatives for the Emergency Medical Services Deployment and Response System in Niagara County be awarded to the most responsible bidder, Center for Governmental Research, 1 South Washington Street, Suite 400, Rochester, NY 14614 for an amount not to exceed \$95,000, and be it further

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

RESOLVED, that the County of Niagara will utilize funds from the Coronavirus State and Local Fiscal Recovery Fund, a part of the American Rescue Plan Act, and be it further

RESOLVED, that the following budget modifications be effectuated:

INCREASE REVENUE:

| | | |
|------------------------|---------------------------|----------|
| A.19.4540.000 44089.07 | ARPA State/local Rec Fund | \$95,000 |
|------------------------|---------------------------|----------|

INCREASE APPROPRIATION:

| | | |
|------------------------|-------------|----------|
| A.19.4540.000 74500.01 | Contractual | \$95,000 |
|------------------------|-------------|----------|

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CW-012-23

From: Committee of the Whole.

Dated: April 25, 2023

**ENACT A LOCAL LAW ENTITLED "OPERATION OF OFF-ROAD VEHICLES
ON PUBLIC HIGHWAYS IN NIAGARA COUNTY"**

WHEREAS, the Niagara County Legislature presents in writing the following proposed Local Law:

A Local Law of the County of Niagara, New York, enacting "Operation of Off-Road Vehicles on Public Highways in Niagara County."

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

A new Niagara County Local Law is hereby enacted to read as follows:

**ENACT A LOCAL LAW ENTITLED "OPERATION OF OFF-ROAD VEHICLES
ON PUBLIC HIGHWAYS IN NIAGARA COUNTY"**

Section 1. Purpose

The use of off-road vehicles on public highways are a threat to the safety of pedestrians, motorists and bicyclists, as well as the fact that many off-road vehicle operators and passengers are not equipped with proper protective gear. Law enforcement has requested assistance from the Legislature, in the form of a local law giving law enforcement the power to impound illegally operated off-road vehicles. The safety, health and welfare of the residents of Niagara County is furthered by curtailing the illegal and unsafe use of off-road vehicles on public highways.

Section 2. Definitions

1. Off-Road Vehicle. Includes All-Terrain Vehicles (ATVs) as defined in Section 2281(1) of the New York State Vehicle and Traffic Law, all off-highway motorcycles as defined by Section 125-a of the New York State Vehicle and Traffic Law, and motocross and dirt bikes, dune buggies, go-carts, and any and all other types of motorized trail bikes or vehicles with a primary intention for off-road use but not including non-motorized bikes.
2. Operate. To ride in or on, other than as a passenger, or use or control the operation of an off-road vehicle in any manner regardless of if said off-road vehicle is underway.
3. Public Highway. Any highway, road, alley, street, avenue, public place, public driveway, or any other public way.

Section 3. Unlawful Conduct and Hazardous Operation of Off-Road Vehicles

1. Unless otherwise permitted by Article 48-c of the New York State Vehicle and Traffic Law or other applicable law, it shall be unlawful to operate an off-road vehicle on any public highway in Niagara County.
2. No person shall operate an ATV or any vehicle on the roadways of Niagara County unless it is covered by liability insurance; nonetheless, said ATV, or any vehicle that is not street legal may be operated by authorized government officials in furtherance of their official duties.

Section 4. Operation of Off-Road Vehicles in County Parks

1. The Niagara County Parks Policy, adopted by the Niagara County Legislature on June 2, 3008, specifically Section XXXVI of said policy shall continue to govern the use of off-road vehicles in Niagara County Parks.

Section 5. Required Protective Gears:

Operators and passengers must wear a United States Department of Transportation (USDOT) approved helmet while riding an ATV.

Section 6. Penalties

1. In addition to any other applicable penalties permitted by law, a police officer or peace officer may immediately impound any off-road vehicle that has been operated in breach of Section 3 and Section 5 of this local law.
2. Any off-road vehicle impounded pursuant to this section shall be stored pursuant to the policies and procedures of the pertinent law enforcement agency pending identification of the owner.
 - a. Proof of Ownership. Acceptable proof of ownership are:
 - i. For a new off-road vehicle-the Manufacturer's Certificate or Statement of Origin (MCO or MSO), an out-of-state title certificate or registration certificate; or
 - ii. For a used off-road vehicle-a completed "certification of Sale or Transfer" (MV-51) plus the MCO or MSO; or a New York State transferrable registration signed over to the current operator by the previous owner;
 - iii. If an off-road vehicle has never been registered and current operator/owner do not have these acceptable documents, one must complete and submit a "Statement of Ownership" through the Department of Motor Vehicle (MV 51B)
 1. Law Enforcement shall record the Vehicle Identification Number (VIN) and provide the same to the alleged owner upon request.
 - b. Off-Road Vehicles Without Required Registration
 - i. If registration of off-road vehicle is not so required, other indicia of ownership may be utilized to identify the proper off-road vehicle owner

3. Such owner shall be sent notice of such impoundment by certified mail within five days after the impoundment.
4. The law enforcement agency shall not be liable for any damages arising out of the provision of an erroneous name or address of such owner.
5. The owner of the impounded off-road vehicle may redeem the same upon satisfactory proof of ownership and payment of a redemption fee of \$250 to the impounding police department if it is the first time such vehicle has been impounded pursuant to this Local Law or \$1000 if such vehicle has previously been impounded pursuant to this Local Law. Such impounded off-road vehicle may only be released to the owner of the off-road vehicle or to his or her agent as evidenced by a written, notarized agreement or duly executed power of attorney.
6. At no time shall this Local Law apply to the operation of an off-road vehicle as an emergency vehicle by any authorized emergency, police or civil department.

Section 9. Severability

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 10. Effective Date

This Local Law shall be effective upon its filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

RESOLVED, that the Niagara County Legislature shall conduct a public hearing upon said proposed Local Law at the Legislative Chambers, Niagara County Courthouse, Lockport, New York on the 16th day of May 2023 at 5:45 p.m., and be it further

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

Moved by Abbott, seconded by Elder.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. CW-013-23

From: Committee of the Whole.

Dated: April 25, 2023

ENACT A LOCAL LAW AUTHORIZING REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE SERVICE WORKERS

WHEREAS, the Niagara County Legislature presents in writing the following proposed Local Law:

A Local Law of the County of Niagara, New York, authorizing a real property tax exemption for volunteer firefighters and volunteer ambulance service workers

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

A new Niagara County Local Law is hereby enacted to read as follows:

ENACT A LOCAL LAW AUTHORIZING REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER
FIREFIGHTERS AND VOLUNTEER AMBULANCE SERVICE WORKERS

Section 1. Purpose

New York State Real Property Tax Law was amended by the Laws of 2022, Chapter 670 adding a new provision §466-a. This section provides for an up to ten percent partial real property county tax exemption for the assessed value of the primary residence owned by a qualified and certified enrolled member of the incorporated volunteer fire company, fire department or incorporated volunteer ambulance service. The intent of this Local law is to permit the partial real property tax exemption for such qualified enrolled members of said emergency services organizations for real property taxes imposed by the County. Members of volunteer fire departments and ambulance corps provide valuable services to the people of Niagara County. In order to be certified and recertified, such volunteers must undertake numerous hours of training on their own time and often their own expense. The purpose of this exemption is to maintain the ranks of the volunteers while encouraging other volunteers to join.

Section 2. Authority

Pursuant to Chapter 670 of the Laws of 2022, effective December 9, 2022, the state Real Property Tax Law was amended by adding a new §466-a authorizing local governments including towns to enact by local law, ordinance or resolution such partial tax exemption for County real property taxes to qualified enrolled members of said emergency services organizations, following public hearing.

Section 3. Requirements

Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service residing in Niagara County unless:

1. The applicant resides in the city, town or village which is served by such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; and
2. The property is the primary residence of the applicant; and
3. The property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and
4. The applicant has been certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or voluntary ambulance service as an enrolled member of such incorporated volunteer fire company, fire department or voluntary ambulance service for a period of five years of service
5. The applicant must file a certificate from his or her qualifying organization that he or she is an enrolled member. Such certification of membership must certify that the member received credit under a service award program defined by Article 11-A, 11-AA, 11-AAA or 11-AAAA of the General Municipal Law for the period of service claimed in the application.

Section 4. Lifetime Exemption

Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated

voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within such county.

Section 5. Spousal Exemption Where Member is Killed in the Line of Duty.

Un-remarried spouses of volunteer firefighters or volunteer ambulance workers killed in the line of duty:

1. An exemption granted under this Local law shall be continued, and a pre-existing exemption shall be reinstated, where the exemption was previously claimed by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service to such deceased enrolled member's un-remarried spouse if such member is killed in the line of duty provided, however that
 - a. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who was killed in the line of duty; and
 - b. Such deceased volunteer had been an enrolled member for at least five years; and
 - c. Such deceased volunteer had been receiving the exemption prior to his or her death.

Section 6. Spousal Exemption Where Member is Deceased.

Un-remarried spouses of deceased volunteer firefighters or volunteer ambulance workers:

1. An exemption granted under this Local Law shall be continued, and a pre-existing exemption shall be reinstated, to an un-remarried spouse of a deceased enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service provided however that
 - a. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of a deceased enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; and
 - b. Such deceased volunteer had been an enrolled member for at least twenty years; and
 - c. Such deceased volunteer and un-remarried spouse had been receiving the exemption for such property prior to the death of such volunteer

Section 9. Application for Exemption

1. Application for such exemption, along with the certificate of membership defined above, shall be filed with the applicable town assessor on or before the taxable status date on a form as prescribed by New York State
2. Certification shall be required for any period of time claimed by an applicant that is not already on file with the applicable town assessor.
3. The assessor shall review the application and certification to ensure they have satisfied the requirements of this law.

Section 10. No Diminution of Benefits

No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provision of Article 4 of the state Real Property Tax Law pm the effective date of this Local Law shall suffer any diminution of such benefit because of the provisions of this Local Law.

Section 10. Effective Date

This Local Law shall be effective upon its filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

RESOLVED, that the Niagara County Legislature shall conduct a public hearing upon said proposed Local Law at the Legislative Chambers, Niagara County Courthouse, Lockport, New York on the 16th day of May 2023 at 5:40 p.m., and be it further

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

Moved by Foti, seconded by Grozio.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. ED-004-23

From: Economic Development Committee.

Dated: April 25, 2023

FIXING DATE AND NOTICE FOR THE PUBLIC HEARING FOR MICRO-ENTERPRISE GRANT FUNDS

WHEREAS, the Niagara County Legislature wishes to provide information about the progress of the ongoing Community Development Block Grant (CDBG) microenterprise project, and

WHEREAS, Niagara County is required to hold a public hearing to provide information to the public and to consider citizens' views on proposed activities and regarding community needs, now, therefore, be it

RESOLVED, that the Niagara County Legislature shall conduct a public hearing whereat all interested parties shall be heard regarding the CDBG microenterprise program, and the County's community needs at the Legislative Chambers, Courthouse, Lockport, New York on the 16th day of May 2023 at 5:50 p.m., and be it further

RESOLVED, that the Clerk of the Legislature, at least eight days in advance of such hearing, shall post a notice upon the bulletin boards in the Courthouse at Lockport, and the Civic building at Niagara Falls, and shall publish such notice once in the Lockport Union Sun & Journal, and the Niagara Gazette.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-058-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

CAPITAL PROJECT H710 CLOSEOUT WATER DISTRICT

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

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

DECREASE ESTIMATED REVENUES:

| | | |
|---------------------------|------------------------------------|--------------|
| H710.31.8397.000 45031.00 | Interfund Transfers from Operating | \$350,671.86 |
|---------------------------|------------------------------------|--------------|

DECREASE APPROPRIATIONS:

| | | |
|---------------------------|-------------------------------------|--------------|
| H710.31.8397.000 72200.01 | Water - Pump Stations HVAC Upgrades | \$350,671.86 |
|---------------------------|-------------------------------------|--------------|

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-059-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND ANCHORING HOPE OF NY, INC.

WHEREAS, Anchoring Hope of NY, Inc. has requested that the County of Niagara grant them permission to use a portion of Krull Park for the purpose of holding a 5K Walk and Basket Raffle, and

WHEREAS, it is the wish of Anchoring Hope of NY, Inc. to hold the 5K Walk and Basket Raffle on September 23, 2023, 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 Anchoring Hope of NY, Inc., and

WHEREAS, prior to the execution of the License Agreement between the County of Niagara and Anchoring Hope of NY, Inc., 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 Agreement may be executed pursuant to the Niagara County Contract Policy.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-060-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND ORLEANS NIAGARA BOCES

WHEREAS, the Orleans Niagara BOCES has requested that the County of Niagara grant them permission to use a portion of Krull Park for the purpose of holding a band concert, and

WHEREAS, it is the wish of the Orleans Niagara BOCES to hold the graduation picnic on June 13, 2023, 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 Orleans Niagara BOCES, and

WHEREAS, prior to the execution of the License 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 Orleans Niagara BOCES, 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 agreement with the Orleans Niagara BOCES may be executed pursuant to the Niagara County Contract Policy.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-061-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND
THE YMCA FITNESS IN THE PARKS PROGRAM**

WHEREAS, the YMCA Fitness in the Parks Program has requested that the County of Niagara grant them rights to operate a weekly Zumba and Yoga exercise program every Wednesday, from June 7, 2023 – August 30, 2023 in an area situated in a section of Krull Park, and

WHEREAS, this program benefits the youth and other residents of Niagara County as a whole, and

WHEREAS, such program is operated on a not-for-profit basis, 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, prior to the execution of the License Agreement between the County of Niagara and the YMCA Fitness in the Parks Program, the County Attorney will review said Agreement for approval as to legal form, language and compliance, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the YMCA Fitness in the Parks Program, now, therefore, be it

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the YMCA Fitness in the Parks Program, 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 License Agreement between the County of Niagara and the YMCA Fitness in the Parks Program may be executed, pursuant to the Niagara County Contract Policy.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-062-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND DESTINATION NIAGARA USA

WHEREAS, Destination Niagara USA has requested that the County of Niagara grant them permission to use a portion of Krull Park for the purpose of holding a fishing tournament, and

WHEREAS, it is the wish of Destination Niagara USA to hold the fishing tournament on June 1 - 4, 2023 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 Destination Niagara USA, and

WHEREAS, prior to the execution of the License Agreement between the County of Niagara and Destination Niagara USA, 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 Agreement may be executed pursuant to the Niagara County Contract Policy.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-063-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND TIME TRAVELERS OF WNY - OLCOTT BEACH CAR SHOW

WHEREAS, the Time Travelers of WNY - Olcott Beach Car Show has requested that the County of Niagara grant them permission to use the north section of Krull Park on September 1 - 2, 2023 for the purpose of holding the Olcott Beach Car Show, and

WHEREAS, this car show has been successful for the past several years in attracting thousands of visitors from across Niagara County and Greater Western New York, and

WHEREAS, it is the wish of the Time Travelers of WNY - Olcott Beach Car Show, to hold the Olcott Beach Car Show on September 1 – 2, 2023, 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 to enter into a formal agreement with the Time Travelers of WNY - Olcott Beach Car Show, and

WHEREAS, prior to the execution of the agreement, the County Attorney will review the agreement 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 Time Travelers of WNY - Olcott Beach Car Show, 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 Agreement may be executed pursuant to the Niagara County Contract Policy.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-064-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND
THE NWAA YOUTH FLAG FOOTBALL LEAGUE AND CHEERLEADING**

WHEREAS, the NWAA Youth Flag Football League has requested that the County of Niagara grant them exclusive rights to operate a flag football program in an area situated in the County owned property known as West Canal Marina Park on Tonawanda Creek Road, and

WHEREAS, this program benefits the youth and other residents of both the Town of Pendleton and Niagara Wheatfield in addition to Niagara County as a whole, and

WHEREAS, such program is operated on a not-for-profit basis, 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, prior to the execution of the License Agreement between the County of Niagara and the NWAA Youth Flag Football League, the County Attorney will review said Agreement for approval as to legal form, language and compliance, and

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the NWAA Youth Flag Football League, now, therefore, be it

RESOLVED, that following the County Attorney's review, the agreement with the NWAA Youth Flag Football League may be executed pursuant to the Niagara County Contract Policy.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-065-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

**ABOLISH ONE HEAD CLEANER II POSITION
CREATE AND FILL ONE CLEANING SERVICES SUPERVISOR POSITION**

WHEREAS, due to an upcoming retirement and personnel vacancies within the Buildings and Grounds Division of the Public Works Department, the department has reviewed its operational needs for maintaining the various office buildings throughout Niagara County, and

WHEREAS, after studying the services we provide and evaluating all options it has been determined that it would be in the best interest of the department, as well as the taxpayers, to abolish one (1) Head Cleaner II position and to create and fill one (1) Cleaning Services Supervisor position, and

WHEREAS, funding for this newly created position will be from the mentioned abolished position, and a currently vacant Building Maintenance Mechanic position, now, therefore, be it

RESOLVED, that Position No. 13401, Head Cleaner II, be abolished, effective May 1, 2023, and be it further

RESOLVED, that the one (1) position of Cleaning Services Supervisor, Step 1, at an annual salary of \$55,249 be created and filled effective May 1, 2023, and be it further

RESOLVED, that the following budget modification be made:

FROM:

| | | |
|------------------------|--|-------------|
| A.15.1620.000.71010.01 | Positions (Cleaner-Pos. #13401) | \$19,000.00 |
| A.15.1620.000.71010.01 | Positions (Building Maintenance Mechanic -Pos. #13353) | \$14,026.00 |

TO:

| | | |
|------------------------|---|-------------|
| A.15.1620.000.71010.01 | Positions (Cleaning Services Supervisor – Pos. #xxxxxx) | \$32,176.00 |
| A.15.1620.000.78400.05 | Health HRA Employer Contribution | \$ 850.00 |

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-066-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

**ANGELO DELSIGNORE CIVIC BUILDING
CURTAIN WALL RENOVATION – NORTH, SOUTH AND EAST FACADES
CHANGE ORDER NO. 1 - FINAL**

WHEREAS, Resolution No. IF-048-22, dated March 23, 2022, awarded the contract for the Angelo DelSignore Civic Building Remaining Window Project to Huber Construction, 136 Taylor Drive, Depew, NY 14043, for a contract amount of \$1,228,000.00, and

WHEREAS, the project is complete and needs to be decreased for adjustments in contract quantities by \$7,970.86, for a revised contract price of \$1,220,029.14, 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 the final payment is authorized to be processed to Huber Construction, 136 Taylor Drive, Depew, NY 14043, for a revised contract amount of \$1,220,029.14, and be it further

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

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-067-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

**ANGELO DELSIGNORE CIVIC BUILDING
REMAINING WINDOWS PROJECT
CHANGE ORDER NO. 2 - FINAL**

WHEREAS, Resolution No. IF-110-20, dated October 20, 2020, awarded the contract for the Angelo DelSignore Civic Building Remaining Window Project to Watts Architecture & Engineering, DPC with an office at 95 Perry Street, Suite 300, Buffalo, NY, 14203, for a contract amount of \$91,200.00, and

WHEREAS, Resolution No. IF-113-21, dated November 16, 2021, authorized Change Order No. 1 to extend the contract date to November 30, 2022, at no additional cost to the county, and

WHEREAS, it is necessary to extend the Contract completion date from November 30, 2021 to November 30, 2023, at no additional cost to the county, and

WHEREAS, the project is complete and completed at the original contract amount of \$91,200, 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 final payment is authorized to be processed to Watts Architecture & Engineering, 95 Perry St, Suite 300, Buffalo, NY 14203, and be it further

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

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-068-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

**ANGELO DELSIGNORE CIVIC BUILDING – ROOF REPLACEMENT PROJECT
AMENDMENT NO. 3**

WHEREAS, by Resolution No. IF-049-22, dated March 11, 2022, the Legislature awarded the contract for consultant services for the Angelo DelSignore Civic Building Roof Replacement Project to Watts Architects and Engineers, 95 Perry Street, Suite 300, Buffalo, NY 14203 for a contract amount of \$51,850.00, and

WHEREAS, Resolution No. IF-095-22, dated June 21, 2022, approved Amendment No. 1 for additional services for the Stair Penthouse Door Reconfiguration, in the amount of \$2,600, for a revised contract amount of \$54,450.00, and

WHEREAS, Resolution No. IF-023-23, dated February 21, 2023, approved Amendment No. 2 for additional services associated with the review of the cooling tower, for a fee not to exceed \$6,850.00, for a revised contract amount of \$61,300.00

WHEREAS, it is necessary to extend the contract to December 31, 2023, for a zero dollar cost increase, for a contract amount of \$61,300.00, 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, Amendment No. 3 to increase the contract by \$0.00 and extend the contract end date to December 31, 2023, for the Angelo DelSignore Civic Building Roof Replacement Project, for a revised contract amount of \$61,300.00 to Watts Architecture & Engineers, 95 Perry Street, Suite 300, Buffalo, NY 14203, be approved, and be it further

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

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-069-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

**COURT HOUSE BOILER REPLACEMENT PROFESSIONAL SERVICES CONTRACT
AMENDMENT NO. 2**

WHEREAS, Resolution No. IF-120-20 dated November 17, 2020 awarded the contract for professional services to LaBella Associates, 300 Pearls Street, Suite 130, Buffalo, NY 14202, for a contract amount not to exceed \$191,442.70, and

WHEREAS, Resolution No. IF-159-22, dated December 6, 2022, authorized Amendment No. 1 for the extension of the contract to March 31, 2024, at no additional cost, and

WHEREAS, it is necessary to increase the contract for the design of adding hot water heating coils the existing HVAC air handling units, for a fee not to exceed \$10,047.00, for a revised contract price of \$201,489.70, 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 professional services contract for the Court House Boiler Replacement project be increased by \$10,047.00, for a revised contract price of \$201,489.70, and be it further

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

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-070-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

**CARMEN ROAD BRIDGE OVER JOHNSON CREEK
CONSULTANT AMENDMENT NO. 3**

WHEREAS, Resolution No. IF-106-20, 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, it is necessary to amend the contract completion date to December 31, 2024, at no additional 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 Amendment No. 3 to amend the contract completion date to December 31, 2024 for the Carmen Road Bridge over Johnson Creek Project, for the contract amount of \$463,000, 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 Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-071-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

**AGREEMENT WITH CER NY W1, LLC
IMPOUNDMENT DRAWDOWN OF THE BURT DAM RESERVOIR**

WHEREAS, the Department of Public Works would like to rehabilitate the Wilson-Burt Road Bridge over 18 Mile Creek, Town of Newfane, and

WHEREAS, the Department of Public Works, Engineering Division, in conjunction with the County's consultant, C&S Engineers, 499 Col Eileen Collins Boulevard, Syracuse, NY 13212, has determined that it is in the best interest of the County to drawdown the level of the creek to allow for concrete repairs to the piers to be performed, and

WHEREAS, the lowering of the creek level will provide a cost savings to the project by eliminating the need for cofferdam construction, treating the water within the cofferdams and the associated environmental controls, and

WHEREAS, the owners of the Burt Dam, CER NY W1, LLC have provided a proposal for \$322,974.37, to allow for the drawdown, ensure compliance with the Federal Energy Regulatory Commission, the Regulations regarding the Endangered Blanding's Turtle, ensure all mechanical and electrical devices are functioning adequately, override facility alarms to prevent gate closures, test motoring of turbine, fit turbine with adequate overspeed protection measures, ensure elevation of impoundment remains 13-feet below normal operating pool level for entire three week duration, and

WHEREAS, funds are available in account H698.15.5197.000 72600.02, 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 agreement with CER NY W1, LLC for the impoundment drawdown of the Burt Dam Reservoir, in an amount not to exceed \$322,974.37, is approved, and be it further

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

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-072-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

PURPLE HEART VETERANS MONUMENT BUDGET MODIFICATION

WHEREAS, specifications for the Purple Heart Veterans Monument have been prepared by the Engineering Division of the Department of Public Works, and

WHEREAS, additional funds are required to allow for the placement of a Purple Heart Veterans Monument, and

WHEREAS, funds are available in contingency funds to transfer for this monument, and

WHEREAS, the Purchasing Department advertised for bids and publicly opened and read bids on April 6, 2023, as tabulated below:

- | | |
|--|--------------|
| 1. Mark Cerrone 50 Simonds Street Lockport, NY 14094 | \$129,000.00 |
| 2. Pinto Construction Services 132 Dingens Street Buffalo, NY 14206 | \$132,725.00 |
| 3. Scott Lawn Yard 3305 Haseley Drive Niagara Falls, NY 14304 | \$159,920.00 |
| 4. Laubacker Enterprises 528 62 nd Street Niagara Falls, NY 14304 | \$187,339.66 |

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:

DECREASE APPROPRIATIONS:

| | | |
|------------------------|------------------|----------|
| A.08.1990.000 74500.01 | Contingency Fund | \$80,000 |
|------------------------|------------------|----------|

INCREASE APPROPRIATIONS:

| | | |
|------------------------|------------------------------|----------|
| A.07.9950.000 79010.00 | Transfer to Capital Projects | \$80,000 |
|------------------------|------------------------------|----------|

INCREASE ESTIMATED REVENUE:

| | | |
|---------------------------|------------------------------------|----------|
| H761.15.1620.000.45031.00 | Interfund Transfers from Operating | \$80,000 |
|---------------------------|------------------------------------|----------|

INCREASE APPROPRIATIONS:

| | | |
|---------------------------|-------------------|----------|
| H761.15.1620.000.72400.00 | Land Improvements | \$80,000 |
|---------------------------|-------------------|----------|

and be it further

RESOLVED, that the contract for the Niagara County Court House Purple Heart Memorial be awarded to the lowest, responsible bidder, Mark Cerrone Inc., 2368 Maryland Avenue, Niagara Falls, NY 14305, for a contract price of \$129,000.00, and be it further

RESOLVED, the contract for the Purple Heart Memorial project be executed pursuant to the Niagara County Contract Policy.

Moved by Collins, seconded by Robins to amend the resolution.

Amendment: Forth WHEREAS number 1. , "...Change 50 Simmonds Street Lockport, NY 14094 to 2368 Maryland Avenue Niagara Falls, NY 14305 ..."

Moved by Collins, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-073-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

**AWARD CONSULTANT CONTRACT - BRALEY ROAD OVER THE EAST BRANCH OF
TWELVE MILE CREEK BRIDGE RAIL DESIGN**

WHEREAS, the Department of Public Works required the services of a Professional Consultant for emergency repairs to the bridge and approach railings of Braley Road over the East Branch of Twelve Mile Creek, and

WHEREAS, the Department of Public Works utilized a Pre-qualified Professional Consultant under the current term agreement, and

WHEREAS, CHA Consulting, Inc. provided a proposal for the design and construction inspection for said bridge rails, and

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

RESOLVED, that the following budget modification be effectuated to allow the project to proceed:

INCREASE REVENUE:

| | | |
|---------------------------|----------------------------|-----------|
| H7XX.15.5197.000 43501.00 | Consol Highway Aid Revenue | \$ 50,000 |
|---------------------------|----------------------------|-----------|

INCREASE APPROPRIATIONS:

| | | |
|---------------------------|------------------------|-----------|
| H7XX.15.5197.000 72600.02 | Infrastructure Bridges | \$ 50,000 |
|---------------------------|------------------------|-----------|

and be it further

RESOLVED, that the consultant services contract for the emergency repairs to the bridge and approach railings of Braley Road over the East Branch of Twelve Mile Creek Project be awarded to CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, for a contract amount not to exceed \$38,500, 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 Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-074-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

AWARD OF CONTRACT FOR CONTROL OF ROADSIDE VEGETATION

WHEREAS, the Commissioner of Public Works prepared specifications and the Niagara County Purchasing Department advertised for bids for the chemical weed control of roadside vegetation on County roadways, and

WHEREAS, funds are available in the 2023 budget of the Department of Public Works, and

WHEREAS, the Purchasing Department advertised for bids and publicly opened and read bids on March 7, 2023, and

| | Guide Railing Vegetation Control | |
|--|----------------------------------|-----------------------|
| | Per Side Mile | Per Gal. Mat. Applied |
| 1. DeAngelo Contracting Services 100 N. Conahan Drive Hazleton, PA 18201 | \$22.00 | \$0.69 |

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 roadside vegetation control be awarded to DeAngelo Contracting Services, 100 N. Conahan Drive, Hazleton, PA 18201, and be it further

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

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-075-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

**AWARD OF CONTRACT
COUNTY ROAD PAINTING AND STRIPING**

WHEREAS, the Department of Public Works, Division of Highways, Bridges & Structures has prepared specifications and the Purchasing Department advertised for bids for painting traffic lines on County roads, and

WHEREAS, funds are available in the 2023 budget of the Highways, Bridges & Structures Division of the Department of Public Works, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on March 7, 2023, and tabulated below:

| <u>Waterborne Paint Application</u> | <u>Price Per Mile Of Centerline</u> | <u>Price Per Mile Of Edge Line</u> |
|---|---|--|
| Accent Stripe, Inc. 3275 N. Benzing Road Orchard Park, NY 14127 | \$397.00 | \$230.00 |
| SPM Inc. 3526 Watkins Road Horseheads, NY 14854 | \$475.00 | \$325.00 |
| OH Striping, Inc. 11217 River Road Corning, NY 14830 | \$500.00 | \$350.00 |

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 low bid of Accent Strip, Inc, 3275 N. Benzing Road, Orchard Park, NY 14127, for painting traffic lines on County roads, be accepted as the lowest responsible bid meeting specifications, and be it further

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

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-076-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

BID AWARD FOR HIGHWAY MATERIALS

WHEREAS, specifications for the 2023 Highway Maintenance Program have been prepared by the Highways, Bridges & Structures Division of the Department of Public Works, and

WHEREAS, the Purchasing Department advertised for bids and publicly opened and read bids on March 7, 2023, and

WHEREAS, the New York State Department of Audit and Control, has, in the past, requested the Purchasing Agent to refer the results of the bid to the Niagara County Legislature for its approval, and

WHEREAS, the Public Works Committee has examined and found the bids acceptable, and

WHEREAS, the bids have traditionally been used or made available to all the Niagara County municipalities, and

WHEREAS, funds are available in the 2023 budget of the Department of Public Works, now, therefore, be it

RESOLVED, that the below bids, as outlined on the result sheets, be awarded to the respective lowest responsible bidder, and be it further

RESOLVED, that the Commissioner of Public Works is authorized to purchase the required materials from the bid awards, and be it further

RESOLVED, that copies of the bid results be distributed to the Niagara County municipalities for their use.

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IF-077-23

From: Infrastructure & Facilities and Administration Committees.

Dated: April 25, 2023

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

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

WHEREAS, the Niagara County Office for the Aging utilizes vehicles for a variety of services for the seniors over 60 within Niagara County, and

WHEREAS, funds are required to allow for the replacement of an Office for the Aging vehicle, and

RESOLVED, that the following budget modifications be effectuated:

INCREASE ESTIMATED REVENUE:

| | | |
|------------------------|---|----------|
| .15.5132.000 44089.007 | Federal Aid, | \$50,000 |
| | Other ARPA State/Local Fiscal Recovery Fund | |

INCREASE APPROPRIATIONS:

| | | |
|-----------------------|--|----------|
| .15.5132.000 72100.12 | Machinery and Equipment Cars, Vans, Light Trucks | \$50,000 |
|-----------------------|--|----------|

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-026-23

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

Dated: April 25, 2023

**RESOLUTION IN SUPPORT OF LOCKPORT MAIN STREET INC.
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Lockport Main Street, Inc. is a 501(c) (3) nonprofit dedicated to community and economic growth in downtown Lockport through community programming, special events and tourism & marketing, and

WHEREAS, Lockport Main organizes and executes special events in the City of Lockport to highlight the small business sector, engage tourists and community members alike and spur economic growth in the downtown sector, and

WHEREAS, these special events include but are not limited to Chalk Fest and Locktoberfest, where funds are needed for equipment and other expenses to promote these events annually, and

WHEREAS, this equipment is essential and will help preserve these events in the foreseeable future, now, therefore, be it

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

RESOLVED, that Niagara County supports Lockport Main Street, Inc. by appropriating monies from said Community Partnership Program Fund as follows:

Lockport Main Street, Inc.

\$6,000.00

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-027-23

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

Dated: April 25, 2023

**RESOLUTION IN SUPPORT OF TRINITY LUTHERAN CHURCH
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Trinity Lutheran Church is located in Wolcottville, Town of Royalton, and

WHEREAS, Trinity Lutheran Church is over 175 years old and has an original organ built into the church walls, and

WHEREAS, the organ was damaged by critters who took up residence during COVID, and

WHEREAS, Trinity Lutheran Church is in need of \$15,000 to cover the cost of the repairs, 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 Trinity Lutheran Church by appropriating monies from said Community Partnership Program Fund as follows:

Trinity Lutheran Church

\$5,000.00

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-028-23

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

Dated: April 25, 2023

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

WHEREAS, Kenan Center was established in 1965, and

WHEREAS, Kenan Center is a 501(c) (3) nonprofit dedicated to community growth in Lockport through cultural, educational and recreational opportunities, and

WHEREAS, Kenan Center is concerned about the health and safety of attendees and employees, and

WHEREAS, providing an AED for the Kenan Center events would enhance the health and safety at Kenan Center, and

WHEREAS, Kenan Center will also provide specialized coaching and training for area youth during summer months of July and August, and

WHEREAS, the planned event will provide coaching for boys and girls ages 5-12 through the hiring of numerous coaches, 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 Kenan Center by appropriating monies from said Community Partnership Program Fund as follows:

Kenan Center

\$6,000.00

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-029-23

From: Legislator Jeffrey Elder, Mark J. Grozio and Economic Development Committee.

Dated: April 25, 2023

**RESOLUTION IN SUPPORT OF THE LASALLE EDUCATIONAL CLUB INC.
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the LaSalle Educational Club Inc. supports the youth of Niagara Falls in their time of need, aiding in furthering the educational goals of graduate students, and

WHEREAS, providing several scholarships regardless of race, creed, or ethnicity and to assist families during hardships, building lasting communities, and

WHEREAS, the LaSalle Educational Club provides families enrichment, family picnics, Easter egg hunts, movie nights, Christmas parties and senior companion activities, and

WHEREAS, the LaSalle Educational Club's intention is to help build a greater and stronger community for all people, and the Niagara County Legislature wishes to support this program, 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 LaSalle Educational Club by appropriating monies from said Community Partnership Fund as follows:

LaSalle Educational Club Inc.

\$2,000.00

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-030-23

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

Dated: April 25, 2023

**RESOLUTION IN SUPPORT OF MUSIC MANIA MONDAYS
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Music Mania Mondays is a not-for-profit organization that has a summer concert series, and

WHEREAS, the concert series is well attended by people from across our county, and

WHEREAS, the concert series highlights many local bands, and

WHEREAS, a wide variety of food vendors are also present, and

WHEREAS, these concerts enhance the lives of community residents, while also helping to encourage and promote tourism, 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 Music Mania Mondays by appropriating monies from said Community Partnership Program Fund as follows:

Music Mania Mondays

\$5,000.00

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-031-23

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

Dated: April 25, 2023

**RESOLUTION IN SUPPORT OF CAYUGA YOUTH ATHLETIC ASSOCIATION, INC.
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Cayuga Youth Athletic Association, Inc. has served over 400 youths per season, ages 4 to 19, from the City of Niagara Falls and surrounding areas with In-house and Travel Baseball, Softball and T-Ball, and

WHEREAS, in 2023, a new batting cage will be installed to increase activity and to train area youth in the house and travel programs, and

WHEREAS, continued maintenance and upkeep of the current fields will help ensure the safety of all participants, and

WHEREAS, the mission of the Cayuga Youth Athletic Association, Inc. is to continue to provide children safe and structured baseball and softball programs and to help families with financial difficulties so that every child has the opportunity to play ball, and

WHEREAS, in support of Cayuga Youth Athletic Association, Inc. for the commitment to our youth of the area, 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 Cayuga Youth Athletic Association, Inc. by appropriating monies from said Community Partnership Program Fund as follows:

Cayuga Youth Athletic Association, Inc.

\$7,500.00

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-032-23

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

Dated: April 25, 2023

**RESOLUTION IN SUPPORT OF THE TOWN OF PORTER SUMMERFEST 2023
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Town of Porter purchased PORTER ON THE LAKE a “piece of paradise” over a decade ago located on the shore of Lake Ontario, and

WHEREAS, the Town of Porter has established a committee “SUMMERFEST” which organizes and runs a yearly festival, and

WHEREAS, SUMMERFEST will be held this year on Saturday, July 15, 2023, which is historically held on the third Saturday of July, and

WHEREAS, SUMMERFEST has been hosting this event yearly to raise monies allowing the Town of Porter to make improvements to PORTER ON THE LAKE for the community and visitors alike, and

WHEREAS, this festival will have an entire day of events for those of all ages, local business displays and offerings, live music, food tents, performers, and a firework display to “cap off the night”, and

WHEREAS, a festival of this magnitude can only be successful through the dedication of The Town of Porter, the Summerfest Committee, the community, and sponsorships and 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 efforts of The Town of Porter SUMMERFEST Committee by appropriating monies from said Community Partnership Funds as follows:

Town of Porter Summerfest

\$2,000.00

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-033-23

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

Dated: April 25, 2023

**RESOLUTION IN SUPPORT OF
THE RANSOMVILLE LIBRARY SUMMER READING PROGRAM
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Town of Porter supports The Ransomville Library which includes a Summer Reading Program, and

WHEREAS, the Ransomville Library will conduct a weekly Reading Program for youth throughout the summer of 2023, and

WHEREAS, the Ransomville Library conducts this program in the hamlet allowing local children and their families to participate without any lengthy transportation issues, and

WHEREAS, these activities will be offered to our youth throughout the summer while school is in recess to keep them engaged in wholesome, educational, hands-on, constructive activities, 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 educational efforts of the Ransomville Library Summer 2023 Reading Program by appropriating monies from said Community Partnership Funds as follows:

| | |
|---------------------|------------|
| Ransomville Library | \$1,500.00 |
|---------------------|------------|

Moved by Godfrey, seconded by Robins.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-034-23

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

Dated: April 25, 2023

**RESOLUTION IN SUPPORT OF
THE YOUNGSTOWN LIBRARY SUMMER READING PROGRAM
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Town of Porter supports the Youngstown Library which includes a Summer Reading Program, and

WHEREAS, the Youngstown Library will conduct a weekly Reading Program for youth throughout the summer of 2023, and

WHEREAS, the Youngstown Library conducts this program in the hamlet allowing local children and their families to participate without any lengthy transportation issues, and

WHEREAS, these activities will be offered to our youth throughout the summer while school is in recess to keep them engaged in wholesome, educational, hands-on, constructive activities, 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 educational efforts of the Youngstown Library Summer 2023 Reading Program by appropriating monies from said Community Partnership Funds as follows:

| | |
|--------------------|------------|
| Youngstown Library | \$1,500.00 |
|--------------------|------------|

Moved by Godfrey, seconded by Robins.
Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-035-23

From: Legislator Irene M. Myers and Economic Development Committee.
Dated: April 25, 2023

**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 Ransomville and Youngstown Historical Society helps preserve and promote historical education and history of the hamlet, village and the Town of Porter through new technology with the “Hear Here” program, and

WHEREAS, the Youngstown Lions Club serves our community by helping the blind, deaf, handicapped and serves our nonprofit organizations and anyone in need of assistance, and

WHEREAS, the Town of Porter Recreation Committee provides the town youth with summer recreation activities, field trips, and a picnic at minimal or no cost during summer recess, and

WHEREAS, the Ransomville Garden Club beautifies Ransomville by the planting flowers/pots throughout the hamlet, and

WHEREAS, O’Leo Curtiss Legion Post aka Ransomville Legion exists to recognize our veterans in the community and funding will help cover cost of building repair/windows to the post, and

WHEREAS, St. John’s Episcopal Church hosts a Strawberry Social every year provided free of charge everyone in the community, and

WHEREAS, the Town of Porter and The Village of Youngstown Business Association’s promote the business communities, organize community events and help to enhance our community economically, 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 above-mentioned organizations as follows:

| | |
|--|------------|
| Ransomville Historical Society | \$1,500.00 |
| Youngstown Historical Society | \$1,500.00 |
| Youngstown Lions Club | \$2,000.00 |
| Town of Porter Recreation | \$1,500.00 |
| Ransomville Garden Club | \$500.00 |
| O’Leo Curtiss Legion Post | \$2,000.00 |
| St. John’s Episcopal Church | \$500.00 |
| Ransomville Business Association | \$500.00 |
| Youngstown Business & Professional Association | \$500.00 |

Moved by Godfrey, seconded by Robins.
Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-036-23

From: Legislators Richard E. Abbott, Randy R. Bradt, Rebecca J. Wydysh, Irene M. Myers, Christopher A. Robins, Richard L. Andres, Shawn A. Foti and Economic Development Committee.

Dated: April 25, 2023

**RESOLUTION IN SUPPORT OF CAMP HAPPINESS
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Camp Happiness was established in 2008 in conjunction with Lockport Elks Lodge #41, and

WHEREAS, Camp Happiness is a 501(c) (3) nonprofit dedicated to intellectually and physically disabled people of all ages in the Niagara County community by promoting social and recreational opportunities, and

WHEREAS, Camp Happiness promotes these activities by operating day camp at the Cambria Volunteer Fire Department grounds, and

WHEREAS, Camp Happiness will provide volunteers to operate the camp and provide all needed transportation, and

WHEREAS Camp Happiness is in the need of specialized recreational and sport equipment, now, therefore, be it

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

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

Camp Happiness

\$4,500.00

Moved by Abbott, seconded by Andres to amend the resolution.

Amendment: Last RESOLVED, "...Change the amount from \$4,500 to \$5,500..."

Moved by Abbott, seconded by Andres.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-037-23

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

Dated: April 25, 2023

**RESOLUTION IN SUPPORT OF THE 2023 LEWISTON HARVEST & HOPS FESTIVAL
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the mission of the Niagara River Region Chamber of Commerce is to unify the Niagara River Region and to promote it as a premiere place to live, work and play while promoting tourism, business development, quality of life and the history and culture of the region, and

WHEREAS, the 2023 Lewiston Harvest & Hops Festival has been planned for September 23rd & 24th, 2023, and

WHEREAS, this fall street festival will highlight over 100 craft, food/beverage, and farmers market vendors, and

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

WHEREAS, the festival will draw thousands of visitors to the river region from surrounding Western New York communities and Canada, to the benefit of local businesses, 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 Lewiston Harvest & Hops Festival by appropriating monies from said Community Partnership Program Fund as follows:

| | |
|--|------------|
| Niagara River Region Chamber of Commerce | \$2,500.00 |
| Moved by Abbott, seconded by Andres. | |
| Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers. | |

Resolution No. IL-038-23

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

Dated: April 25, 2023

RESOLUTION IN SUPPORT OF LEWISTON'S MEMORIAL DAY REMEMBRANCE COMMITTEE, INC., THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING

WHEREAS, Lewiston's Memorial Day Remembrance Committee, Inc. was formed to recognize the sacrifice of the men and women who died in the service of our nation, and

WHEREAS, the Committee is planning their annual Memorial Day Parade to be held on May 29, 2023, and

WHEREAS, the annual community parade is followed by a ceremony to honor those who have given their lives in defense of our Country and a free community lunch for over 500 residents each year, and

WHEREAS, the Niagara County Legislature wishes to support the efforts of the Committee to impress upon the residents, both young and old, the cost of defending our freedoms, 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 funding for the program not allocated in 2022, was assigned to a committed fund balance for future use, and be it further

RESOLVED, that Niagara County supports Lewiston's Memorial Day Remembrance Committee, Inc. by appropriating monies from said Community Partnership Program Fund as follows:

| | |
|---|------------|
| Lewiston's Memorial Day Remembrance Committee, Inc. | \$1,000.00 |
|---|------------|

and be it further

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

INCREASE APPROPRIATED FUND BALANCE:

A.28.8020.814 40599.01 Appropriated Fund Balance – Committed Funds \$1,000.00

INCREASE APPROPRIATION:

A.28.8020.814 74500.01 Community Partnership Fund Expense \$1,000.00

Moved by Abbott, seconded by Andres.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-039-23

From: Legislator Shawn A. Foti and Economic Development Committee.

Dated: April 25, 2023

**RESOLUTION IN SUPPORT OF THE TOWN OF SOMERSET BICENTENNIAL CELEBRATION
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Town of Somerset is a rural lakeside community located in the most eastern portion of Niagara County, on the Southern shore of Lake Ontario, and

WHEREAS, established in 1823 as a farming community, the town is home to many attractions, such as many picturesque dairy and fruit farms, Thirty Mile Point Lighthouse, Golden Hill State Park, and the historical Babcock Cobblestone House Museum, and

WHEREAS, the Town of Somerset will celebrate their Bicentennial on July 21st – July 23rd, 2023, and they have an entire weekend full of activities planned for residents of the town and all of Niagara County, and

WHEREAS, it is important for our communities to celebrate the historical milestone of reaching 200 years and to look ahead at the many more years of success in the future, now, therefore, be it

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

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

Town of Somerset \$2,000.00

Moved by Abbott, seconded by Andres.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-040-23

From: Legislator Shawn A. Foti and Economic Development Committee.

Dated: April 25, 2023

**RESOLUTION IN SUPPORT OF REELIN FOR A CURE
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, Reelin' For A Cure (RFAC) is an all ladies fishing tournament dedicated to bringing awareness to our incredible fishery while also raising money for a different cancer care benefactor each year, and

WHEREAS, RFAC is celebrating their 8th year and the event will take place on August 18th, 2023 with hundreds of women on over 40 boats taking part in fishing, and

WHEREAS, over the past 8 years over \$100,000 has been raised for various organizations that support women who have been diagnosed and are battling cancer, and the event helps create lifelong fishing memories for participants, and

WHEREAS, events like Reelin For A Cure are vital to Niagara County by both promoting our beautiful region and excellent fishing, while also providing comfort and support to women in a time of need, 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 “Reelin For A Cure” event hosted by Greater Niagara Pro-Am by appropriating monies from said Community Partnership Program Fund as follows:

Greater Niagara Pro-Am

\$500.00

Moved by Abbott, seconded by Andres.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-041-23

From: Legislators Richard L. Andres, Randy R. Bradt, Jesse P. Gooch and Economic Development Committee.

Dated: April 25, 2023

**RESOLUTION IN SUPPORT OF CANAL FEST OF THE TONAWANDAS, INC.
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the Canal Fest of the Tonawandas has been a mainstay in Niagara County’s tourism offerings in the City of North Tonawanda, with thousands of people attending and bringing a significant economic impact to the community, and

WHEREAS, the Canal Fest of the Tonawandas is a very important event for the Twin City and supports many non for profits in the City of North Tonawanda, and

WHEREAS, an event like this can only be successful through full community participation and sponsorship, 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 Canal Fest of the Tonawandas by appropriating monies from said Community Partnership Program Fund as follows:

Canal Fest of the Tonawandas

\$15,000.00

Moved by Abbott, seconded by Andres.

Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers.

Resolution No. IL-042-23

From: Legislator Jeffrey Elder and Economic Development Committee.

Dated: April 25, 2023

**RESOLUTION IN SUPPORT OF THE WEST NEW YORK FILMS, ARTS AND MEDIA INC.
THROUGH THE USE OF COMMUNITY PARTNERSHIP FUNDING**

WHEREAS, the West New York Films, Arts and Media, Inc. is a 501(c) (3) nonprofit dedicated to producing entrepreneurship through education, engineering, and entertainment, and

WHEREAS, the West New York Films, Arts and Media organizes and executes special events to engage community members, to participate in events such as the 2023 Juneteenth Festivities, and

WHEREAS, a committee has been formed to organize and run the 2023 Juneteenth festivities to include, a Flag Raising at City Hall, basketball tournament, a parade, live music and performers, and

WHEREAS, this annual event is essential in promoting family and community unity, and can only be successful through full community participation and sponsorship, 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 West New York Films, Arts and Media Inc. by appropriating monies from said Community Partnership Program Fund as follows:

| | |
|--|------------|
| The West New York Films and Media, Inc. | \$2,500.00 |
| Moved by Abbott, seconded by Andres. | |
| Adopted. 12 Ayes, 0 Noes, 3 Absent – Bradt, Hill, Myers. | |

Resolution No. IL-043-23

From: Legislators William J. Collins, Anthony J. Nemi, Richard E. Abbott, Michael A. Hill and Shawn A. Foti.
Dated: April 25, 2023

**A RESOLUTION CALLING ON THE NEW YORK STATE DEPARTMENT OF HEALTH TO WORK
WITH THE LOCAL COMMUNITY TO ADDRESS THE CLOSING OF EASTERN NIAGARA
HOSPITAL**

WHEREAS, Eastern Niagara Hospital has announced that it will cease operation on June 17, 2023, and

WHEREAS, Catholic Health is in the process of constructing a new Emergency Room micro hospital, but that facility is not expected to be ready until the fall of this year, and

WHEREAS, that creates a serious lack of emergency medical care for thousands of residents in Eastern Niagara County, which has already been impacted by the reduction of medical facilities with the closure of Newfane Hospital several years ago and now the closing of ENH, and

WHEREAS, this closure will be right at the height of accidents and other injuries associated with summer activities and will require others seeking immediate medical care, like rape victims, to have to travel a significant distance for rape kits or wait hours for a SANE nurse to arrive at another hospital in western Niagara County, and

WHEREAS, while the Mayor of Lockport has convened stakeholder groups to work toward possible short-term solution until the matter is addressed, the New York State Department of Health has not engaged in these conversations, and

WHEREAS, the Mayor of Lockport sent a letter to Governor Hochul on March 17, 2023 requesting the state's help in identifying possible actions to deal to address this most pressing issue, and shockingly, has yet to receive any feedback or response to that letter, now, therefore, be it

RESOLVED, that the Niagara County Legislature calls on Governor Hochul and the New York State Department

of Health to join with other stakeholders in identifying potential solutions to the lack of emergency care in eastern Niagara County between the time Eastern Niagara Hospital closes and the new Catholic Health facility opens, and be it further

RESOLVED, that copies of this resolution be sent to Governor Hochul, the New York State Department of Health and the Niagara County delegation to the New York State Legislature.
Referred to the Administration Committee.

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

The Chairman declared the Board adjourned 6:49p.m., subject to the call of the Clerk.

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

Alysa T. Tomasino

Alysa T. Tomasino, Clerk