

A public hearing was held pursuant to CS-024-20, adopted by the Legislature on June 16, 2020, for the purpose of hearing public comments on NCCC FY 2020-2021 Maintenance and Operating Budget. Legislator Gooch opened the hearing at 6:44 p.m. and closed it at approximately 6:47 p.m.

OFFICIAL RECORD

Lockport, New York
August 4, 2020

The meeting was called to order by Chairman Wydysh at 7:00 p.m.

Chairman Wydysh gave a COVID-19 update, she mentioned Niagara County is doing extremely well with our numbers; she thanked all the Legislators, Director of Public Health Dan Stapleton, all Department Heads and all Employees on the great job during the pandemic.

Clerk Tamburlin called the roll. All Legislators were present with the exception of Legislator Hill.

Moment of Silence was held for former Legislator Cecil J. Perkins, Civil Rights Leader and Congressman John Lewis and Elmer Richard Lyndecker a WWII Navy Veteran.

CORRESPONDENCE / RECOGNITION:

Chairman Wydysh congratulated Legislator David E. Godfrey on being appointed as Vice Chairman of NACo's Telecommunications & Technology Steering Committee.

Chairman Wydysh congratulated First Deputy Wendy Roberson on her retirement.

Chairman Wydysh announced the new signs at Clyde L. Burmaster Park have been put up.

Chairman Wydysh announced the month of August is the 100th anniversary giving the females the right to vote. Kennan center will have on display the art of suffrage.

1 citizens spoke.

Recess. Joint Administration and Community Services Committee.

Moved by Bradt, second by Virtuoso to accept Preferred Agenda.

Resolution No. CS-025-20

From: Community Services and Administration Committees.

Dated: August 4, 2020

COUNTY CLERK OFFICE CONTRACT AMENDMENT

WHEREAS, the appropriate management of local government records is essential for efficient and effective government, and

WHEREAS, the County Clerk performs the duties prescribed by law as register and must provide all books, files, and other necessary equipment for the filing, recording and depositing of documents for indexing as directed by law, and

WHEREAS, the County Clerk has determined that 138 Subdivision Maps require conversion to electronic format and archival microfilm production thereby improving records access and providing enduring access to this record requiring permanent retention, and

WHEREAS, IQS possesses the necessary skill and expertise to perform these tasks, now, therefore, be it

RESOLVED, that Niagara County enter a contract addendum with Info Quick Solutions, Inc. commencing immediately, to obtain filed Subdivision Maps from the Niagara County Clerk's Office, digitize the maps and link them to the existing EDMS Database, and provide security microfilm in adherence to ANSI, AIIM, and LGRMIF standards, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute the agreement, subject to the review by the County Manager and the approval of the County Attorney.

INCREASE REVENUE:

A.10.1410.000 40599.01 Appropriated Fund Bal-Committed Funds \$1,863.00

INCREASE APPROPRIATION:

A.10.1410.000 74550.25 Program Records Maintenance \$1,863.00

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CS-026-20

From: Community Services and Administration Committees.

Dated: August 4, 2020

**BUDGET MODIFICATION
ACCEPTANCE OF FUNDS FROM CARES ACT – COVID19**

WHEREAS, the Niagara County Office for the Aging (OFA) is the recipient of \$27,690 from the New York State Office for the Aging (NYSOFA) received from Coronavirus Aid, Relief and Economic Security (CARES) Act for the period April 1, 2020 through March 31, 2021, and

WHEREAS, such funds are to be utilized to provide services covered under the NY Connects Expansion and Enhancement Program Aging and Disability Resource Center (ADRC), and

WHEREAS, such funds are not included in the 2020 Budget, now, therefore, be it

RESOLVED, that Niagara County accepts \$27,690 to provide needed services to older adults under the NY Connects ADRC Program, and be it further

RESOLVED, that the department is given authorization to accept this additional funding with the effectuation of the following budget modification:

INCREASE REVENUE ACCOUNT:

A.24.6772.000 44089.05 Federal Aid, Other (CARES Act) \$ 27,690.00

INCREASE APPROPRIATION ACCOUNTS:

A.24.6772.000 74750.02 General Supplies/Materials \$ 27,690.00

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CS-027-20

From: Community Services and Administration Committees.

Dated: August 4, 2020

**NIAGARA COUNTY EMPLOYMENT & TRAINING DEPARTMENT
BUDGET MODIFICATION – INCREASE IN 2020 SUMMER YOUTH
EMPLOYMENT PROGRAM (SYEP) FUNDING**

WHEREAS, the Niagara County Workforce Development Board (NCWDB) has been selected by the Niagara County Department of Social Services to administer the 2020 New York State Summer Youth Employment Program (SYEP) funded by the Office of Temporary and Disability Assistance (OTDA), and

WHEREAS, the Niagara County Employment & Training (NCET) Department performs the operation and management of this annual summer program, and

WHEREAS, the NCET 2020 budget currently reflects an estimated amount of \$436,694 based upon the prior year's funding, and

WHEREAS, the funding for the 2020 Summer Youth Employment Program will be \$446,462, now, therefore, be it

RESOLVED, that the NCWDB and NCET are authorized to accept this award and operate the Summer Youth Employment Program, and be it further

RESOLVED, that the 2020 NCET Department Budget be modified as follows:

INCREASE REVENUE:

CD.29.6291.000 44089.02	Other TANF Revenue	\$9,768.00
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INCREASE APPROPRIATIONS:

CD.29.6291.000 74750.20	Supplies, General Training Materials	\$9,768.00
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CS-028-20

From: Community Services and Administration Committees.

Dated: August 4, 2020

**NIAGARA COUNTY EMPLOYMENT & TRAINING DEPARTMENT
BUDGET MODIFICATION – YOUTH PAYROLL SERVICES**

WHEREAS, the Niagara County Workforce Development Board (NCWDB) has contracted with TES Staffing to provide the payroll services for youth work experiences administered by the Niagara County Employment & Training (NCET) Department, and

WHEREAS, the County of Niagara will no longer be the employer of record, and will no longer be paying wages and fringes directly to the youth work experience participants, and

WHEREAS, the contractual payments to TES Staffing for payroll services will be fully funded by the Workforce Innovation and Opportunity Act (WIOA) Youth Program, or the Summer Youth Employment Program (SYEP) now, therefore, be it

RESOLVED, that the 2020 NCET Department Budget be modified as follows:

INCREASE APPROPRIATIONS:

CD.29.6291.000 74500.01	Contractual Expenses	\$502,846.18
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DECREASE APPROPRIATIONS:

CD.29.6291.000 71010.00	Position Expense (position # 9915, 9917)	\$ 432,829.90
CD.29.6291.000 78100.00	Retirement Expense	\$ 2,740.00
CD.29.6291.000 78200.00	FICA Expense	\$ 33,113.16
CD.29.6291.000 78300.00	Worker's Compensation Expense	\$ 12,356.02
CD.29.6290.000 71011.00	Seasonal Help (position #10791, 10792)	\$ 18,200.00
CD.29.6290.000 78100.00	Retirement Expense	\$ 1,692.0
CD.29.6290.000 78200.00	FICA Expense	\$ 1,392.00
CD.29.6290.000 78300.00	Worker's Compensation Expense	\$ 524.00
	TOTAL	\$ 502,846.18

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CS-029-20

From: Community Services and Administration Committees.

Dated: August 4, 2020

NCCC FY 2020-2021 MAINTENANCE AND OPERATING BUDGET

WHEREAS, the Administration Committee and the Community Services Committee, which are also the Budget Review Committees, have had under consideration the Niagara County Community College Board of Trustees recommended budget for the conduct of the Niagara County Community College fiscal year commencing September 1, 2020 and ending August 31, 2021, and

WHEREAS, the said budget has had careful consideration by the Administration Committee, the Community Services Committee, the Budget Office, and the County Manager, and

WHEREAS, a public hearing was held on the 4th day of August, 2020 with regard to the tentative budget for the College, now, therefore be it

RESOLVED, that the foregoing tentative Niagara County Community College budget for the fiscal year 2020-21, beginning September 1, 2020 and ending August 31, 2021, is hereby approved and adopted with any amendments as heretofore approved this date by this legislature and which results in a total figure of \$44,042,700, with the Sponsor's contribution from taxes of \$8,971,000.

Moved by Gooch, seconded by Nemi.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CSS-032-20

From: Community Safety & Security and Administration Committees.

Dated: August 4, 2020

**NIAGARA COUNTY SHERIFF'S OFFICE
ACCEPT AID TO CRIME LABORATORIES GRANT**

WHEREAS, the Niagara County Sheriff's Office has been awarded an Aid to Crime Labs grant from the New York State Division of Criminal Justice Services in the amount of \$191,053 for the period July 1, 2020 through June 30, 2021, and

WHEREAS, this grant is an additional year of funding of an existing grant, and

WHEREAS, the funds are used to maintain accreditation for the Niagara County Sheriff's Office Forensic Laboratory, and

WHEREAS, the grant also allows the Niagara County Sheriff's Office Forensic Laboratory to provide efficient and effective forensic services for Niagara County, and

WHEREAS, the funds are included in the 2020 budget and will be included in the 2021 budget, now, therefore, be it

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CSS-033-20

From: Community Safety & Security and Administration Committees.

Dated: August 4, 2020

**NIAGARA COUNTY SHERIFF'S OFFICE
ACCEPT GUN INVOLVED VIOLENCE ELIMINATION (GIVE) GRANT**

WHEREAS, the Niagara County Sheriff's Office been notified by the New York State Division of Criminal Justice Services that a grant in the amount of \$87,049 is being awarded to the Sheriff's Office through the Gun Involved Violence Elimination (GIVE) Grant for the period July 1, 2020 through June 30, 2021, and

WHEREAS, the GIVE grant funds a Correction Officer position #10442 and travel for DCJS sponsored trainings and conferences, and

WHEREAS, the revenue and equal expenses are already in the 2020 budget, now, therefore, be it

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

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CSS-034-20

From: Community Safety & Security and Administration Committees.

Dated: August 4, 2020

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION - MODIFY FORENSIC LABORATORY COVERDELL GRANT**

WHEREAS, the Niagara County Sheriff's Office received a renewal grant from the New York State Department of Criminal Justice Services for the Forensic Laboratory in the amount of \$53,518.00 for the period of January 1, 2020 through December 31, 2020, and

WHEREAS, this grant funds a part-time clerical position, lab overtime expenses and opioid testing laboratory supplies, and

WHEREAS, the Niagara County Legislature approved acceptance of this grant on November 19, 2019 in Resolution # CSS-093-19, and

WHEREAS, the New York State Department of Criminal Justice Services has approved a grant modification to move funds from overtime to service and maintenance for an important piece of drug testing equipment, and

WHEREAS, the 2020 budget would need to be modified to move the funds to be in line with the grant funding, now, therefore, be it

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

RESOLVED, that the following modifications be made to the 2020 budget:

DECREASE APPROPRIATION:

A.17.3110.000 71050.00	Overtime expense	\$5,532.00
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INCREASE APPROPRIATION:

A.17.3110.000 74500.02	Service Contracts	\$5,532.00
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CSS-035-20

From: Community Safety & Security and Administration Committees.

Dated: August 4, 2020

**NIAGARA COUNTY SHERIFF'S OFFICE
BUDGET MODIFICATION - MARINE PATROL GRANT**

WHEREAS, the Niagara County Sheriff's Office has been awarded a grant in the amount of \$40,000.00 for the period of April 1, 2020 through March 31, 2021 from the New York State Canal Corporation to enhance the safety of the Erie Canal waterway and paths, and

WHEREAS, the grant will allow the Niagara County Sheriff's Office to increase both marine and bike patrols along the Erie Canal for the safety of Niagara County residents, and

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

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

RESOLVED, that the 2020 budget be modified as follows:

INCREASE REVENUE:

A.17.3110.000.43315.00	Navigation Law Enforcement Marine Patrol	\$40,000
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INCREASE APPROPRIATIONS:

A.17.3110.000.71050.00	Overtime Expense	\$40,000
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CSS-036-20

From: Community Safety & Security and Administration Committees.

Dated: August 4, 2020

**NIAGARA COUNTY SHERIFF'S OFFICE
EXTEND JAIL FOOD SERVICE CONTRACT**

WHEREAS, the County of Niagara contracts with an outside company for the food supply and food management services for the Niagara County Jail and the Office for the Aging Nutrition Program, and

WHEREAS, the current contract was entered into with Trinity Services Group, Inc. after the County solicited bids, and

WHEREAS, the current contract is dated July 8, 2016 and has a contract period of two (2) years from the date of award with the option of extending the contract for three additional one (1) year periods, and

WHEREAS, having previously exercised two extension periods, the County wishes to now extend the contract with Trinity Services Group for the third one year extension period, and

WHEREAS, the annual compensation for the additional one year extension shall be as provided in the July 8, 2016 Agreement, and increased in accordance with the Consumer Price Index, Food Away From Home, now, therefore, be it

RESOLVED, that the County Attorney will draft a one year extension contract, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CSS-037-20

From: Community Safety & Security and Administration Committees.

Dated: August 4, 2020

**NIAGARA COUNTY SHERIFF'S OFFICE
NIAGARA FASHION MALL COMMUNICATIONS SITE CHANGE ORDER NO. 1**

WHEREAS, on April 30, 2020, pursuant to a sealed bid, the County of Niagara entered into a contract for Radio Site Development at Fashion Outlets Mall of Niagara Falls to Collectric Electrical, LLC, 6615 Towpath Road, E. Syracuse, New York 13057 for a contract amount of \$267,300.00, and

WHEREAS, it is necessary to increase the contract in the amount of \$29,855.94 for a revised contract amount of \$297,155.94, this change being occasioned by unforeseen circumstances involving subsurface conditions and a change to a ballast mount structure instead of a ground penetrating structure, and

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

RESOLVED, that Change Order No. 1 increase the contract by \$29,855.94 Radio Site Development at Fashion Outlets Mall of Niagara Falls to Collectric Electrical, LLC, for a revised contract amount of \$297,155.94 to Collectric Electrical, LLC, 6615 Towpath Road, E. Syracuse, New York 13057, be approved, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CSS-038-20

From: Community Safety & Security and Administration Committees.

Dated: August 4, 2020

**2020 BUDGET MODIFICATION - FIRE COORDINATOR'S OFFICE
ACCEPT PAYMENT FOR HAZ-MAT INCIDENT ON 10/28/19**

WHEREAS, the County Haz-Mat team responded to an incident on October 28, 2019 and some supplies used at the scene are not reusable, and

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

WHEREAS, the Fire Coordinator's Office invoiced and received payment for the replacement of these supplies from the responsible party in the amount of \$6,760.92, and

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

RESOLVED, that the following 2020 budget modification be effectuated:

INCREASE REVENUE:

A.19.3410.000 42690.02	Other Compensation for Loss Reimbursements	\$ 6,760.92
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INCREASE APPROPRIATION:

A.19.3410.000 74750.10	Supplies, Gen Hazmat Inventory	\$ 6,760.92
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CSS-039-20

From: Community Safety & Security and Administration Committees.

Dated: August 4, 2020

**2020 BUDGET MODIFICATION - FIRE COORDINATOR'S OFFICE
ACCEPT PAYMENT FOR HAZ-MAT INCIDENT ON 4/4/20**

WHEREAS, the County Haz-Mat team responded to an incident on April 4, 2020 and some supplies used at the scene are not reusable, and

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

WHEREAS, the Fire Coordinator's Office invoiced and received payment for the replacement of these supplies from the responsible party in the amount of \$4,750.23, and

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

RESOLVED, that the following 2020 budget modification be effectuated:

INCREASE REVENUE:

A.19.3410.000 42690.02	Other Compensation for Loss Reimbursements	\$ 4,750.23
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INCREASE APPROPRIATION:

A.19.3410.000 74750.10	Supplies, Gen Hazmat Inventory	\$ 4,750.23
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Moved by Bradt, seconded by Virtuoso.
Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CSS-040-20

From: Community Safety & Security and Administration Committees.

Dated: August 4, 2020

**ACCEPTANCE AND BUDGET MODIFICATION –
FY2020 ASSISTANCE TO FIREFIGHTERS – COVID-19
SUPPLEMENTAL GRANT PROGRAM**

WHEREAS, the County of Niagara is required to certify its acceptance of the FY2020 Assistance to Firefighters – COVID-19 Supplemental grant through the Department of Homeland Security for the period of 7/6/20 to 7/5/21, at 10% cost to the County, and

WHEREAS, the total amount for the FY2020 Assistance to Firefighters grant is in the amount of \$85,025.00 with federal funding of \$77,295.45 and the 10% matching county funds in the amount of \$7,729.55. The county match has previously been added to the Emergency Management budget (ref: CSS-020-20). The funds will be used for COVID-19 PPE supplies which include face shields, isolation gowns, surgical masks and N95 masks, now, therefore, be it

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

INCREASE REVENUE:

A.19.3645.000 44305.02	Civil Defense Homeland Security Project: 19GRТАFG-S R1	\$77,295.45
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DECREASE APPROPRIATIONS:

A.19.3640.000 74750.11	Medical/Lab/Clinic Supplies	\$ 7,729.55
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INCREASE APPROPRIATIONS:

A.19.3645.000 74750.11	Medical/Lab/Clinic Supplies Project: 19GRТАFG-S E1	\$77,295.45
A.19.3645.000 74750.11	Medical/Lab/Clinic Supplies Project: 19GRТАFG-S E2	\$ 7,729.55

Moved by Bradt, seconded by Virtuoso.
Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CSS-040-20

From: Community Safety & Security and Administration Committees.

Dated: August 4, 2020

**ACCEPTANCE AND BUDGET MODIFICATION - FY2020 EMPG COVID-19
SUPPLEMENTAL HOMELAND SECURITY GRANT**

WHEREAS, the County of Niagara is required to certify its acceptance of the FY2020 Emergency Management Performance Grant COVID-19 Supplemental (EMPG-S) grant through the Department of Homeland Security for the period of 1/27/20 through 7/31/21, at some cost to the County, and

WHEREAS, the grant for EMPG-S is in the total amount of \$94,646.00. Grant funds will be in the amount of \$47,323.00 and the 50% matching county funds will be in the amount of \$47,323.00; the county match has previously been added to the Emergency Management budget (ref: CSS-020-20), the funds will be used for prevention, preparation and response to the COVID-19 public health emergency, now, therefore, be it

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

RESOLVED, that the Department of Emergency Services is given authorization to accept the grant with the effectuation of the following budget modification, effective immediately:

INCREASE REVENUE:

A.19.3645.000 44089.06	Coronavirus Emergency Supplemental Funding Project: 19GRTEMPG20-S R1	\$ 47,323.00
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DECREASE APPROPRIATIONS:

A.19.3640.000 74750.11	Medical/Lab/Clinic Supplies	\$ 45,824.94
A.19.3640.000 74800.10	Supplies/Svcs, Misc <\$500	\$ 1,498.06

INCREASE APPROPRIATIONS:

A.19.3645.000 74750.11	Medical/Lab/Clinic Supplies Project: 19GRTEMPG20-S E1	\$ 45,824.94
A.19.3645.000 74800.10	Supplies/Svcs, Misc <\$500 Project: 19GRTEMPG20-S E1	\$ 1,498.06
A.19.3645.000 74750.11	Medical/Lab/Clinic Supplies Project: 19GRTEMPG20-S E2	\$ 45,824.94
A.19.3645.000 74800.10	Supplies/Svcs, Misc <\$500 Project: 19GRTEMPG20-S E2	\$ 1,498.06

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CW-019-20

From: Committee of the Whole.

Dated: August 4, 2020

A LOCAL LAW AMENDING RESOLUTION NO. AD-009-19

WHEREAS, the County Legislature of the County of Niagara, enacted a Local Law No. by Resolution No. AD-0005-96 establishing a Code of Ethics for the County of Niagara, and

WHEREAS, the County Legislature of the County of Niagara, amended such 1996 Local Law by Resolution No. IL-0048-96, Resolution No AD-024-97, Resolution No IL-002-98, Resolution No AD-026-98, Resolution No AD-006-01, Resolution No IL-053-07 and Resolution No AD-009-19, and

WHEREAS, the County Legislature of the County of Niagara, does hereby amend such 1996 Local Law establishing a Code of Ethics for the County of Niagara, as amended by Resolution No. IL-0048-96, Resolution No AD-024-97, Resolution No IL-002-98, Resolution No AD-026-98, Resolution No AD-006-01, Resolution No IL-053-07 and Resolution No. AD-009-19 as follows:

....

SECTION 2. Disclosure of Interest; Legislative Abstention

1. Disclosure of interests regardless of conflict

The following individuals shall, by May 15th of every year or if newly elected or appointed within thirty (30) days after taking office file a statement with the Board of Ethics:

A. Every County Legislator or any other county elected official;

B. Members and Officers of the Industrial Development Agency (IDA);

C. Every County Political Party Chairman;

D. Candidates for County Elected Offices who file designating petitions for nominations at a primary election shall file such statement within seven (7) days after the last day allowed by law for the filing of designating petitions; and

E. County Employees who hold policy-making positions as annually determined by the appointing authority and set forth in writing during January 31st of each year:

Such statement shall be adopted by the County and include the following:

i. The name of any corporation for profit in which they, and/or their spouse, and/or minor children hold collectively 5% or more of the stock;

ii. Real property situated in Niagara County which they, their spouse, or minor children hold for profit or from which they, their spouse, or minor children receive rents or income, excepting such real property as is maintained for use as their residence or the residence of their spouse or minor children, as the case may be;

iii. Self-employment or employment by, or membership in or on the board of directors of, any corporation, partnership, association, person, or other entity from which the employee derives gross income in excess of \$500.00 per year.

Any such County officer or employee who does not have any such interests shall so file a statement to that effect. Such statements of disclosure shall be, indexed and maintained on file in an appropriate manner by the Board of Ethics.

It shall be the responsibility of the Director of Human Resources, prior to January 31 of each year, to review the list of those persons who, in the Director's judgement, are "policy making employees" and to forward any recommendations for additions and/or deletions to such list to the Chairman of the Niagara County Legislature who, subject to Legislative approval, may review and modify said list as deemed appropriate.

....

SECTION 19. The local law shall take effect upon filing with the New York State Secretary of State, after which it shall become a law.

RESOLVED, that the Niagara County Legislature shall conduct a public hearing upon said proposed Local Law at the Legislative Chambers, Courthouse, Lockport, New York, on the 15th day of September, at 6:45 p.m., and be it further

RESOLVED, that the Clerk of the Legislature, at least six (6) days in advance of such hearing, shall post a notice upon the bulletin boards in the Courthouse at Lockport and the Civic Building in Niagara Falls and shall publish such notice once in the Union Sun & Journal, and the Niagara Gazette; such notice shall contain the title of the Local Law and an abstract of the text to be prepared by the Clerk of the Legislature, with the assistance of the County Attorney's Office.

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. ED-007-20

From: Economic Development and Administration Committees.

Dated: August 4, 2020

CONFIRMING THE AMERICANS WITH DISABILITIES COORDINATOR FOR NIAGARA COUNTY; APPROVING THE NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT AND APPROVING THE GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

WHEREAS, the U.S. Department of Housing and Development (HUD) has designated the County as a recipient of Community Development Block Grant Funds, and

WHEREAS, in order to receive Community Development Block Grant funding, federal regulations require the County to designate an American's With Disabilities Act (ADA) Coordinator and establish a Grievance Procedure for the public to follow when issues arrive relative to ADA compliance, and

WHEREAS, the County supports and promotes accessibility to public areas and buildings for all County residents, now, therefore, be it

RESOLVED, that the Niagara County Legislature confirms that the Commissioner of Public Works will act as the Americans with Disabilities Act Coordinator for Niagara County; and be it further

RESOLVED, that this Legislature approves the following Notice under the Americans with Disabilities Act:

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the County of Niagara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The County of Niagara does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commissioner under Title I of the ADA.

Effective Communication: The County of Niagara will generally, upon request, provide appropriate aids and services leading effective communication for qualified persons with disabilities so they can participate equally in the County of Niagara programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The County of Niagara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the County of Niagara offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the County of Niagara, should contact the Office of the Public Works/ADA Coordinator, Garret Meal, Philo J. Brooks Office Building, 59 Park Avenue, Lockport, NY 14094 at (716) 439-7242 or email Garret.Meal@niagaracounty.com as soon as possible but no later than 48 hours before the schedule event.

The ADA does not require the County of Niagara to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the County of Niagara is not accessible to persons with disabilities should be directed to Garret Meal, Commissioner of Public Works/ADA Coordinator at Philo J. Brooks Office Building, 59 Park Avenue, Lockport, NY 14094; (716) 439-7242 or at Garret.Meal@niagaracounty.com.

The County of Niagara will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs, and be it further

RESOLVED, that this Legislature approves the following Grievance Procedure under the Americans with Disabilities Act:

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the County of Niagara. Employment related complaints of disability discrimination are covered elsewhere, in policies available from the Human Resources Department of the County of Niagara.

The Complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem. No particular format of the complaint is required. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted in writing by the grievant and/or his/her designee as soon as possible but not later than 60 calendar days after the alleged violation to:

Garret Meal
ADA Coordinator and Commissioner of Public Works
Philo J. Brooks Office Building
59 Park Avenue
Lockport, NY 14094

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complainant and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format

accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the County of Niagara and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the agency head or his/her designee.

Within 15 calendar days after receipt of the appeal, the agency head or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with the agency's final resolution of the complainant, or indicating that the matter has been returned to the ADA Coordinator for further action. If further response is indicated, the complainant will be contacted within 15 calendar days.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the agency head or his/her designee, and responses from these two offices will be retained by the County of Niagara for at least three (3) years.

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. ED-008-20

From: Economic Development and Administration Committees.

Dated: August 4, 2020

ADOPTION OF A FAIR HOUSING PLAN FOR THE COUNTY OF NIAGARA

WHEREAS, the U.S. Department of Housing and Development (HUD) has designated the County as a recipient of Community Development Block Grant Funds, and

WHEREAS, in order to receive Community Development Block Grant funding, federal regulations require the development of Fair Housing Programs and Plans, and

WHEREAS, the County supports such fair and equal housing opportunities for all its citizens, and has designated the Niagara Community Action Program (NiaCap) as the County's Fair Housing Advocate, and

WHEREAS, the County has drafted the attached Fair Housing Plan, and

WHEREAS the Fair Housing Plan confirms the appointment of a fair housing office; ensures the dissemination of information and guarantees the promotion of fair housing activities, and

WHEREAS, the proposed fair housing plan details discriminatory housing practices and creates a procedural grievance process, now, therefore, be it

RESOLVED, the Niagara County Legislature adopt Fair Housing Plan.

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-082-20

From: Infrastructure & Facilities and Administration Committees.

Dated: August 4, 2020

BUDGET MODIFICATION FOR SLUDGE LAGOON CLEANING NIAGARA COUNTY WATER DISTRICT

WHEREAS, on Thursday, July 23, 2020 at 4:00 p.m., a public hearing was held at the Niagara County Water District Service Center to consider the appropriation of \$600,000 from the Niagara County Water District's reserve-sludge lagoon fund for the payment of lagoon cleaning and removal of water treatment residuals at the north lagoon located at the water treatment plant, and

WHEREAS, no interested parties appeared to address the Board, and

WHEREAS, the Niagara County Water District Administrative Board has approved the budget modification listed below, now therefore, be it

RESOLVED by the County Legislature of the County of Niagara, New York, that the following budget modification be effectuated:

INCREASE REVENUE:

FXS.40511.00	Appropriated Reserve	\$600,000
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INCREASE APPROPRIATIONS:

FXS.31.9901.000 79010.00	Contribution to other funds	\$600,000
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INCREASE REVENUE:

FX.31.9901.000 45131.31	Interfund Transfers from Sludge Reserves	\$600,000
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INCREASE APPROPRIATIONS:

FX.31.8330.000 74700.02	Sludge Disposal	\$600,000
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-083-20

From: Infrastructure & Facilities and Administration Committees.

Dated: August 4, 2020

**BUDGET MODIFICATION FOR VFDs AT SHAWNEE ROAD PUMP STATION
NIAGARA COUNTY WATER DISTRICT**

WHEREAS, Niagara County Water District has established an appropriation of \$650,000 from its Repair Reserve Fund and requested appropriate action by the Niagara County Legislature, and

WHEREAS, the appropriation is for the payment of a temporary rental, repair and replacement, upgrade, including engineering, legal and related work for four variable speed drives (VFD's) at the Shawnee Road Pump Station, and

WHEREAS, the required public hearing has been held on July 23, 2020, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated to the Niagara County Water District 2020 budget:

INCREASE APPROPRIATED RESERVE:

FXR.40511.00	Appropriated Reserve	\$650,000
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INCREASE APPROPRIATIONS:

FXR.31.9901.000 79010.00	Contribution to other funds	\$650,000
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INCREASE REVENUE:

FX.31.9901.000 45031.30	Interfund Transfers from Repair Reserves	\$650,000
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INCREASE APPROPRIATIONS:

FX.31.8340.000 74800.06	Repairs and Maintenance	\$650,000
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-084-20

From: Infrastructure & Facilities and Administration Committees.

Dated: August 4, 2020

**AWARD OF CONTRACT – ORANGEPORT AND QUAKER ROADS
OVER EIGHTEEN MILE CREEK BRIDGE DECK REPAIRS**

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has advertised for bids for the Orangeport and Quaker Roads over Eighteen Mile Creek Bridge Deck Repairs Project, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on July 23, 2020 as tabulated below:

- | | | |
|----|---|--------------|
| 1. | Oakgrove Construction
6900 Seneca St., PO Box 103
Elma, NY 14059 | \$273,875.02 |
| 2. | Union Concrete & Construction Corp.
PO Box 410
West Seneca, NY 14224 | \$319,441.00 |
| 3. | 4 th Generation Construction
5650 Simmons Avenue
Niagara Falls, NY 14304 | \$397,875.00 |
| 4. | Hunting Valley Construction
825 Rein Road
Cheektowaga, NY 14225 | \$440,080.00 |
| 5. | Edbauer Construction
2790 Clinton Street
West Seneca, NY 14224 | \$489,455.00 |

and

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

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

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

INCREASE ESTIMATED REVENUE:

D.15.5120.000 43501.00	Consol Hwy Aid Revenue	\$275,000
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INCREASE APPROPRIATIONS:

D.15.5120.000 74800.06	Repairs and Maintenance	\$275,000
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and be it further

RESOLVED, that the contract for the Orangeport and Quaker Roads over Eighteen Mile Creek Bridge Deck Repairs Project be awarded to the lowest responsible bidder, Oakgrove Construction, 6900 Seneca St., PO Box 103, Elma, NY 14059, in the amount of \$273,875.02, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-085-20

From: Infrastructure & Facilities Committee.

Dated: August 4, 2020

**RESOLUTION REJECTING BIDS FOR THE
KRULL PARK ADA RESTROOMS PROJECT**

WHEREAS, the County of Niagara, Department of Public Works, advertised for sealed bids to be received on Tuesday, July 21, 2020 for the Krull Park ADA Restrooms project, and

WHEREAS, it has been determined that it is in the best interest of the County to reject all bids, now, therefore, be it

RESOLVED, that the sealed bids which were received on Tuesday, July 21, 2020 are hereby rejected.

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-086-20

From: Infrastructure & Facilities and Administration Committees.

Dated: August 4, 2020

**NIAGARA COUNTY ROOF REPLACEMENT PROJECT
CHANGE ORDER NO. 3**

WHEREAS, by Resolution No. IF-090-19, dated August 6, 2019, the Legislature awarded the contract for the Niagara County Roof Replacement Project to Weaver Metal & Roofing, 40 Appenheimer Avenue, Buffalo, NY 14214, for a contract amount of \$2,868,000, and

WHEREAS, Resolution No. IF-005-20, dated January 21, 2020, authorized Change Order No. 1 to decrease the contract in the amount of \$27,446.46 for installing retrofit drain pipes in lieu of roof drain replacement and installing additional ½" exterior grade plywood, for a revised contract amount of \$2,840,553.54, and

WHEREAS, Resolution No. IF-071-20, dated June 16, 2020, authorized Change Order No. 2 to increase the contract in the amount of \$139,012.71 for the following: removal of tapered insulation and installation of flat

insulation at the Ross Building; removal of tapered insulation in select roof areas and installation of flat insulation in those areas; removal of existing concrete curb and infill with steel deck at the Trott Building; replacement of roof top units 1-5 with new Trane units at the Trott Building; and replacement of air handler units 1-3 and refrigeration a/c coils at the Trott Building, for a revised contract amount of \$2,979,566.25, and

WHEREAS, it is necessary to increase the contract in the amount of \$53,517.65 for the following work: reinforce structural steel supports at the Ross Building for two roof top units; add plywood to various parapets at the Trott Building; revise steel perimeter angle supports and repair a section of the parapet wall at the Ross Building; and install an additional parapet wall at the Ross Building, for a revised contract amount of \$3,033,083.90, and

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

RESOLVED, that Change Order No. 3 to increase the contract by \$53,517.65 for the Niagara County Roof Replacement Project, for a revised contract amount of \$3,033,083.90, to Weaver Metal & Roofing, 40 Appenheimer Avenue, Buffalo, NY 14214, be approved, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-087-20

From: Infrastructure & Facilities and Administration Committees.

Dated: August 4, 2020

REHABILITATION OF BRIDGE DECKS AND MEMBRANE INSTALLATION ON THE QUAKER ROAD BRIDGE OVER THE EAST BRANCH OF EIGHTEEN MILE CREEK AND ORANGEPORT ROAD BRIDGE OVER THE EAST BRANCH OF EIGHTEEN MILE CREEK-CONSULTANT AMENDMENT NO. 1

WHEREAS, an agreement has been entered for consultant services for the Rehabilitation of Bridge Decks and Membrane Installation on the Quaker Road Bridge over the East Branch of Eighteen Mile Creek and Orangeport Road Bridge over the East Branch of Eighteen Mile Creek Project to CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, in the amount of \$17,000, and

WHEREAS, it is necessary to increase the contract in the amount of \$2,700 for part-time inspection services, for a revised contract amount of \$19,700, and

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

RESOLVED, that Amendment No. 1 to increase the contract by \$2,700 for the Rehabilitation of Bridge Decks and Membrane Installation on Quaker Road Bridge over the East Branch of Eighteen Mile Creek and Orangeport Road Bridge over the East Branch of Eighteen Mile Creek Project, for a revised contract amount of \$19,700, be approved, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-088-20

From: Infrastructure & Facilities and Administration Committees.

Dated: August 4, 2020

**BRIDGE CLEANING AND DECK SEALING
CHANGE ORDER NO. 1 - FINAL**

WHEREAS, by Resolution No. IF-022-20, dated February 18, 2020, the Legislature awarded the contract for the Bridge Cleaning and Deck Sealing Project to Hunting Valley Construction, 825 Rein Road, Cheektowaga, NY 14225, for a contract amount of \$128,268, and

WHEREAS, it is necessary to decrease the contract in the amount of \$3,500 due to an unused field change line, for a revised contract amount of \$124,768, and

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

RESOLVED, that Change Order No. 1-Final to decrease the contract by \$3,500 for the Bridge Cleaning and Deck Sealing Project, for a revised contract amount of \$124,768, to Hunting Valley Construction, 825 Rein Road, Cheektowaga, NY 14225, be approved, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-089-20

From: Infrastructure & Facilities and Administration Committees.

Dated: August 4, 2020

**BRIDGE DECK OVERLAY PROJECT 2020
CHANGE ORDER NO. 1 - FINAL**

WHEREAS, by Resolution No. IF-003-20, dated January 21, 2020, the Legislature awarded the contract for the Bridge Deck Overlay Project for 2020 to Milherst Construction, 10025 County Road, Clarence Center, NY 14032, for a contract amount of \$145,060, and

WHEREAS, it is necessary to decrease the contract in the amount of \$2,865.89 due to an unused field change line, for a revised contract amount of \$142,194.11, and

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

RESOLVED, that Change Order No. 1-Final to decrease the contract by \$2,865.89 for the Bridge Deck Overlay Project, for a revised contract amount of \$142,194.11, to Milherst Construction, 10025 County Road, Clarence Center, NY 14032, be approved, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-090-20

From: Infrastructure & Facilities and Administration Committees.

Dated: August 4, 2020

**GRISWOLD STREET CULVERT REPLACEMENT PROJECT
RESCIND CONSULTANT RESOLUTION IF-018-19**

WHEREAS, Niagara County received notification that the Griswold Street Culvert project received funding from the BridgeNY Culvert Program, and

WHEREAS, the County hired a design consultant with Resolution No. IF-018-19, dated February 19, 2019, CHA Consulting Inc., 2200 Main Place Tower, Buffalo, NY 14202, and

WHEREAS, the project was previously completed in January 2019, and funded with other sources, now, therefore, be it

RESOLVED, that resolution No. IF-018-19, dated February 19, 2019, be rescinded in its entirety as the project was previously completed using other funding sources.

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-091-20

From: Infrastructure & Facilities and Administration Committees.

Dated: August 4, 2020

BRIDGE MAINTENANCE BUDGET MODIFICATION

WHEREAS, the Robinson Road Bridge over the Erie Canal and the Bridge Bearing maintenance project, both have received NYS Marchiselli Funding, in the amount of \$40,500 and \$22,500, respectively, and

WHEREAS, it is the County's intent to complete both of these projects during the 2020 construction season, now, therefore, be it

RESOLVED, that the following budget modifications be effectuated:

INCREASE ESTIMATE REVENUE:

D.15.5120.000.43591.00	State Aid Capital Construction	\$63,000.00
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INCREASE APPROPRIATION:

D.15.5120.000.74800.06	Maintenance Repairs	\$63,000.00
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-092-20

From: Infrastructure & Facilities and Administration Committees.

Dated: August 4, 2020

BUDGET MODIFICATION - WALMORE ROAD PAVEMENT PROJECT

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has publicly opened and read bids for the Walmore Road Pavement Project on April 9, 2020, and

WHEREAS, Resolution Number IF-047-20, dated April 21, 2020, awarded the pavement project to Edbauer Construction, 2790 Clinton Street, West Seneca, NY 14224, in the amount of \$3,214,947.25, and

WHEREAS, additional funds are required in account number H643.15.5112.000 72600.01, Infrastructure Roads, for the addition of a left turn lane on Lockport Road, and

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

RESOLVED, that the following budget modification be effectuated:

INCREASE APPROPRIATED FUND BALANCE:

A40599.00	Appropriated Fund Balance	\$240,000
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INCREASE APPROPRIATIONS:

A.07.9901.000.79010.10	Transfer to Capital Reserve	\$240,000
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INCREASE APPROPRIATED FUND BALANCE:

AH40511.00	Appropriated Capital Reserve	\$240,000
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INCREASE CAPITAL CONSTRUCTION:

AH.07.9950.000.79010.00	Transfer to Capital Construction	\$240,000
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INCREASE ESTIMATED REVENUE:

H643.15.5112.000.45031.10	Transfers from Capital Reserves	\$240,000
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INCREASE APPROPRIATIONS:

H643.15.5112.000.72600.01	Infrastructure Roads	\$240,000
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RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the required documents.

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-093-20

From: Infrastructure & Facilities Committee.

Dated: August 4, 2020

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

WHEREAS, the Newfane Youth Football League and Cheerleading has requested that the County of Niagara grant them exclusive rights to operate a football program in an area situated in the County owned property on Lake Road, and

WHEREAS, this program benefits the youth and other residents of both the Town of Newfane 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 Newfane Youth Football League and Cheerleading, 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 Newfane Youth Football League, now, therefore, be it

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the Newfane Youth Football League and cheerleading, as appears on the proposed agreement, is hereby approved in all respects, and be it further

RESOLVED, that the Chairman of the Legislature is authorized and directed to execute and deliver the agreement with the Newfane Youth Football League and Cheerleading.

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-094-20

From: Infrastructure & Facilities Committees.

Dated: August 4, 2020

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA
AND THE GREATER NIAGARA FISH ODYSSEY**

WHEREAS, the Greater Niagara Fish Odyssey has requested that the County of Niagara grant them permission to use a portion of Krull Park for the purpose of holding a fishing derby, and

WHEREAS, it is the wish of the Greater Niagara Fish Odyssey to hold the fishing derby on August 30, 2020, and

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

WHEREAS, it is the desire of Niagara County to enter into a formal agreement with the Greater Niagara Fish Odyssey, and

WHEREAS, prior to the execution of the License Agreement between the County of Niagara and the Greater Niagara Fish Odyssey, the County Attorney will review said Agreement for approval as to legal form, language and compliance, now, therefore, bet it

RESOLVED, that, following the County Attorney's review, the Chairman of the County Legislature be, and hereby is, authorized to execute the License Agreement between the County of Niagara and the Greater Niagara Fish Odyssey.

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-095-20

From: Infrastructure & Facilities Committee.

Dated: August 4, 2020

AGREEMENT BETWEEN THE COUNTY OF NIAGARA AND REELIN' FOR A CURE

WHEREAS, Reelin' for a Cure 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 Reelin' for a Cure to hold the fishing tournament on August 21, 2020, 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 Reelin' for a Cure, and

WHEREAS, prior to the execution of the License Agreement between the County of Niagara and Reelin' for a Cure, 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 Chair of the County Legislature be, and hereby is, authorized to execute the License Agreement between the County of Niagara and Reelin' for a Cure.

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-096-20

From: Infrastructure & Facilities and Administration Committees.

Dated: August 4, 2020

**AGREEMENT BETWEEN THE COUNTY OF NIAGARA
AND THE NIAGARA FRONTIER CROSS COUNTRY LEAGUE**

WHEREAS, the Niagara Frontier Cross Country League has requested that the County of Niagara grant them exclusive rights to operate a Cross Country program in an area situated in the County owned property at Clyde L. Burmaster Bond Lake Park, and

WHEREAS, this program benefits the residents of the Town of 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, it is the desire of Niagara County to enter into a formal agreement with the Niagara Frontier Cross Country League, and

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

RESOLVED, that the terms and conditions of the agreement between the County of Niagara and the Niagara Frontier Cross Country League, as appears on the proposed agreement, is hereby approved in all respects, and be it further

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-097-20

From: Infrastructure & Facilities and Administration Committees.

Dated: August 4, 2020

**ABOLISH CLEANER POSITION
CREATE AND FILL CLEANER/LABORER**

WHEREAS, due to 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) Cleaner position and to create and fill one (1) Cleaner/Laborer, and

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

RESOLVED, that Position No. 13374, Cleaner, be abolished, effective August 8, 2020, and be it further

RESOLVED that the position of Cleaner/Laborer, AFSCME, Grade 42, Step 1, at an annual salary of \$32,698, be created and filled, effective August 8, 2020, and be it further

RESOLVED that the following budget modification be made:

FROM:

A.15.1620.000.71030.01	Positions (Cleaner-Pos. #13374)	\$11,623
A.15.1620.000.71010.01	Positions (Building Attendant Pos. # 13359)	\$ 783

TO:

A.15.1620.000.71010 .01	Positions (Cleaner/Laborer – Pos. #xxxxx)	\$12,406
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Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IF-098-20

From: Infrastructure & Facilities and Administration Committees.

Dated: August 4, 2020

CAPITAL PROJECT CLOSE OUTS

WHEREAS, the following capital projects have been completed and have account balances remaining that need to be transferred back to the original funding sources, now, therefore, be it

RESOLVED, that the following capital projects be closed and the remaining account balances be transferred to the original funding source:

INCREASE APPROPRIATED FUND BALANCE:

A 40599.00	Appropriated Fund Balance	\$ 21,700.98
D 40599.00	Appropriated Fund Balance	\$ 660,618.22

INCREASE ESTIMATED REVENUES:

H490.15.5112.000 42306.00	Road and Bridge Charges Other Govts	\$ 49,631.35
H490.15.5112.000 43591.00	State Aid Capital Const. Highway	\$ 56,751.69
H502.15.1620.000 45031.00	Transfer from General Fund	\$ 19,937.67
H520.15.5112.000 45031.00	Transfer from County Road Fund	\$ 660,618.22

H522.15.5197.000 43591.00	State Aid Capital Const. Highway	\$ 101,149.00
H566.15.5197.000 42306.00	Road and Bridge Charges Other Govts	\$ 293,349.30
H566.15.5197.000 44597.01	Federal Aid Capital Const. Highway	\$ 39,180.32
H585.15.1620.000 41289.02	Other General Gov Income Misc Reimb.	\$ 1,250.00
H589.15.5112.000 45031.00	Transfer from General Fund	\$ 1,763.31
H605.15.5197.000 43591.00	State Aid Capital Const. Highway	\$ 30,014.37
H611.15.1620.000 45031.10	Transfer from Capital Reserve	\$ 51,752.30
H621.15.5197.000 45710.07	Serial Bonds Year 2007	\$ 87,618.93
H621.15.5197.000 45031.10	Transfer from Capital Reserve	\$ 48,000.00
H651.15.5197.000 43501.00	Consolidated Highway Aid	\$ 6,529.03
H664.15.1620.000 45031.10	Transfer from Capital Reserve	\$ 50,000.00
H690.15.1620.000 45031.10	Transfer from Capital Reserve	\$ 5,000.00
H704.15.5197.000 45730.14	BAN Year 2014	\$ 624,222.00

DECREASE ESTIMATED REVENUES:

H490.15.5112.000 44597.01	Federal Aid Capital Const. Highway	\$ 13,438.30
H490.15.5112.000 45730.14	BAN Year 2014	\$ 1,204,114.93
H502.15.1620.000 42306.00	Road and Bridge Charges Other Govts	\$ 91,800.00
H520.15.5112.000 43501.00	Consolidated Highway Aid	\$ 1,445,050.60
H522.15.5197.000 42306.00	Road and Bridge Charges Other Govts	\$ 47,445.69
H522.15.5197.000 44589.89	Federal Trans Stimulus Aid	\$ 346,246.23
H522.15.5197.000 44597.01	Federal Aid Capital Const. Highway	\$ 2,520,656.42
H522.15.5197.000 45710.08	Serial Bonds Year 2008	\$ 274,502.96
H566.15.5197.000 43591.00	State Aid Capital Const. Highway	\$ 1,507.23
H566.15.5197.000 45730.14	BAN Year 2014	\$ 624,222.00
H566.15.5197.000 45710.07	Serial Bonds Year 2007	\$ 87,618.93
H570.15.7110.000 45031.10	Transfer from Capital Reserve	\$ 4,679.06
H578.15.5197.000 45710.11	Serial Bonds Year 2011	\$ 573,018.41
H585.15.1620.000 45031.10	Transfer from Capital Reserve	\$ 51,752.30
H589.15.5112.000 43501.00	Consolidated Highway Aid	\$ 2,500.00
H589.15.5112.000 43591.00	State Aid Capital Const. Highway	\$ 4,042.01
H589.15.5112.000 44597.01	Federal Aid Capital Const. Highway	\$ 41,037.33
H596.15.5112.000 43591.00	State Aid Capital Const. Highway	\$ 13,872.36
H596.15.5112.000 44597.01	Federal Aid Capital Const. Highway	\$ 2,270.83
H596.15.5112.000 45710.13	Serial Bonds Year 2013	\$ 137,357.52
H596.15.5112.000 45730.15	BAN Year 2015	\$ 280,000.00
H599.15.5112.000 43501.00	Consolidated Highway Aid	\$ 637,761.84
H599.15.5112.000 45730.14	BAN Year 2014	\$ 95,052.01
H605.15.5197.000 43501.00	Consolidated Highway Aid	\$ 68,600.00
H605.15.5197.000 44597.01	Federal Aid Capital Const. Highway	\$ 286,590.03
H605.15.5197.000 45031.10	Transfer from Capital Reserve	\$ 256,847.12
H620.15.3150.000 45730.15	BAN Year 2015	\$ 339,958.26
H625.15.1620.000 45031.10	Transfer from Capital Reserve	\$ 343.64
H631.15.5112.000 43501.00	Consolidated Highway Aid	\$ 61,496.09
H632.15.3197.000 45031.00	Transfer from Operating	\$ 11,651.96
H640.15.5197.000 43591.00	State Aid Capital Const. Highway	\$ 53,960.95
H640.15.5197.000 44597.01	Federal Aid Capital Const. Highway	\$ 113,068.83
H640.15.5197.000 45031.10	Transfer from Capital Reserve	\$ 48,000.00
H640.15.5197.000 45710.18	Serial Bonds Year 2018	\$ 122,847.84
H647.25.1620.000 45031.10	Transfer from Capital Reserve	\$ 791.51
H651.15.5197.000 44597.01	Federal Aid Capital Const. Highway	\$ 52,345.22
H651.15.5197.000 45031.10	Transfer from Capital Reserve	\$ 23,334.06
H653.01.1480.000 45031.00	Transfer from Operating	\$ 12,206.24

H655.15.5110.000 43501.00	Consolidated Highway Aid	\$ 1,831.39
H659.15.5112.000 45031.10	Transfer from Capital Reserve	\$.87
H659.15.5112.000 43501.00	Consolidated Highway Aid	\$ 102,238.38
H663.15.7110.000 45031.10	Transfer from Capital Reserve	\$ 11,027.95
H674.15.5112.000 45710.18	Serial Bonds Year 2018	\$ 10,030.54
H681.15.5197.000 43591.00	State Aid Capital Const. Highway	\$ 887,000.00
H686.15.5197.000 43501.00	Consolidated Highway Aid	\$ 25,437.75
H692.15.1620.000 45031.10	Transfer from Capital Reserve	\$ 5,000.00

INCREASE APPROPRIATIONS:

A.07.9950.000 79010.00	Transfer to Capital Projects	\$ 21,700.98
D.15.9950.000 79010.00	Transfer to Capital Projects	\$ 660,618.22
H611.15.1620.000 72200.01	Building Improvements 2014	\$ 51,752.30
H621.15.5197.000 72600.02	Carmen Road Bridge over Johnson Creek	\$ 87,618.93
H621.15.5197.000 72600.02	Carmen Road Bridge over Johnson Creek	\$ 48,000.00
H664.15.1620.000 72200.01	Ross & Trott Roof	\$ 50,000.00
H690.15.1620.000 72200.01	Security Improvements 2019	\$ 5,000.00
H704.15.5197.000 72600.02	Wilson-Burt Rd Bridge over Hopkins Creek	\$ 624,222.00

DECREASE APPROPRIATIONS:

H490.15.5112.000 72600.01	Lincoln Ave Reconstruction	\$ 1,111,170.19
H502.15.1620.000 72200.01	Trott Parking Lot – Bldg Improvements	\$ 14,400.00
H502.15.1620.000 72400.00	Trott Parking Lot – Land Improvements	\$ 57,462.33
H520.15.5112.000 72600.01	Beebe Road Phase I & II	\$ 784,432.38
H522.15.5197.000 72600.02	Cedar Street Bridge	\$ 3,087,702.30
H566.15.5197.000 72600.02	Wilson Burt-Road Bridge Replacement	\$ 380,818.54
H570.15.7110.000 72400.00	Park Improvements/Equipment 2011	\$ 4,679.06
H578.15.5197.000 72600.02	Lockport Road Bridge	\$ 573,018.41
H585.15.1620.000 72200.01	Building Improvements 2012	\$ 50,502.30
H589.15.5112.000 72600.01	Ransomville Road/Braley Road Intersection	\$ 45,816.03
H596.15.5112.000 72600.01	Upper Mountain Road Reconstruction	\$ 433,500.71
H599.15.5112.000 72600.01	Youngstown Road Embankment	\$ 732,813.85
H605.15.5197.000 72600.02	Chestnut Street Bridge	\$ 582,022.78
H620.15.3150.000 72200.01	Jail Sally Port	\$ 339,958.26
H625.15.1620.000 72200.01	Building Security Improvements	\$ 343.64
H631.15.5112.000 72600.01	Griswold Street Culvert Replacement	\$ 61,496.09
H632.15.3197.000 72400.00	Sheriff's Perimeter Fencing	\$ 11,651.96
H640.15.5197.000 72600.02	Carmen Rd Bridge over Golden Hill Creek	\$ 337,877.62
H647.25.1620.000 72200.01	Environmental Projects	\$ 791.51
H651.15.5197.000 72600.02	Griswold Street Bridge over Mud Creek	\$ 69,150.25
H653.01.1480.000 72100.26	Website Improvements	\$ 12,206.24
H655.15.5110.000 72100.10	Highway Heavy Equipment 2017	\$ 1,831.39
H659.15.5112.000 72600.01	Highway Maintenance Initiative 2018	\$ 102,239.25
H663.15.7110.000 72100.10	Park Equipment 2018	\$ 11,027.95
H674.15.5112.000 72100.10	Highway Heavy Equipment 2018	\$ 10,030.54
H681.15.5197.000 72600.02	Griswold Street Culvert over Jeddo Creek	\$ 887,000.00
H686.15.5197.000 72600.02	Gasport Road Culvert Emergency Repairs	\$ 25,437.75
H692.15.1620.000 72200.01	HR Building Elevator Rehabilitation	\$ 5,000.00

and be it further

RESOLVED, that the following Capital Projects be closed:

H490 Lincoln Avenue
H502 Trott Parking Lot
H520 Beebe Road Phase I & II
H522 Cedar Street Bridge
H566 Wilson Burt-Road Bridge Replacement
H570 Park Improvements/Equipment 2011
H578 Lockport Road Bridge
H585 Building Improvements 2012
H589 Ransomville Road/Braley Road Intersection
H596 Upper Mountain Road Reconstruction
H599 Youngstown Road Embankment
H601 Guiderail Safety Improvements
H605 Chestnut Street Bridge
H620 Jail Sally Port
H625 Building Security Improvements
H631 Griswold Street Culvert Replacement
H632 Sheriff's Perimeter Fencing
H634 NCCC Learning Commons
H635 Krull Park Culvert Rehab
H636 Fire/Security Panel Upgrades
H640 Carmen Road Bridge over Golden Hill Creek
H646 Video System Equipment Technology
H647 Environmental Projects
H651 Griswold Street Bridge over Mud Creek
H653 Website Improvements
H655 Highway Heavy Equipment 2017
H658 Park Equipment 2018
H659 Highway Maintenance Initiative 2018
H663 Park Equipment 2018
H667 Guiderail Improvements 2018
H674 Highway Heavy Equipment 2018
H681 Griswold Street Culvert over Jeddo Creek
H686 Gasport Road Culvert Emergency Repairs
H692 HR Building Elevator Rehabilitation

and be it further

RESOLVED, that the cash balances for these accounts in the amount of \$3,286,063.95 is to be returned to the original funding sources as follows:

Capital Reserve:	\$ 247,024.26
Debt Reserve	\$ 3,036,882.47
General Fund Operating	\$ 2,157.22

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IL-019-20

From: Legislator David E. Godfrey.

Dated: August 4, 2020

**SUPPORT FOR COUNTY FUNDING TO HELP WITH LOCAL MATCH
FOR TOWN OF WILSON REDI PROJECTS**

WHEREAS, lakeshore towns in Niagara County have been faced with unprecedented damage due to Lake Ontario flooding in 2017 and 2019, and

WHEREAS, the Town of Wilson is working with all levels of government to find ways to mitigate damage from future flooding allowing for economic recovery, growth, and development, including tourism, and

WHEREAS, New York State created the Resiliency and Economic Development Initiative (REDI) to fund projects that increase the resilience of shoreline communities and bolster economic development, and

WHEREAS, three important projects in the Town of Wilson have been approved through the New York State Resiliency and Economic Development Initiative ~ Town of Wilson Water Tower[(\$1,000,000), Sunset Island West Barrier Bar (\$210,000), and Roosevelt Beach Bridge Waterline (\$500,000), with the costs for these projects totaling \$1,710,000, and

WHEREAS, the New York State Resiliency and Economic Development Initiative will fund 95 percent of the total project costs or \$1,624,500, provided the local community can meet a 5 percent matching share, which works out to \$85,500 for the Town of Wilson, and

WHEREAS, the Town of Wilson has identified funds of \$63,870 from the Town's Water Fund leaving a shortfall of \$21,630 for the three projects, and

WHEREAS, two of three projects with a funding shortfall of \$10,500 are scheduled this year, and the third project with a funding shortfall of \$11,130 is scheduled mid-year 2021, and

WHEREAS, the Town of Wilson is asking Niagara County to help with the remaining funds needed for the Sunset Island West Barrier Bar and the Roosevelt Beach Bridge Waterline projects so the matching funds requirement will be met, the state grant funds will be unlocked, and these important two projects can move forward, now, therefore, be it

RESOLVED, that the Niagara County Legislature approves \$10,500 to be dedicated to the Town of Wilson's local match relating to the Town of Wilson projects approved for New York State Resiliency and Economic Development Initiative funding, and be it further

RESOLVED, that this funding be transferred from the Niagara Falls Bridge Commission funds provided to Niagara County to the Town of Wilson.

INCREASE REVENUE:

A.28.8020.811 40599.01	Appropriated Fund Balance-Committed Funds	\$10,500
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INCREASE APPROPRIATION:

A.28.8020.811 74550.29	Beautification Program	\$10,500
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Moved by Godfrey, seconded by Nemi, to implement the portion of Rule 15 that pertains to voting on a resolution as opposed to referring it to committee.

Moved by Godfrey, seconded by Nemi.

Adopted. 9 Ayes, 5 Noes, 1 Absent- Hill.

Resolution No. IL-020-20

From: Legislator David E. Godfrey.

Dated: August 4, 2020

**SUPPORT FOR COUNTY FUNDING TO HELP WITH LOCAL MATCH
FOR VILLAGE OF WILSON REDI PROJECTS**

WHEREAS, lakeshore towns in Niagara County have been faced with unprecedented damage due to Lake Ontario flooding in 2017 and 2019, and

WHEREAS, the Village of Wilson is working with all levels of government to find ways to mitigate damage from future flooding allowing for economic recovery, growth, and development, including tourism, and

WHEREAS, New York State created the Resiliency and Economic Development Initiative (REDI) to fund projects that increase the resilience of shoreline communities and bolster economic development, and

WHEREAS, two important projects in the Village of Wilson which have been approved through the New York State Resiliency and Economic Development Initiative, Village of Wilson Wastewater Treatment Plant (\$4,461,000) and Village of Wilson Townline Pier (\$1,587,000), with the costs for these projects totaling \$6,048,000, and

WHEREAS, the New York State Resiliency and Economic Development Initiative will fund 95 percent of the total project costs or \$5,745,600, provided the local community can meet a 5 percent matching share, which works out to \$302,400 for the Village of Wilson, and

WHEREAS, the Village of Wilson has identified funds of \$167,288 from the Village's Sewer Fund for sewer projects and funds of \$59,513 from the Village's General Fund for infrastructure projects for a total Village Contribution of \$226,801 leaving a shortfall of \$75,600, and

WHEREAS, one of two projects with a funding shortfall of \$19,838 is scheduled this year, and the second project with a funding shortfall of \$55,762 is scheduled mid-year 2021, and

WHEREAS, the Village of Wilson is asking Niagara County to help with the remaining funds needed for the Village of Wilson Townline Pier project so that the matching funds requirement will be met, the state grant funds will be unlocked, and these important two projects can move forward, now, therefore, be it

RESOLVED, that the Niagara County Legislature approves \$19,838 to be dedicated to the Village of Wilson's local match relating to the Village of Wilson projects approved for New York State Resiliency and Economic Development Initiative funding, and be it further

RESOLVED, that this funding be transferred from the Niagara Falls Bridge Commission funds provided to Niagara County to the Village of Wilson.

INCREASE REVENUE:

A.28.8020.811 40599.01	Appropriated Fund Balance-Committed Funds	\$19,838
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INCREASE APPROPRIATION:

A.28.8020.811 74550.29	Beautification Program	\$19,838
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Moved by Godfrey, seconded by Andres, to implement the portion of Rule 15 that pertains to voting on a resolution as opposed to referring it to committee.

Moved by Godfrey, seconded by Andres.
Adopted. 9 Ayes, 5 Noes, 1 Absent- Hill.

Resolution No. IL-021-20

From: Legislators Richard L. Andres, Anthony J. Nemi, John Syracuse, Randy R. Bradt, Owen T. Steed and Parks, Recreation & Tourism Ad Hoc Committee

Dated: August 4, 2020

SUPPORT FOR WHEATFIELD VETERANS MEMORIAL PROJECT

WHEREAS, the Niagara Power Coalition ("NPC") and the New York Power Authority(NYPA) agreed to a licensing settlement for the next 50 years for the Niagara Power Project, and

WHEREAS, that settlement allows Niagara County to receive, through NPC Host Community Standing Committee ("HCSC"), up to \$390,000 annually to fund projects which are found to be consistent with the Niagara Greenway projects along the Greenway Trail, and

WHEREAS, the Wheatfield Veterans Memorial Inc., a 501-(c)(3) organization, whose mission is to create a memorial to honor the sacrifices veterans have made to defend our country, has made application to the Niagara County's Ad Hoc Committee on Parks, Recreation and Tourism for Greenway funds for the Wheatfield Veterans Memorial Project, and

WHEREAS, the Wheatfield Veterans Memorial Project will include the construction of a 7,800 square foot paved walkway and display area for the Town of Wheatfield's recently restored Huey helicopter, tank and Veterans Memorial monument to honor all branches of the United States armed forces, and

WHEREAS, the military equipment, which is currently located at the Town of Wheatfield highway garage, will be moved to the new site at the Wheatfield Town Hall Campus, and will feature new flagpoles, landscaping, benches, lighting, ample parking, restroom facilities, and will create a safe, solemn, and memorable family experience for veterans memorial services, and

WHEREAS, the existing Veterans Memorial site located in front of the Wheatfield Highway building is not ADA-compliant, is falling into disrepair, and has no designated parking for visitors and for those individuals with wheelchairs and walkers, and

WHEREAS, the Wheatfield Veterans Memorial Project meets the guiding principles of the Niagara River Greenway and will raise the consciousness of visitors by providing youth and adults with a place for families and friends to remember the contributions of the service men and women and will be available to surrounding communities for their veterans celebrations, and

WHEREAS, the Wheatfield Veterans Memorial Inc. has requested \$100,000 in its application which is to be utilized for the construction of the Veterans Memorial project, and

WHEREAS, the Wheatfield Veterans Memorial Project has the support and approval of Niagara County Legislator Jesse P. Gooch, Town of Wheatfield, the Rotary Club of Niagara County Central, and American Legion Wheatfield Post 1451, and

WHEREAS, the Ad Hoc Committee for Parks, Recreation and Tourism Fund appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Niagara Power Coalition and the Host Community Standing Committee, recommends that Niagara County approve and support this project, and

WHEREAS, the Wheatfield Veterans Memorial Inc. has utilized great effort and is complimented for being able to receive other funding as well as in kind services, and

WHEREAS, after receipt of in-kind services and other funding, the remaining \$100,000 needed for the project is being requested, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$100,000.00, subject to NYPA funding for Greenway projects, for the Wheatfield Veterans Memorial Project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

Moved by Gooch, seconded by Nemi.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IL-022-20

From: Legislators Richard L. Andres, Anthony J. Nemi, John Syracuse, Randy R. Bradt, Owen T. Steed and Parks, Recreation & Tourism Ad Hoc Committee

Dated: August 4, 2020

SUPPORT FOR PENDLETON PARK COMMUNITY CENTER PROJECT

WHEREAS, the Niagara Power Coalition (“NPC”) and the New York Power Authority (“NYPA”) agreed to a licensing settlement for the next 50 years for the Niagara Power Project, and

WHEREAS, that settlement allows Niagara County to receive, through NPC Host Community Standing Committee (“HCSC”), up to \$390,000 annually to fund projects which are found to be consistent with the Niagara Greenway projects along the Greenway Trail, and

WHEREAS, the Town of Pendleton, has made application to the Niagara County’s Ad Hoc Committee on Parks, Recreation and Tourism for Greenway for its Pendleton Park Community Center Project, and

WHEREAS, the Pendleton Park Community Center will be constructed at the Pendleton Town Park, which is a 23-acre park centrally located in the Town that surrounds Pendleton’s municipal facilities and Historical Society Museum, and is used primarily for recreation and Town events, including Fourth of July celebrations, and farmers’ markets, and

WHEREAS, the population of the Town of Pendleton has been steadily increasing over the years and there are limited facilities of sufficient capacity and dependable availability within the Town for hosting seniors, veterans, community groups, fundraisers, clubs, special events and celebrations, and

WHEREAS, representatives of the Town of Pendleton’s two active senior citizens groups, its Historical Society and a growing Veteran’s Association, as well as other groups have made a continuous call for a meeting space in the form of a community center, and

WHEREAS, the Pendleton Park Community Center will be connected to the existing Pendleton Historical Society Museum and will act as a physical gateway to all features that the park offers, including baseball diamonds, batting cages, tennis courts, basketball and volleyball courts and newly installed handicap accessible playground equipment, as well as pavilions, picnic tables, barbecue grills and restroom facilities, and

WHEREAS, the Pendleton Park Community Center will serve as an all-season community center to be utilized by residents, visitors, community groups, and will establish an additional tourist attraction for the Town of Pendleton Historical Society, along with the park’s playgrounds, trails and sports facilities, and will be large enough to host senior citizen’s groups, Veteran’s Association, Athletic Boosters Association, youth groups, clubs, community fundraisers and special events, and

WHEREAS, the Pendleton Park Community Center Project meets the guiding principles of the Niagara River Greenway by increasing access to and connections between the Town of Pendleton’s natural and scenic resources, historical and cultural facilities and recreational destinations through the construction of a public meeting and gathering space, and

WHEREAS, the Town of Pendleton has requested \$200,000 in its application which is to be utilized for the construction of the Pendleton Park Community Center and to be received in two installments of \$100,000, the first upon completion of the Project and the second after July 30, 2020, and

WHEREAS, the Pendleton Park Community Center Project has the support and approval of Niagara County Legislator Anthony J. Nemi, Pendleton Veterans Association, and Pendleton Historical Society, and

WHEREAS, the Ad Hoc Committee for Parks, Recreation and Tourism Fund appointed by the Niagara County Legislature to review projects brought to Niagara County seeking funding from Niagara County through the Niagara Power Coalition and the Host Community Standing Committee, recommends that Niagara County approve and support this project, and

WHEREAS, the Town of Pendleton has utilized great effort and is complimented for being able to receive other funding as well as in kind services, and

WHEREAS, after receipt of in-kind services and other funding, the remaining \$200,000 needed for the project is being requested, now, therefore, be it

RESOLVED, that the Niagara County Legislature does hereby support and sponsor the funding of \$200,000.00, subject to NYPA funding for Greenway projects, for the Pendleton Park Community Center Project when presented to the Niagara Power Coalition and the Host Community Standing Committee.

Moved by Gooch, seconded by Bradt.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IL-023-20

From: Legislators Mark J. Grozio, Dennis F. Virtuoso, Owen T. Steed, Christopher A. Robins and Anita Mullane.

Dated: August 4, 2020

**NIAGARA COUNTY EMERGENCY SERVICES
INTER-MUNICIPAL PATROL VEHICLE AGREEMENT**

WHEREAS, Niagara County currently possesses a 2013 Chevrolet Tahoe previously used by the Niagara County Fire & Emergency Services Office with an odometer reading of approximately 103,309 which is no longer needed for County use and which the County wishes to declare as surplus property, and

WHEREAS, the City of Niagara Falls has need of a vehicle matching the above description for use by the Niagara Falls Police Department K-9 Unit in the performance of their law enforcement duties, and

WHEREAS, an Inter-Municipal Agreement between the County of Niagara and the City of Niagara Falls has been drafted by the County Attorney's Office which details the terms of a transfer of the aforementioned 2013 Chevrolet Tahoe now, therefore, be it

RESOLVED, that the County of Niagara declares the 2013 Chevrolet Tahoe to be surplus property and authorizes an agreement with the City of Niagara Falls to transfer the ownership of the 2013 Chevrolet Tahoe, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute the agreement with the City of Niagara Falls.

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

Moved by Grozio, seconded by Robins.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IL-024-20

From: Legislator David E. Godfrey.

Dated: August 4, 2020

RESOLUTION IN SUPPORT OF ASSEMBLY BILL A.9779A/SENATE BILL S.7589B

WHEREAS, volunteer firefighters serve not only an important function as first responders in their communities, but are often the first line of defense during a state-wide emergency, like COVID-19, and

WHEREAS, over the years the number of individuals willing to join the volunteer fire service has decreased, putting a strain on many communities as they seek to ensure the protection of their residents, and

WHEREAS, the COVID-19 pandemic has further increased the difficulty in attracting new individuals to join the ranks of volunteer firefighters, and

WHEREAS, the Firemen's Association of the State of New York, the Association of Fire Districts of New York, the State Association of Fire Chiefs and New York State Fire Coordinators have been left with the sole responsibility of recruiting volunteer firefighters, and

WHEREAS, Assembly Bill A.9779A and Senate Bill S.7589B have been introduced in the New York State Legislature to create a volunteer firefighter recruitment and retention task force, and

WHEREAS, such a task force would be inclusive of relevant state agencies, designated associations representing volunteer firefighters and members of the Legislature to provide the Governor, the Senate and the Assembly with recommendations to assist in the recruitment and retention of volunteer firefighters, now, therefore, be it

RESOLVED, that the Niagara County Legislature acknowledges the important role volunteer firefighters play in keeping our communities in Niagara County safe and shares the concern about the decreasing numbers of those serving as volunteer firefighters, and be it further

RESOLVED, that the Niagara County Legislature fully supports Assembly Bill A.3440A and Senate Bill S.7589B, and be it further

RESOLVED, that that copies of this resolution be sent to Senator Robert G. Ort, Assemblyman Robin Schimminger, Assemblyman Michael J. Norris, Assemblyman Angelo J. Morinello, Assemblyman Stephen Hawley, Leaders of the State Assembly and Senate, and Governor Andrew Cuomo.

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

Moved by Godfrey, seconded by Gooch.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IL-025-20

From: Legislator David E. Godfrey

Dated: August 4, 2020

RESOLUTION IN SUPPORT OF H.R. 7566, COMPUTERS FOR VETERANS AND STUDENTS ACT

WHEREAS, the COVID-19 pandemic has further highlighted how dependent people are on their computers at home to meet many of the demands of everyday life, and

WHEREAS, those who do not have access to updated computer equipment can be at a major disadvantage in pursuing employment and education, as well as staying informed in the digital age, and

WHEREAS, H.R. 7566, known as the Computers for Veterans and Students Act (COVS), has been introduced in the United State House of Representatives to help address this problem, and

WHEREAS, the COVS Act proposes a straightforward change to the process by which federal surplus/excess/retired computers are handled, and

WHEREAS, the COVS Act would direct the General Services Administration to give non-profit refurbishers access to those computers to update the software and hardware, and then distribute these computers to veterans and students in communities nationwide, and

WHEREAS, 500,000 federal computers are taken out of service each year, the COVS Act would both help get computers to those who need them, while also reducing e-waste, now, therefore, be it

RESOLVED, that the Niagara County Legislature fully supports H.R. 7566, the Computers for Veterans and Students Act, and be it further

RESOLVED, that that copies of this resolution be sent to Congressman Brian Higgins, Congressman Christopher Jacobs, and Congressman Tom Reed.

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

Moved by Godfrey, seconded by Myers.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. IL-026-20

From: Legislators Rebecca J. Wydysh, Randy R. Bradt, David E. Godfrey, et al.

Dated: August 4, 2020

RESOLUTION CREATING THE NIAGARA COUNTY TASK FORCE TO COMPLY WITH THE NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE

WHEREAS, On June 12, 2020 Governor Cuomo issued Executive Order 203, the New York State Police Reform and Reinvention Collaborative, and

WHEREAS, each local government that maintains a police agency must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color, and

WHEREAS, each chief executive of such local government shall convene the head of the local police agency, and stakeholders in the community to develop such plan, which shall consider evidence-based policing strategies, including but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program, and

WHEREAS, the political subdivision, in coordination with its police agency, must consult with stakeholders, including but not limited to membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected

officials, and create a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations, and innovations to its policing deployments, strategies, policies, procedures, and practices, tailored to the specific needs of the community and general promotion of improved police agency and community relationships based on trust, fairness, accountability, and transparency, and which seek to reduce any racial disparities in policing, and

WHEREAS, such plan shall be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the local legislative body in such political subdivision, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021, and

WHEREAS, Niagara County maintains a police agency that is covered by this Executive Order in the Niagara County Sheriff's Office, now, therefore, be it

RESOLVED, the Niagara County Legislature hereby creates the Niagara County Task Force on Police Reform, and be it further

RESOLVED, that the Chairman of the Niagara County Legislature will chair this task force and all members of the Niagara County Legislature are appointed as ex officio members, and be it further

RESOLVED, that the Niagara County Sheriff, the Niagara County District Attorney, the Niagara County Public Defender and the Niagara County Emergency Services Director are appointed to this task force, and be it further

RESOLVED, that a resident from each of Niagara County's three cities and 12 towns shall be appointed to the task force by the chief executive of each municipality, and be it further

RESOLVED, that up to 5 additional members from the community can be appointed to this task force by the Chairman of the Legislature based on recommendations made by either the Majority Leader or the Minority Leader, and be it further

RESOLVED, that this task force is directed to solicit comment from the public to allow all interested stakeholders to have input into the plan, and be it further

RESOLVED, that the Legislature expects the task force to complete all of its work and submit a plan to the Legislature for consideration before the end of 2020.

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

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Resolution No. CS-029-20 was read at this time. (Appears in numerical order)

APPOINTMENTS:

	<u>Appt.</u>	<u>Expires</u>
<u>COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY COMMITTEE:</u>		
Hon. Chris Jacobs, Congressman 8203 main St., Suite 2 Williamsville, NY 14221		

PLANNING BOARD:

Thomas R. Ohol	08/04/20	12/31/22
832 Comstock Rd. Lockport 14094		

TRAFFIC SAFETY BOARD:

Chief Thomas E. Krantz (replace Roger Zgolak), No. Tonawanda Police Dept. 08/04/20 12/31/20

216 Payne Ave, North Tonawanda 14120

Moved by Bradt, seconded by Virtuoso.

Adopted. 14 Ayes, 0 Noes, 1 Absent- Hill.

Moved by Bradt, seconded by Virtuoso to enter into Executive Session re: Deputy Sheriff's Contract Negotiations at 8:09 p.m.

Carried.

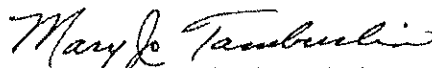
Moved by Syracuse, seconded by Steed to adjourn Executive Session at 8:36 p.m.

Carried.

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

The Chairman declared the Board adjourned at 8:37p.m., subject to the call of the Clerk.

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


Mary Jo Tamburlin, Clerk