

**MEDIA AND PUBLIC MAY VIEW LIVE ON LCTV 1303
LEGISLATURE AND COUNTY STAFF WILL BE PARTICIPATING BY WEBEX**



**AGENDA
NIAGARA COUNTY LEGISLATURE
January 19, 2021 – 6:00 P.M. Live on LCTV 1303**

1. CALL TO ORDER
2. CLERK CALLS THE ROLL
3. PRAYER & PLEDGE
4. CORRESPONDENCE/ RECOGNITION:
5. PRESENTATIONS: Law Enforcement Reform Plan – Presented by Sheriff Filicetti
6. PUBLIC SPEAKERS: Clerk will read the names on the sheet for Public Speakers on Agenda items.
7. RECESS
8. RESOLUTIONS
9. COUNTY MANAGER
10. APPOINTMENTS:
11. EXECUTIVE SESSION
12. ADJOURNMENT
13. PUBLIC SPEAKERS: Clerk will read names on the sheet for Public Speakers for the General Welfare of the County

Alysa T. Moran

Alysa T. Moran, Clerk
Niagara County Legislature

The next meeting of the Legislature will be held on February 16, 2021



AGENDA
NIAGARA COUNTY LEGISLATURE
January 19, 2021 – 6:00 P.M. LIVE ON LCTV 1303

Resolutions not on previous agenda:

CW-002-20 Committee of the Whole, re Budget Modification Create and Fill Positions-Emergency Management Office

Regular Meeting – January 19, 2021:

- *AD-001-21** Administration, re Authorization for Real Property Tax Refunds/Corrections – 2021
- *CS- 001-21** Community Services and Administration, re Create and Fill Deputy County Clerk DMV Operations Manager
- *CS-002-21** Community Services and Administration, re Upgrade to Confidential Secretary to the County Clerk
- *CSS-001-21** Community Safety & Security, re Acceptance of 2020-2021 Aid to Prosecution Program Grant-DA
- *CSS-002-21** Community Safety & Security and Administration, re District Attorney's Office Reorganization
- *CSS-003-21** Community Safety & Security, re Federal Equitable Sharing Program Agreement and Annual Certification Report
- *CSS-004-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification Accept Domestic Cannabis Eradication/Suppression Program
- *CSS-005-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Federal Equitable Sharing Annual Recertification
- *CSS-006-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Accept FY20 Operation Stonegarden Grant

- *CSS-007-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification Statewide Interoperable Communications Formula Grant
- *CSS-008-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Budget Modification – Port Security Grant 2018
- *CSS-009-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Motorola Contract Change Order No. 3 and No. 4
- *CSS-010-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Lease Agreement with the Town of Wilson
- *CSS-011-21** Community Safety & Security and Administration, re Niagara County Sheriff's Office Extend Inmate Health Care Services Agreement
- *CSS-012-21** Community Safety & Security and Administration, re Resolution Declaring the Legislature of the County of Niagara to be Lead Agency for Environmental Review Pursuant to the State Environmental Quality Review Act (SEQRA) for the Proposed Niagara County Public Safety Radio Expansion Project – Sheriff
- CW-003-21** Committee of the Whole, re Award of School Bus Stop Arm Camera Services for Niagara County
- CW-004-21** Committee of the Whole, re Ratification of Agreement between Niagara County Deputy Sheriffs Association and the County of Niagara and the Sheriff of the County of Niagara
- ED-002-21** Economic Development and Administration, re Fixing Date and Notice for the Public Hearing for Brent Industries, LLC Community Development Block Grant Application
- ED-003-21** Economic Development and Administration, re Fixing Date and Notice for the Public Hearing for the Locks & Erie Canal Cruises Community Development Block Grant Application
- ED-004-21** Economic Development and Administration, re Fixing Date and Notice for the Public Hearing for Ultimate Physique, Inc. Community Development Block Grant Application
- ED-005-21** Economic Development and Administration, re Authorization to Convey Certain Tax Lien Properties to NORLIC
- *IF-001-21** Infrastructure & Facilities and Administration, re Resolution to Declare 6805 Day Road, Lockport, NY Surplus Property
- *IF-002-21** Infrastructure & Facilities, re Renew the Shared Services Agreement for Stormwater Management Coordinator
- *IF-003-21** Infrastructure & Facilities, re Award of Contract - Testing and Inspection Services

- *IF-004-21** Infrastructure & Facilities and Administration, re Niagara County Roof Replacement Project Change Order No 5
- *IF-005-21** Infrastructure & Facilities and Administration, re Angelo DelSignore Civic Building Curtain Wall Renovation - Change Order No. 3 - Time Extension
- *IF-006-21** Infrastructure & Facilities, re Carmen Road Bridge Over Johnson Creek Bridge Replacement Federal Aid Local Project Agreement
- *IF-007-21** Infrastructure & Facilities and Administration, re and DPW-Highway Expenditure of County Road Fund Monies

Alysa T. Moran

Alysa T. Moran, Clerk
Niagara County Legislature


*** Indicates Preferred Agenda items**

Attachments for resolutions may be obtained in the office of the Clerk of the Legislature upon request.

The next meeting of the Legislature will be held on February 16, 2021

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee **DATE:** 01/19/21 **RESOLUTION #** AD-001-21

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION AD - 1/11/21	LEGISLATIVE ACTION Approved: Ayes Abs. Noes Rejected: Ayes Abs. Noes Referred:
			

AUTHORIZATION FOR REAL PROPERTY TAX REFUNDS/CORRECTIONS - 2021

WHEREAS, New York State Real Property Tax Law, sections 554 and section 556, provides for an administrative correction of error process that assists property owners in obtaining refunds and/or corrections for real property tax payments or billings, and

WHEREAS, certain clerical errors, unlawful entries and errors in essential fact, as defined in the New York State Real Property Tax Law, are permitted to be corrected by a taxing jurisdiction based upon the recommendation of the Director of Real Property Tax Services, and

WHEREAS, the taxing jurisdiction can delegate, by resolution, on an annual basis, to an official who is empowered to authorize payment of bills without prior audit, the authority to perform the duties of the tax levying body in regard to Real Property Tax Law, Sections 554 and 556, now, therefore, be it

RESOLVED, that the Niagara County Treasurer is hereby delegated the authority to perform the duties of the tax levying body during 2021 when the Real Property Tax Director's recommended refund and/or correction is twenty five hundred dollars or less, and be it further

RESOLVED, that on or before the fifteenth day of each month, the Niagara County Treasurer shall submit a report to the Niagara County Legislature of the refunds and or corrections processed during the preceding month, containing the name of each recipient, the location of the property, and the amount of the refund.

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee **DATE:** 01/19/21 **RESOLUTION #** CS-001-21
and Administration Committee

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		CS - 1/11/21	Approved: Ayes Abs. Noes
		AD - 1/11/21	Rejected: Ayes Abs. Noes
			Referred:

CREATE AND FILL DEPUTY COUNTY CLERK DMV OPERATIONS MANAGER

WHEREAS, the Niagara County Clerk serves as the Clerk of Supreme and County Courts, as well as the register of all Niagara County land transactions, and

WHEREAS, the Clerk acts as receiver of all filings and recordings of numerous and varied instruments, and

WHEREAS, the County Clerk is also responsible for the effective management and administrative, financial and operational functions of many large and diverse areas, including the Recording Office, Records Management, three Offices of the Department of Motor Vehicles, Veterans Service Agency, Pistol Permit Issuing Office, U.S. Passport Acceptance Agent, and the Office of Niagara County Historian, and

WHEREAS, these programs must be maintained in accordance with statute, and

WHEREAS, this position will be solely responsible for the supervision of staff and coordination of daily operations in three Niagara County Department of Motor Vehicle offices and

WHEREAS, this position will allow proactive performance in financial management, revenue maximization, budget analysis and public outreach, while strengthening the department administrative capabilities, and

WHEREAS, this position will act in the capacity of the County Clerk during a concurrent absence of the County Clerk, First Deputy County Clerk, Deputy County Clerk Administration, and

WHEREAS, this position will not impact the 2021 budget as there will be a departmental cost savings of approximately \$30,000 due to the retirement of a current DMV deputy and the eventual elimination of the remaining two DMV Deputy positions through attrition over the course of fiscal year 2021, and

WHEREAS, the creation of this position along with the elimination of three DMV Deputy positions will effectively allow all three Niagara County Motor Vehicle offices to remain operational and profitable, now, therefore, be it

RESOLVED, that the Deputy County Clerk DMV Operations Manager will have the authority to act for and in the place of the County Clerk when necessary, and be it further


RESOLVED, that one Deputy County Clerk DMV Operations Manager, Grade 11 – 35 hours, Flat annual Salary \$77,281.00, Step 6 be created within the office of the Niagara County Clerk, and filled effective February 7, 2021.

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Services Committee
and Administration Committee **DATE:** 01/19/21 **RESOLUTION #** CS-002-21

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		CS - 1/11/21	Approved: Ayes Abs. Noes
		AD - 1/11/21	Rejected: Ayes Abs. Noes
			Referred:

UPGRADE TO CONFIDENTIAL SECRETARY TO THE COUNTY CLERK

WHEREAS, the County Clerk's Department provides a vast array of services including, but not limited to, serving as the Clerk of Supreme and County Courts, as well as the register of all Niagara County land Transactions, and

WHEREAS, the Clerk acts as receiver of all filings and recordings of numerous and varied instruments, and

WHEREAS, the Clerk is responsible for the effective management and administration, financial and operational functions of many large and diverse areas, including the Recording Office, Records Management, three Offices of the Department of Motor Vehicles, Veterans Service Agency, Pistol Permit Issuing Office, U.S. Passport Acceptance Agent, and the Office of Niagara County Historian, and

WHEREAS, this requires a high level of effectiveness in all levels of the department including Confidential Secretary to the County Clerk, which has recently undergone review and update to the job description and level of responsibility of the Confidential Secretary position, and

WHEREAS, in comparison to other county job responsibilities have identified inequities in salary when compared to the Confidential Secretary salary in similar departments, causing a salary misalignment of these similar positions, and

WHEREAS, 100% of the upgrade is covered by existing funds, now, therefore, be it

RESOLVED, that the Confidential Secretary position in the Niagara County Clerk's Office be upgraded from NUH 2 to NUH Grade 4 step 5, effective February 7, 2021

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/19/21 **RESOLUTION #** CSS-001-21

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		<u>CSS - 1/11/21</u>	Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

ACCEPTANCE OF 2020-2021 AID TO PROSECUTION PROGRAM GRANT

WHEREAS, the Niagara County District Attorney's Office has been awarded renewed funding from the New York State Division of Criminal Justice Services under the Aid To Prosecution Program for the purpose of continuing aid in the prosecution of repeat violent and serious felony offenders in Niagara County, and

WHEREAS, funding has been awarded in the amount of \$44,590 for the period October 1, 2020 through March 31, 2021, with no matching funds requirement, and

WHEREAS, the funds have been appropriated in the Niagara County District Attorney's budget, now, therefore, be it

RESOLVED, that the County of Niagara does hereby accept this grant award, and be it further


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

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

COMMUNITY SAFETY & SECURITY
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/19/21 **RESOLUTION #** CSS-002-21
and Administration Committee

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		CSS - 1/11/21	Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____

DISTRICT ATTORNEY'S OFFICE REORGANIZATION

WHEREAS, effective January 1, 2021, Brian D. Seaman was elected to the office of Niagara County District Attorney, and

WHEREAS, due to this circumstance, along with an unprecedented spike in homicides and non-fatal shootings and violent crimes against the citizens of this County, it is the intention of District Attorney Brian Seaman to restructure the staffing levels and assignments within the District Attorney's Office, and

WHEREAS, funds are available within the District Attorney's 2021 Personnel Budget to fund the changes involved in the restructuring of the District Attorney's Office, and

WHEREAS, this restructuring will have a positive effect on the prosecution of crimes committed within the County of Niagara and the risk to public safety, now, therefore, be it

RESOLVED, that, effective February 1, 2021, the District Attorney's Office be authorized to reclassify and fill the following existing position: Assistant District Attorney position #0046, ATT DA V, Step 5, \$115,431 annually to Executive District Attorney, ATT DA VI, Step 5, \$128,129, and be it further

RESOLVED, that the following budget modifications be made:

DECREASE APPROPRIATIONS:

A1165.71010.13292	Second Assistant District Attorney	\$11,671
-------------------	------------------------------------	----------

INCREASE APPROPRIATIONS:

A1165.71010.00046	Executive Assistant District Attorney	\$11,671
-------------------	---------------------------------------	----------

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/19/21 **RESOLUTION #** CSS-003-21

**APPROVED
CO. ATTORNEY**

**REVIEWED
CO. MANAGER**

COMMITTEE ACTION
CSS - 1/11/21

LEGISLATIVE ACTION

Approved: Ayes_____Abs._____Noes_____

Rejected: Ayes_____ Abs._____ Noes_____

Referred: _____

FEDERAL EQUITABLE SHARING PROGRAM AGREEMENT AND ANNUAL CERTIFICATION REPORT

WHEREAS, the United States Department of Justice requires that the Niagara County District Attorney's Office file an annual Federal Equitable Sharing Program Agreement and Certification Report to be eligible to submit requests for federally forfeited property or proceeds, and

WHEREAS, said Agreement is entered into by the United States Department of Justice, the County of Niagara, and the Niagara County District Attorney's Office, now, therefore, be it

RESOLVED, that the Niagara County District Attorney's office be authorized to participate in the Federal Equitable Sharing Program, and be it further

RESOLVED, that prior to the execution of the Federal Equitable Sharing Agreement and Certification, the County Attorney will review the Federal Equitable Sharing Agreement and Certification for approval as to legal form, language and compliance, and be it further

RESOLVED, that following the County Attorney's review, the Chairman of the Niagara County Legislature be, and hereby is, authorized to execute an Agreement between the County of Niagara on behalf of the Niagara County District Attorney's Office and the United States Department of Justice.

COMMUNITY SAFETY & SECURITY
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/19/21 **RESOLUTION #** CSS-004-21
and Administration Committee

APPROVED
CO. ATTORNEY

REVIEWED
CO. MANAGER

COMMITTEE ACTION
CSS - 1/11/21

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

NIAGARA COUNTY SHERIFF'S OFFICE BUDGET MODIFICATION ACCEPT DOMESTIC CANNABIS ERADICATION/SUPPRESSION PROGRAM

WHEREAS, the Niagara County Sheriff's Office wishes to continue an agreement with the U.S. Department of Justice Drug Enforcement Administration for the year 2021, and

WHEREAS, this agreement allows the Sheriff's Office to work in conjunction with the local DEA Office to curtail illegal cannabis trafficking and in eradication of illicit cannabis plants throughout Niagara County, and

WHEREAS, the DEA will reimburse the Sheriff's Office for the costs incurred with this project, now therefore, be it

RESOLVED, that Niagara County continue an agreement with the U.S. Department of Justice, and be it further

RESOLVED, that the 2021 budget be modified as follows:

INCREASE REVENUE:

A.17.3110.000.44389.04 Other Public Safety Operation Green Monster \$90,000

INCREASE APPROPRIATIONS:


A.17.3110.000.71050.00	Overtime	\$62,000
A.17.3110.000.74400.09	Payments to Other Agencies	13,000
A.17.3110.000.74600.03	Training/Education	4,500
A.17.3110.000.74750.05	Law Enforcement Supplies	5,000
A.17.3110.000.74800.11	Vehicle Maintenance (Helicopter)	5,500

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/19/21 **RESOLUTION #** CSS-005-21
and Administration Committee

APPROVED CO. ATTORNEY 	REVIEWED CO. MANAGER _____	COMMITTEE ACTION <u>CSS - 1/11/21</u> <u>AD - 1/11/21</u> _____	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
--	--	---	--

NIAGARA COUNTY SHERIFF'S OFFICE
FEDERAL EQUITABLE SHARING ANNUAL RECERTIFICATION

WHEREAS, the United States Department of Justice requires that the Niagara County Sheriff's Office file an annual Federal Equitable Sharing Program Agreement and Certification Report to be eligible to submit requests for federal forfeited property or proceeds, and

WHEREAS, the Agreement is entered into by the United States Department of Justice, the County of Niagara and the Niagara County Sheriff's Office, now, therefore, be it

RESOLVED, that the Niagara County Sheriff's Office be authorized to participate in the Federal Equitable Sharing Program, and be it further

RESOLVED, that prior to the execution of the Federal Equitable Sharing Agreement and Certification, the County Attorney will review the Federal Equitable Sharing Agreement and Certification for approval as to legal form, language and compliance, and be it further


RESOLVED, that following the County Attorney's review, the Chairman of the Niagara County Legislature be, and hereby is, authorized to execute the Annual Equitable Sharing Agreement and Certification.

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/19/21 **RESOLUTION #** CSS-006-21
and Administration Committee

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		CSS - 1/11/21 AD - 1/11/21	Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____

NIAGARA COUNTY SHERIFF'S OFFICE ACCEPT FY20 OPERATION STONEGARDEN GRANT

WHEREAS, the Niagara County Sheriff's Office was notified by the New York State Division of Homeland Security and Emergency Services that it has been awarded \$275,400 under the FY2020 Operation Stonegarden Program, whose funding is provided by the U.S Department of Homeland Security and Emergency Services, and

WHEREAS, Operation Stonegarden has been awarded to the Niagara County Sheriff's Office for many years, and

WHEREAS, the performance period for this grant is September 1, 2020 through August 31, 2023, and

WHEREAS, the grant is used for expenses to assist the County in conducting border centric, intelligence driven operations with the goal of reduction or elimination of threat, risk and vulnerability along our Nation's borders, and

WHEREAS, the 2021 budget needs to be amended to accept the revenue, 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 budget amendments be effectuated:

INCREASE REVENUE:


A.17.3645.000 44305.02	Civil Defense Homeland Security	\$257,400
------------------------	---------------------------------	-----------

INCREASE APPROPRIATIONS:

A.17.3645.000 71050.00	Overtime Expense	\$ 58,743
A.17.3645.000 72100.21	Law Enforcement Equipment	105,800
A.17.3645.000 74400.09	Payments Other Agencies	63,411
A.17.3645.000 74750.21	Supplies, General Gas and Oil	30,000
A.17.3645.000 78100.00	Retirement Expense	11,409
A.17.3645.000 78200.00	FICA Expense	4,493
A.17.3645.000 78300.00	Worker's Compensation Expense	1,544

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/19/21 **RESOLUTION #** CSS-007-21
and Administration Committee

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	CSS - 1/11/21	Approved: Ayes Abs. Noes
		AD - 1/11/21	Rejected: Ayes Abs. Noes
			Referred:

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

WHEREAS, on January 15, 2019 the Niagara County Legislature voted to accept revenue from the New York State Division of Homeland Security and Emergency Services under the Statewide Interoperable Communications Formula Grant FY2018 in the amount of \$669,712 for the performance period of January 1, 2019 through December 31, 2020 (Resolution #CSS-002-19), and

WHEREAS, this grant will allow the Sheriff's Office to continue the improvement of the interoperable communications network which will have the benefit to the residents of Niagara County of improved reliability of communication for their safety and protection, and

WHEREAS, an improved interoperable communications network will also enhance interoperable communications with other counties and agencies when participating in Mutual Aid emergencies, and

WHEREAS, the performance period of this grant was extended by the NYS Division of Homeland Security and Emergency Services to end as of December 31, 2021 and

WHEREAS, the extension was made after the 2021 budget was closed to changes so the 2021 Budget will need to be amended to include the remaining revenue and expenses from the grant, now, therefore, be it

RESOLVED, that the following line item transfers be effectuated:

INCREASE REVENUE:

A.17.3645.000.43305.02 State Aid, Civil Defense Homeland Security \$956

INCREASE APPROPRIATIONS:

A.17.3645.000.72100.15 Machinery and Equipment Communications Equipment \$956

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

FROM: Community Safety & Security Committee
and Administration Committee **DATE:** 01/19/21 **RESOLUTION #** CSS-008-21

[Signature]

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

WHEREAS, on November 20, 2018 the Niagara County Legislature voted to accept revenue from the Department of Homeland Security for the period of September 1, 2018 through August 31, 2021 in the amount of \$120,000 with a match of \$40,000 (Resolution #CSS-084-18), and

WHEREAS, this equipment will aid Niagara County Sheriff's Office personnel by giving the pilot the ability to more quickly and accurately identify locations and then communicate them to Deputies on the ground, and

RESOLVED, that that the following line budget modifications be effectuated:

A.17.3645.000.43305.02	State Aid, Civil Defense Homeland Security	\$125
------------------------	--	-------

A.17.3645.000.74750.05	Law Enforcement Supplies	\$125
------------------------	--------------------------	-------

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/19/21 **RESOLUTION #** CSS-009-21
and Administration Committee

APPROVED
CO. ATTORNEY

REVIEWED
CO. MANAGER

COMMITTEE ACTION
CSS - 1/11/21
AD - 1/11/21

LEGISLATIVE ACTION
Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____



NIAGARA COUNTY SHERIFF'S OFFICE MOTOROLA CONTRACT CHANGE ORDER NO. 3 AND NO. 4

WHEREAS, by Resolution No. CSS-087-19, dated November 19, 2019 the Legislature awarded the contract for the Niagara County Sheriff's Office Emergency Communications Two Site Radio System Expansion to Motorola Solutions, 500 West Monroe, Chicago, IL 60661 for a contract an amount not exceed \$1,900,000.00, and

WHEREAS, after a review by Mission Critical Partners, a consultant hired by Niagara County to manage the radio expansion project and a review by the Niagara County Attorney's Office, a final purchase order was issued in the amount of \$1,616,980.00 for the Motorola portion of this project, and

WHEREAS, it is necessary, due to system design changes, to decrease the contract in the amount of \$353,975.00 for a revised contact amount of \$1,263,005.00, and

WHEREAS, it is necessary, due to additional system design changes, to increase the contract under a separate change order in the amount of \$694,717.00 for a revised contact amount of \$1,957,722.00, and

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

RESOLVED, that Change Order No. 3 to decrease the contract by \$353,975.00 for the Niagara County Sheriff's Office Emergency Communications Two Site Radio System Expansion to Motorola Solutions, for a revised contract amount of \$1,263,005.00 to Motorola Solutions, 500 West Monroe, Chicago, IL 60661, be approved, and that Change Order No. 4 to increase the contract by \$694,717.00 for the Niagara County Sheriff's Office Emergency Communications Two Site Radio System Expansion to Motorola Solutions, for a revised contract amount of \$1,957,722.00 to Motorola Solutions, 500 West Monroe, Chicago, IL 60661, 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.

COMMUNITY SERVICES COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/19/21 **RESOLUTION #** CSS-010-21
and Administration Committee

APPROVED CO. ATTORNEY 	REVIEWED CO. MANAGER _____	COMMITTEE ACTION <u>CSS - 1/11/21</u> <u>AD - 1/11/21</u> _____	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
--	--	---	--

NIAGARA COUNTY SHERIFF'S OFFICE
LEASE AGREEMENT WITH THE TOWN OF WILSON

WHEREAS, the Niagara County Sheriff's Office is required to maintain, for public safety purposes, a fully functioning Land Mobile Radio (LMR) System, and

WHEREAS, the Sheriff's Office has identified a need to place additional LMR equipment to support and expand the existing LMR System within the Town of Wilson, and

WHEREAS, land has been identified at the Town of Wilson Historical Society, 641 Lake Street that would be suitable to meet the needs to support expanding the current LMR System in Niagara County, and

WHEREAS, the Town of Wilson has agreed to allow the lease of this property to be utilized as a site for a new LMR radio tower and shelter, now, therefore, be it


RESOLVED, that the above described lease between the County of Niagara and Town of Niagara is hereby approved, contingent on approval by the County Attorney's Office, and the Chairman of the Legislature is hereby authorized to execute the same.

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/19/21 **RESOLUTION #** CSS-011-21
and Administration Committee

APPROVED	REVIEWED	COMMITTEE ACTION	LEGISLATIVE ACTION
CO. ATTORNEY	CO. MANAGER	CSS - 1/11/21	Approved: Ayes Abs. Noes
		AD - 1/11/21	Rejected: Ayes Abs. Noes
			Referred:

NIAGARA COUNTY SHERIFF'S OFFICE EXTEND INMATE HEALTH CARE SERVICES AGREEMENT

WHEREAS, the Niagara County Sheriff's Office is responsible for providing medical care to inmates and detainees of the Niagara County Jail, including federal inmates, and

WHEREAS, the County of Niagara entered into an agreement with outside companies for the comprehensive correctional health care services to detainees and inmates who are lawfully remanded to the care, custody and under control of the Sheriff in accordance with applicable law, and

WHEREAS, the Agreement was entered into with the following Entities: Primecare Medical of New York, Inc., Buffalo Diagnostic Radiology, P.C., and Union Street Dentistry, PLLC, after the County issued a Request for Proposals, and

WHEREAS, Personalcare Registered Professional Nursing P.C., Professional Care Medical Practice PC., and Professional Care Dental Services PC, were substituted for Buffalo Diagnostic Radiology, P.C., and Union Street Dentistry, PLLC, by substitution executed August 3, 2017 and consented to August 4, 2017, and

WHEREAS, the Agreement is dated August 12, 2016, and has a term of three (3) years from August 15, 2016 through August 14, 2019 with the option of extending the agreement for two additional one (1) year periods, and

WHEREAS, medical care for inmates is very complicated and multi-faceted due to the wide variety of medical needs including mental health and addiction services, and

WHEREAS, the quality and consistency of medical care in the Niagara County Jail is critical to ensure the health and safety of Niagara County inmates to avoid adverse events which increase Niagara County's liability, and

WHEREAS, during PrimeCare's tenure, the Niagara County Correctional Facility earned accreditation from the National Commission on Correctional Health Care (NCCHC). The standards are NCCHC's recommended requirements for the proper management of a correctional health services delivery system. These standards have helped jails improve the health of inmates and the communities to which they return, increase the efficiency of their health services delivery, strengthen their organizational effectiveness, and reduce their risk of adverse patient outcomes and legal judgements, and

WHEREAS, PrimeCare was instrumental during this rigorous accreditation process and they continually monitor and evaluate the standards. The Niagara County Jail medical accreditation is up in the fall of 2021 and the continuation of PrimeCare Medical will help the Niagara County Sheriff's Office to keep meeting the standards set, and

WHEREAS, there is no local or state law which requires a Request for Proposal on Professional Services, and

WHEREAS, the County wishes to enter into a new Agreement with Primecare Medical of New York, Inc., Personalcare Registered Professional Nursing PC, Professional Care Medical Practice PC, and Professional Care Dental Services PC., and

WHEREAS, the Niagara County Sheriff's Office will work with Primecare Medical of New York, Inc., Personalcare Registered Professional Nursing PC, Professional Care Medical Practice PC, and Professional Care Dental Services PC. on an agreement which will benefit Niagara County and the Jail's inmate population, now, therefore, be it

RESOLVED, that the County Attorney will review and approve the agreement, and be it further


RESOLVED, that following the County Attorney's review, the Chairman of the Legislature be, and hereby is, authorized to execute an agreement for the comprehensive correctional health care services.

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Community Safety & Security Committee **DATE:** 01/19/21 **RESOLUTION #** CSS-012-21
and Administration Committee

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		CSS - 1/11/21 AD - 1/11/21	Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____

RESOLUTION DECLARING THE LEGISLATURE OF THE COUNTY OF NIAGARA TO BE LEAD AGENCY FOR ENVIRONMENTAL REVIEW PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) FOR THE PROPOSED NIAGARA COUNTY PUBLIC SAFETY RADIO EXPANSION PROJECT

WHEREAS, Niagara County (the "County"), as part of its efforts to upgrade its emergency radio communications systems, is proposing to improve the coverage of its existing radio communications system through the construction or installation of communications tower sites and/or equipment at up to three locations within the County to be known as the Niagara County Public Safety Radio Expansion Project (the "Project"), and

WHEREAS, the three locations will be referred to as (1) Shawnee Volunteer Fire Company, 3747 Lockport Road, Wheatfield, NY 14132; (2) Barker Central School, Haight Road, Barker, NY 14012; and (3) Wilson Historical Society, 641 Lake Street, Wilson, NY 14108, and

WHEREAS, the County will approve funding for the Project, and will approve and let contracts for construction and purchase of the equipment necessary for the Project, and

WHEREAS, collectively, these components of the Project constitute the "Action" to be reviewed for purposes of review under the State Environmental Quality Review Act and its implementing regulations found at 6 NYCRR Part 617 (hereinafter collectively referred to as "SEQRA"), and

WHEREAS, the County will treat the Project as a Type 1 Action requiring a coordinated review by all involved agencies in accordance with applicable provisions of SEQRA, and

WHEREAS, the Project will provide improved communications to public safety agencies in the County by improving the coverage of its existing radio communications system and is therefore in the public interest, and

WHEREAS, the Legislature of the County of Niagara is an involved agency for the review of the Project as the Legislature will have to appropriate funding for same and approve and let contracts for construction and purchase of the equipment necessary for the Project, and

WHEREAS, on October 20, 2020 the County passed a resolution declaring its intent to act as lead agency for the Project pursuant to SEQRA, and

WHEREAS, the County subsequently served by mail a "Notice of Intent to Serve as Lead Agency" to all identified involved or interested agencies along with a separate full SEQRA Environmental Assessment Form ("EAF") Part I for each location that comprise the Project, and

WHEREAS, more than 30 days have passed since the Notice of Intent was circulated, and

WHEREAS, no objections were received to the Town Board acting as Lead Agency, now, therefore, be it

RESOLVED, that the Legislature of the County of Niagara not having received any objection from any other interested or involved agency to the County acting as SEQRA Lead Agency within the time to do so, does assume SEQRA lead agency status for the environmental review of the Project.

COMMUNITY SAFETY & SECURITY
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Committee of the Whole DATE: 01/19/21 RESOLUTION # CW-003-21

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		<u>CW - 1/19/21</u>	Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

AWARD OF SCHOOL BUS STOP ARM CAMERA SERVICES FOR NIAGARA COUNTY

WHEREAS, the Niagara County Sheriff's Office ("NCSO") and Niagara County Manager's Office, through Niagara County Purchasing, has advertised and publicly opened Requests for Proposal ("RFP") 2020-41 for School Bus Stop Arm Camera Services with the intent of contracting with a qualified firm capable of installing, maintaining, and operating an exterior school bus stop arm camera system, with the goal of improving public safety, and

WHEREAS, a local law, subject to approval of Niagara County Legislature, will be established to impose appropriate fines for violating existing traffic safety laws associated with school bus stop arms, and

WHEREAS, there is no cost to install, maintain or operate the system, and

WHEREAS, responses to the RFP were received from American Traffic Solutions, Inc., dba Verra Mobility, BusPatrol America, LLC, and Sensys Gatso Group, and a committee consisting of representatives from the NCSO and Niagara County Manager's Office conducted a review of responses, data analysis and finalist interviews with the assistance of Niagara County Purchasing, and

WHEREAS, Verra Mobility has been found to be the most qualified vendor based on the evaluation criteria established for final selection and engagement, and

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

RESOLVED, that the contract for the School Bus Stop Arm Camera Services be awarded to American Traffic Solutions, Inc., dba Verra Mobility, 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.

COMMITTEE OF THE WHOLE

NIAGARA COUNTY LEGISLATURE

FROM: Committee of the Whole DATE: 01/19/21 RESOLUTION # CW-004-21

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION CW - 1/19/21	LEGISLATIVE ACTION
			Approved: Ayes Abs. Noes
			Rejected: Ayes Abs. Noes
			Referred:

RATIFICATION OF AGREEMENT BETWEEN NIAGARA COUNTY DEPUTY SHERIFFS ASSOCIATION AND THE COUNTY OF NIAGARA AND THE SHERIFF OF THE COUNTY OF NIAGARA

WHEREAS, the County of Niagara, and the Sheriff of the County of Niagara, and the Niagara County Deputy Sheriffs Association (DSA) have reached a tentative agreement for the period of January 1, 2020 through December 31, 2024, and

WHEREAS, said Tentative Agreement was ratified by DSA on December 23, 2020, and

WHEREAS, funds are available in the 2020 and 2021 budgeted appropriations to carry out the fiscal obligations in the tentative agreement, 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 upon a vote and approval of the County Legislature on January 19, 2021, the Tentative Agreement will be approved as the final ratified agreement between the parties for the period of January 1, 2020 through December 31, 2024 (the "Agreement"), and be it further

RESOLVED, that the County Manager is authorized to direct the Departments of Human Resources, Risk Management, Budget, and the Treasurer's Office to implement and administer the provisions of the Agreement, and be it further

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute said Agreement on behalf of the County of Niagara, subject to the approval of the County Attorney, and be it further

RESOLVED, that the following 2020 budget modification be effectuated,

INCREASE APPROPRIATION:

A.17.3020.000 71020.00	Contract Settlement	\$ 39,600
A.17.3020.000 78100.00	Retirement	6,029
A.17.3020.000 78200.00	FICA	3,029
A.17.3110.000 71020.00	Contract Settlement	1,200
A.17.3110.000 78100.00	Retirement	212
A.17.3110.000 78200.00	FICA	92
A.17.3150.000 71020.00	Contract Settlement	148,800
A.17.3150.000 78100.00	Retirement	28,369
A.17.3150.000 78200.00	FICA	11,383
		<u>\$238,714</u>

DECREASE APPROPRIATION:

A.08.1991.000 74500.01	General Government Support	\$238,714
------------------------	----------------------------	-----------

And be it further,

RESOLVED, that the following 2021 budget modification be effectuated:

INCREASE APPROPRIATION:


A.17.3020.000 71010.00	Positions	\$ 68,520
A.17.3020.000 71030.00	Part Time	3,742
A.17.3020.000 71032.00	Training Allowance	1,639
A.17.3020.000 71033.00	Job Parity	240
A.17.3020.000 71034.00	Briefing Time	3,189
A.17.3020.000 71050.00	Overtime	3,198
A.17.3020.000 71085.00	Sick Leave Incentive	488
A.17.3020.000 78100.00	Retirement	12,693
A.17.3020.000 78200.00	FICA	6,198
A.17.3020.000 78300.00	Worker's Comp	2,131
A.17.3110.000 71010.00	Positions	1,602
A.17.3110.000 71032.00	Training Allowance	20
A.17.3110.000 78100.00	Retirement	283
A.17.3110.000 78200.00	FICA	123
A.17.3110.000 78300.00	Worker's Comp	42
A.17.3150.000 71010.00	Positions	160,686
A.17.3150.000 71030.00	Part Time	4,015
A.17.3150.000 71032.00	Training Allowance	3,693
A.17.3150.000 71034.00	Briefing Time	6,247
A.17.3150.000 71050.00	Overtime	12,680
A.17.3150.000 71085.00	Sick Leave Incentive	1,420
A.17.3150.000 71086.00	Vacation Buyback	20
A.17.3150.000 78100.00	Retirement	37,296
A.17.3150.000 78200.00	FICA	14,440
A.17.3150.000 78300.00	Worker's Comp	4,964
		\$349,569

DECREASE APPROPRIATION:

A.08.1991.000 74500.01	General Government Support	\$349,569
------------------------	----------------------------	-----------

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee
and Administration Committee **DATE:** 01/19/21 **RESOLUTION #** ED-002-21

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		ED - 1/19/21	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 1/11/21	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**FIXING DATE AND NOTICE FOR THE PUBLIC HEARING
FOR BRENT INDUSTRIES, LLC
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

WHEREAS, the County Legislature wishes to assess the advisability of submitting a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (the “OCR”) for a grant to support Brent Industries, LLC a food retailer/assembly plant, with their planned expansion within Niagara County, and

WHEREAS, Niagara County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the plan proposal prior to submitting an application for CDBG funding, now, therefore, be it

RESOLVED, that the Niagara County Legislature shall conduct a public hearing whereat all interested parties shall be heard regarding the CDBG program, the County's community development and economic development programs, and the proposed funding application at the Legislative Chambers, Courthouse, Lockport, New York on the 16th day of February, 2021 at 5:15 p.m., and be it further


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

ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee
and Administration Committee **DATE:** 01/19/21 **RESOLUTION #** ED-003-21

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		<u>ED - 1/19/21</u>	Approved: Ayes _____ Abs. _____ Noes _____
		<u>AD - 1/11/21</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**FIXING DATE AND NOTICE FOR THE PUBLIC HEARING
FOR LOCKS & ERIE CANAL CRUISES
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

WHEREAS, the County Legislature wishes to assess the advisability of submitting a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (the “OCR”) for a grant to support Locks & Erie Canal Cruises, located at 210 Market Street in the City of Lockport, New York, and

WHEREAS, Niagara County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the plan proposal prior to submitting an application for CDBG funding, now, therefore, be it

RESOLVED, that the Niagara County Legislature shall conduct a public hearing whereat all interested parties shall be heard regarding the CDBG program, the County's community development and economic development programs, and the proposed funding application at the Legislative Chambers, Courthouse, Lockport, New York on the 16th day of February, 2021 at 5:30 p.m., and be it further


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

ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee **DATE:** 01/19/21 **RESOLUTION #** ED-004-21
and Administration Committee

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		ED - 1/19/21 AD - 1/11/21	Approved: Ayes____ Abs.____ Noes____ Rejected: Ayes____ Abs.____ Noes____ Referred:_____

FIXING DATE AND NOTICE FOR THE PUBLIC HEARING FOR ULTIMATE PHYSIQUE, INC. COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

WHEREAS, the County Legislature wishes to assess the advisability of submitting a Community Development Block Grant ("CDBG") application to the New York State Office of Community Renewal (the "OCR") for a grant to support Ultimate Physique, Inc., located in the former Washington Hunt School building at 50 Rogers Avenue in the City of Lockport, New York, and

WHEREAS, Niagara County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the plan proposal prior to submitting an application for CDBG funding, now, therefore, be it

RESOLVED, that the Niagara County Legislature shall conduct a public hearing whereat all interested parties shall be heard regarding the CDBG program, the County's community development and economic development programs, and the proposed funding application at the Legislative Chambers, Courthouse, Lockport, New York on the 16th day of February, 2021 at 5:45 p.m., and be it further


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

ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Economic Development Committee
and Administration Committee **DATE:** 01/19/21 **RESOLUTION #** ED-005-21

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		<u>ED - 1/19/21</u>	Approved: Ayes _____ Abs. _____ Noes _____
		<u>AD - 1/11/21</u>	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

AUTHORIZATION TO CONVEY CERTAIN TAX LIEN PROPERTIES TO NORLIC

WHEREAS, pursuant to Section 902 of the Real Property Tax Law (“RPTL”) of the State of New York the Niagara County Treasurer, acting in his capacity as Tax Enforcing Officer, acquired tax liens on certain properties as follows: (1) Maple Avenue / S.B.L. No. 86.17-1-76; (2) Elizabeth Street / S.B.L. No. 86.17-1-75; (3) 23-25 Maple Avenue / S.B.L. No. 86.17-1-74; and (4) Cemetery Street / S.B.L. No. 86.17-1-73; and (5) Cemetery Street / S.B.L. No. 86.17-1-72 (collectively, the “Properties”), and

WHEREAS, the tax liens on the Properties are listed in the document attached as Exhibit A, and

WHEREAS, the Properties are abandoned industrial properties that require environmental remediation, and

WHEREAS, Section 1616 of the Not-for-Profit Corporation Law of the State of New York authorizes a municipality to enter into a contract to sell some or all of the delinquent tax liens held by it to a land bank, and

WHEREAS, the Niagara County Treasurer has requested legislative approval to transfer the tax liens on the Properties to the Niagara Orleans Land Improvement Corporation (“NORLIC”) with the understanding that the Properties will be remediated and developed by a private tax-paying purchaser, and

WHEREAS, the Properties, if foreclosed upon by the County of Niagara, are not needed for municipal purposes, and

WHEREAS, the benefits accruing the County of Niagara (avoidance of the costs of environmental remediation, demolition, and other expenses) are in excess of the potential auction value of the Properties, now, therefore, be it

RESOLVED, pursuant to County Law Section 215 and RPTL Section 902, the Chairman of the Niagara County Legislature be, and hereby is authorized and directed to sign and enter into a contract with NORLIC to sell the tax liens on the Properties for one and no more dollars and all other reasonable and necessary title transfer documents, subject to the review and approval of the Niagara County Attorney, and be it further

RESOLVED, Pursuant to RPTL Section 1190(2)(a), the County Treasurer, as enforcement officer, shall, at least thirty (30) days prior to the date scheduled for the sale of the delinquent tax liens shall provide a notice, in the form provided by RPTL Section 1190(2)(b), along with any other information deemed necessary or required, by First Class and certified mail, to the owners of the Properties and any other person who has filed a declaration of interest pursuant to RPTL Section 1126, or a comparable instrument pursuant to a comparable law, which has not expired, and be it further

RESOLVED, that, upon NORLIC's purchase of the tax liens, the County Treasurer is authorized and directed under RPTL Section 1190(3) to convey the tax liens to NORLIC by delivering to NORLIC tax lien certificates identifying the affected parcels and the total amount due on each parcel as of the date of the sale, including interest, penalties, and charges. The County Treasurer shall retain a copy of each such certificate in his office, and shall maintain records that will enable interested parties to determine which liens have been sold, to whom, and the total amount due on such liens when they were sold, and be it further


RESOLVED that, upon sale, the affected tax district(s) shall have no further rights or responsibilities relative to delinquent tax liens which were sold under RPTL Section 1190(3).

ECONOMIC DEVELOPMENT COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 01/19/21 **RESOLUTION #** IF-001-21
and Administration Committee

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		IF - 1/11/21	Approved: Ayes____ Abs.____ Noes____
		AD - 1/11/21	Rejected: Ayes____ Abs.____ Noes____
			Referred:_____

RESOLUTION TO DECLARE 6805 DAY ROAD, LOCKPORT, NY SURPLUS PROPERTY

WHEREAS, the parcel of property located at 6805 Day Road, Lockport, NY, was part of the land commonly known as Day Road Park, and

WHEREAS, the County has no additional plan to develop the land situated to the south of the tributary to Eighteen Mile Creek, and the land will not be utilized, and

WHEREAS, the expense to remediate, improve or otherwise utilize the property at 6805 Day Road, would exceed any return to the County, and

WHEREAS, the County has no use for the land, and the expense of upkeep would only burden the taxpayers, and

WHEREAS, the County has been approached by the Town of Lockport to obtain title of the property, and therefore, accepts the maintenance and responsibility for the property at 6805 Day Road, Lockport, NY, now, therefore, be it

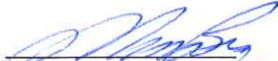
RESOLVED, that the County of Niagara declares the property south of the tributary to Eighteen Mile Creek, at 6805 Day Road, Lockport, NY, surplus property.

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 01/19/21 **RESOLUTION #** IF-002-21

APPROVED CO. ATTORNEY 	REVIEWED CO. MANAGER _____	COMMITTEE ACTION <u>IF - 1/11/21</u> _____ _____	LEGISLATIVE ACTION Approved: Ayes _____ Abs. _____ Noes _____ Rejected: Ayes _____ Abs. _____ Noes _____ Referred: _____
--	--	--	--

**RENEW THE SHARED SERVICES AGREEMENT FOR
STORMWATER MANAGEMENT COORDINATOR**

WHEREAS, the Department of Public Works desires to continue the shared services agreement with the City of Tonawanda to assist the County with the compliance of Phase II Stormwater Regulations, and

WHEREAS, continuation of the shared services agreement with the City of Tonawanda would be beneficial to both municipalities, and

WHEREAS, funds are available in account D.15.5140.000 74650.08, Consultant Services, 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 shared services agreement for the implementation of the Phase II Stormwater Regulations be renewed to the City of Tonawanda, 200 Niagara Street, Tonawanda, NY 14150, for a contract amount not to exceed \$45,800 for the period March 1, 2021 through February 28, 2022, 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.

INFRASTRUCTURE & FACILITIES
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee DATE: 01/19/21 RESOLUTION # IF-003-21

APPROVED
CO. ATTORNEY

REVIEWED
CO. MANAGER

COMMITTEE ACTION
IF - 1/11/21

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

AWARD OF CONTRACT – TESTING AND INSPECTION SERVICES

WHEREAS, the Department of Public Works has prepared specifications and the Niagara County Purchasing Department has solicited for bids for the Professional Services Contract to supply Testing and Inspection Services on a Time and Material basis as directed in the Request for Proposals No. 2020-53 prepared by the Purchasing Department, and

WHEREAS, the following bids were publicly opened and read by our Purchasing Department on December 22, 2020 as tabulated below:

	<u>Not to Exceed</u>
1. Terracon Consultants-NY-Inc. 461 Tonawanda Street Buffalo, New York 14207	\$52,665
2. SJB Services 5167 South Park Avenue Hamburg, NY 14075	\$71,430
3. Professional Service Industries, Inc. (PSI) 3784 Commerce Court, Suite 300 North Tonawanda, NY 14120	\$74,380
4. Encorus Group 23 Mechanic Street Springville, NY 14141	\$74,705
5. Barron & Associates, P.C. 10440 Main Street Clarence, NY 14031	\$120,940
6. CME Associates, Inc. 2727 Broadway Avenue, Suite #2 Cheektowaga, NY 14227	incomplete bid

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 contract for the Professional Services Contract to supply Testing and Inspection Services on a Time and Material basis be awarded to the lowest responsible bidder, Terracon Consultants-NY-Inc., 461 Tonawanda Street, Buffalo, NY 14207, for an amount not to exceed \$52,665, 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.

INFRASTRUCTURE & FACILITIES
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 01/19/21 **RESOLUTION #** IF-004-21
and Administration Committee

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
		IF - 1/11/21	Approved: Ayes _____ Abs. _____ Noes _____
		AD - 1/11/21	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

NIAGARA COUNTY ROOF REPLACEMENT PROJECT CHANGE ORDER NO. 5

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, Resolution No. IF-086-20, dated August 4, 2020, authorized Change Order No. 3 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, Resolution No. IF-134-20, dated December 1, 2020, authorized Change Order #4 to decrease the contract in the amount of \$1,843.75 for: removal of tapered insulation and installation of flat insulation at the high roof of area C at the Trott Building; repair of drywall on a time and material basis at the Trott Building; and installation of a metal cap for the chimney no longer needed at the Ross Building, and

WHEREAS, it is necessary to extend the contract for one-year, at no cost to the county, and to increase the contract in the amount of \$10,561.93 to add a roof drain to the Trott Building, for a revised contract amount of \$3,041,802.08, 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. 5 to extend the contract one-year and to increase the contract by \$10,561.93, for the installation of a roof drain, for the Niagara County Roof Replacement Project, for a revised contract amount of \$3,041,802.08 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.

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 01/19/21 **RESOLUTION #** IF-005-21
and Administration Committee

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION IF - 1/11/21 AD - 1/11/21	LEGISLATIVE ACTION Approved: Ayes____ Abs.____ Noes____ Rejected: Ayes____ Abs.____ Noes____ Referred:_____
			

ANGELO DELSIGNORE CIVIC BUILDING CURTAIN WALL RENOVATION CHANGE ORDER NO. 3 – TIME EXTENSION

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

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

WHEREAS, Resolution No. IF-121-20, dated November 17, 2020, authorized Change Order No. 2 – Final Payment, for a reduction to the contract in the amount of \$10,670.95, due to adjustments in contract quantities, for a revised contract amount of \$527,888.05, and

WHEREAS, it is necessary to extend the contract to February 18, 2022, 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-Time Extension, to extend the contract deadline to February 18, 2022, at a \$0.00 cost to the County, for the Angelo DelSignore Civic Building Curtain Wall Renovation Project, for a contract amount of \$527,888.05, to Huber Construction Inc., 136 Taylor Drive, Depew, NY 14043, be approved, and be it further

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

INFRASTRUCTURE & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee DATE: 01/19/21 RESOLUTION # IF-006-21

APPROVED
CO. ATTORNEY

REVIEWED
CO. MANAGER

COMMITTEE ACTION
IF - 1/11/21

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

CARMEN ROAD BRIDGE OVER JOHNSON CREEK BRIDGE REPLACEMENT FEDERAL AID LOCAL PROJECT AGREEMENT

WHEREAS, the Carmen Road Bridge over Johnson Creek Bridge Replacement Project, PIN 5763.62 (the "Project"), Town of Hartland, Niagara County, is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% Non-Federal Funds, and

WHEREAS, the County of Niagara desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Engineering (Design I-VI) Phase of the project, and

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

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

RESOLVED, that the Legislature of the County of Niagara hereby authorizes the County of Niagara to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Engineering (Design I-VI) Phase of the Project or portions thereof, and be it further

RESOLVED, that the sum of \$240,000 is hereby appropriated in account H621.15.5197.000 72600.02, Bridges, and made available to cover the cost of participation in the above phases of the project, and be it further

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

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

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

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

RESOLVED, that this Resolution shall take effect immediately.

INFRASTRUCTURE & FACILITIES
COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Infrastructure & Facilities Committee **DATE:** 01/19/21 **RESOLUTION #** IF-007-21
and Administration Committee

APPROVED
CO. ATTORNEY

REVIEWED
CO. MANAGER

COMMITTEE ACTION
IF - 1/11/21

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____



DPW – HIGHWAY EXPENDITURE OF COUNTY ROAD FUND MONIES

WHEREAS, the Commissioner of Public Works recommends the expenditure of County Road Fund monies for maintenance of roads under Section 129 of the Highway Law, in the sum of \$7,903,961 and

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

RESOLVED, that the attached recommendation of the commissioner of Public Works be approved and the sum of \$7,903,961 be appropriated from the County Road Fund for maintenance during the year 2021, 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.

INFRASTRUCTURES & FACILITIES
COMMITTEE

ADMINISTRATION COMMITTEE