

Agenda Item #1

The following claims have been filed in the Office of the City Clerk during the month of June 2012. The claims were subsequently referred to the Office of the Corporation Counsel.

NOTICE OF CLAIM

Vaccaro, Peter D/B/A Inn Niagara c/o Joseph W. Keefe, Esq.	Property damages caused by broken sewer line
Ellsberry, Margaret c/o Law Offices of Eugene C. Tenney	Personal injuries sustained from fall at City Hall.
Laney, Michele c/o Geico	Automobile damages sustained when hit by city vehicle
Vig, Joseph 31511 Alta Vista Drive Redlands, CA 92373	Reference to being charged for property repairs
Broughton, Cheryl 1324 104 th St	Property damages sustained when city ground down stump.
Bello, S. Leydy Richardson Sr., Donnell T. Richardson, DonJon D. Richardson Jr., Donnell Richardson, Andriana N.	Personal, physical, emotional, mental, psychological injury sustained during a search and seizure.
Addoms, Preiscilla 1310 Walnut Ave-Lower	Printer for computer did not work
Pan, Raymond	Property damages sustained when house next door PO Box 1411 was demolished.
Supon, Donald 2831 Lewiston Rd	Property damages sustained during reconstruction of Lewiston Road.
Trivedi, Jagdish & Urvashi and Genter, Betty c/o Albert F. Stager, Inc.	Personal injuries sustained when fell on sidewalk

Agenda Item #2

The following was the result of bids received on June 21, 2012, for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>
Empire Dismantlement Corp. 2680 Grand Island Blvd. Grand Island NY 14072	\$ 97,843.20
Apollo Dismantling Services, Inc.	\$ 172,989.00
Mark Cerrone, Inc.	\$ 198,478.00

It is the recommendation of the undersigned that this project be awarded to the low bidder Empire Dismantlement Corp. at their base bid of \$97,843.20. Funding is available in code H0811.2008.0811.0419.006.

It should be noted that the low bidder submitted his proposal pages detached from the specification book. This is considered an informality which was waived, as it does not affect the substance of the bid.

Will the Council vote to so approve and authorize the Mayor to execute a contract in a form acceptable to the Corporation Counsel?

Agenda Item #3

As a result of a retirement, the City Controller has an opportunity to amend the office organizational chart to reclassify an Administrative Assistant position (Grade 19) to an Auditor position (Grade 19). The Auditor position is more flexible to the financial and budget work that must be performed in the department. The Auditor may also work as a back up in payroll. Because of the seniority of the retiring Administrative Assistant, the savings on an annual basis to the City will be \$22,426.86. Attached is a reclassification spreadsheet.

The Civil Service Commission has approved this change. This change will be effective July 28, 2012.

Will the Council so approve?

Agenda Item #4

The Fire Chief advises that there is a necessity for the purchase of various pieces of equipment. The list of items as attached hereto and the total request is for \$108,080.00. Funding is available from General Fund Code A.1990.0000.0449.000.

Will the Council so approve?

Agenda Item #5

The LaSalle Business and Professional Association, Inc. has requested a contribution from the City to put toward the expenses incurred in organizing and carrying out the annual LaSalle Music Festival. This Festival attracts local residents as well as visitors from out of town. \$2,500.00 is available from Tourism Fund Balance.

Will the Council so approve and authorize the Mayor to execute a Funding Agreement in form acceptable to the Corporation Counsel?

Agenda Item #6

The New York State Education Department/New York State awarded the Niagara Falls Public Library a construction grant in the amount of \$8,325.00. The Library Director advises that she would like to apply this grant to the cost of a project to replace the three (3) entrance way doors at the LaSalle Library. The total project cost is estimated to be \$32,000.00. The cost to the City is \$23,675.00. Funding is available from account# H0914.2009.0914.0900.H0904 and account# H0404.2004.0404.0900.H0904.

Will the Council so approve?

Agenda Item #7

The Niagara Falls Police Department has received an award from the State of New York for \$323,400 for Operation IMPACT during July 1, 2012 through June 30, 2013.

No matching funds are required for this grant.

Will the Council approve the acceptance of this grant and authorize the Mayor and Police Chief to execute any documentation necessary to receive the grant?

Agenda Item #8

The City through the Community Development Department is applying under the New York Consolidated Funding Application for \$250,000 under the New York State Main Street Program and \$450,000 for an Empire State Development Grant for the above referenced project. The grants would fund blighted structure demolition, property acquisition, street improvements, and mixed use building incentives.

No local match is required.

Will the Council approve the filing of the applications and authorize the Mayor to execute any applications and funding agreements and related documentation in a form acceptable to the Corporation Counsel?

Agenda Item #9

RE: Request for Approval to Settle and Pay Jessica M. Bertozzi
241 68th Street, Niagara Falls, New York 14304

Council Members:

Date Claim Filed:	February 17, 2010
Date Action Commenced:	April 19, 2010
Date of Occurrence:	January 2, 2010
Location:	Intersection of Packard Road and Hyde Park Boulevard.
Nature of Claim:	Personal injuries sustained in an accident with City vehicle.
City Driver:	Michael Boccanera
Status of Action:	Pre-trial stage.
Recommendation/Reason:	Best interests of City to pay.
Amount to be Paid:	\$15,000.00
Make Check Payable to:	Jessica M. Bertozzi and Walsh, Roberts & Grace, as attorneys.
Conditions:	Stipulation of Discontinuance and General Release to City, approved by Corporation Counsel.

It is the recommendation of this Department that the above be paid under the terms set forth above. Will the Council so approve?

Agenda Item #10

Please be advised that Mayor Paul A. Dyster, on June 25, 2012, duly approved the following:

1. Resolution 2012-43, relative to Amending Chapter 1335 of the Codified Ordinances entitled “Historic Preservation Regulations.”

Agenda Item #11

Chapter 338 of the Codified Ordinances states: “338.03...City Council may grant a license to carry on the business of secondhand dealer within the City...”

The following have submitted applications for secondhand dealer license and Pawnbroker Dealer license. These applications have all been approved by the Niagara Falls Police Department.

Louis E. Muzzillo 509 Third St. Niagara Coins & Collectables

Will the Council So approve?

Agenda Item #12

WHEREAS, the City of Niagara Falls is applying for a Park Development and Planning Program-Environmental Protection Fund grant for the above referenced project with a total cost of \$1,000,000 with State assistance in the amount of \$500,000 and a local share of \$500,000; and

WHEREAS, matching funds will be available from Power Authority greenway funding.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Niagara Falls, New York that it hereby approves this grant application and authorizes the Mayor to act on behalf of the City in all matters related to the application and grant and is further authorized to execute any and all agreements and other documentation related to this grant.