

Agenda Item #1

The following claims have been filed in the Office of the City Clerk during the month of June 2015 the claims were subsequently referred to the Office of the Corporation Counsel.

NOTICE OF CLAIM

Gaffney, Katherine M.
3020 Madison Avenue

In reference to vehicle damage.

Pruitt, Elizabeth
484 23rd Street

In reference to vehicle damage.

Trinidad, Manuel
1394 Caravelle Dr.

In reference to vehicle damage.

Rendler, Bonnie Lee
P.O. Box 4046

In reference to vehicle damage.

Marcolini, John
92 S. Rockingham Way
Amherst, NY 14228

In reference to vehicle damage.

Williams, James
536 31st Street

In reference to vehicle damage.

Haseley, Rebecca
1670 Caravelle Drive

In reference to vehicle damage.

Cribbs II, Ricky C.
632 ^{1/2} 7th Street

In reference to stolen personal property.

Hunt, Carol Lynne
1102 Main Street, #2

In reference to personal issues.

Groomes, Paul
2003 Rhode Island Avenue

In reference to vehicle damage.

Longo, Anthony J. and Muriel M.

In reference to frozen pipes.

668 77th Street

NOTICE REGARDING AVAILABILITY OF ELECTRONIC FILING

Robins, John

Index No. E156021/2015

SUMMONS

Vicki, Stephen D. and Nicole M.
3980 Slusaric Road
N. Tonawanda, NY 14120

Index No. E156010/2015

Agenda Item #2

**SUBJECT: Request to Transfer Funds from Niagara Falls Railway Station
Project to Purchase Order from National Grid**

A purchase order request for the retirement of existing street lighting being removed for the Train Station has been made by National Grid.

This work is in conjunction with the removal of wood poles from Depot Street west, and power lines over Main Street and will take place within the coming weeks.

These services are supplied by the utility company are the responsibility of the City and not the General Contractor Scufari Construction Inc.

It is the recommendation of the undersigned that money in the City's contingency line for this project be transferred to pay the purchase order requests estimated at \$13,000.00.

Will the Council vote to so approve?

SUBJECT: Niagara Falls International Railway Station & Transportation Center Project CHANGE ORDER #4

A contract for the above referenced project was awarded to Scrufari Construction Company Inc., 4800 Hyde Park Blvd. 3925 Hyde Park Blvd., Niagara Falls, NY on April 14, 2014 in an amount of \$22,691,000.00.

The City Council has approved Change Orders request to date in the amount of \$622,250.20 bringing the total contract amount to \$23,313,250.20.

The majority of this Change Order is for two items:

First item is the installation of poles, wiring and LED lighting for the parking lot and for Depot & Whirlpool Streets. The original scope was for National Grid to install these items, but with the yearly fees the cost would add up to over a million dollars during the life expectancy of the equipment.

Second is to secure Railroad protection as required by contract for the remainder of the project. These two items account for \$360,315.00.

Two other change requests for unanticipated and necessary work beyond the original scope have been reviewed by the City's consultant Wendel and the Engineering Department and are shown below.

- 026 Fixed Audience Seating
- 027 Additional Amtrak Flagging
- 028 Street Lighting
- 031 Non uniform Surface at Custom House

The funding for Change Order #4 is a transfer of funds from the "Owners" additional construction contingency budget (within the existing project budget) to the Contractor's budget. The Owner's contingency fund includes matching Federal, State and City's local-share funding (20% matching funds) already approved and available in a Capital Project Fund HO402, for the Railway Station.

Therefore, it is the recommendation of the undersigned that Change Order #4 in the amount of \$380,219.00 be approved; bringing the new contract total to \$23,693,469.20 sufficient funds presently exist in Code H0402.2002.0449.599.

Will the Council vote to so approve?

Agenda Item #4

RE: City Council Agenda Item: Small Business Advocate-2015 Community Development Action Plan

Council Members:

A small business advocate contract was a component of the 2015 United States Department of Housing and Urban Development Community Development Action Plan, approved by the Niagara Falls City Council in 2014. \$12,000 of Community Development Block Grant (CDBG) funding will be used to contract for specific small business support services including e-marking and promotions designed connect customers with local establishments. Creation of this role was done in consultation with local businesses associations.

The 2015 CDBG program year starts on July 1, 2015. The Niagara Falls Community Development Department requests approval to enter into a one year contract with Christopher Stoianoff. Mr. Stoianoff will be an independent contractor, without general fund impact. The small business advocate project will be supervised by the Director of Community Development. Funding is available for federal reimbursement on a monthly basis, via the Niagara Falls Community Development Department.

Will the Council vote to approve selection of Christopher Stoianoff as Small Business Advocate and authorize the Mayor to execute any documents necessary to effectuate the same.

Agenda Item #5

RE: Encroachment Approval – Jefferson Apartments – 250 Rainbow Blvd.

Council Members:

The owner of the Jefferson Apartments located at 250 Rainbow Boulevard is requesting an encroachment into the City right of way on the east side of the building to install a ventilation hood enclosed by a 4-ft. fence. The Planning Board has reviewed this request and has recommended approval subject to certain conditions. Attached is a copy of the Planning Board recommendation.

Will the Council so approve this request subject to the conditions imposed by the Planning Board which are attached to its recommendation?



City of Niagara Falls, New York

P.O. Box 69, Niagara Falls, NY 14302-0069

June 24, 2015

NIAGARA FALLS PLANNING BOARD

APPROVAL OF RECOMMENDATION TO CITY COUNCIL
Encroachment in City Right-of-Way

Pursuant to action taken by the Niagara Falls Planning Board on the 24th day of June 2015, your request is hereby granted.

NAME OF OWNER: Shawn Weber

ADDRESS OF ACTION: 250 Rainbow Blvd.

PURPOSE: To install ventilation hood enclosed by 4-ft. vinyl fence to Murphy's Café on the Third Street side of the Jefferson Apartments

This application is hereby granted with the following conditions:

Conditions attached

DATE: June 24, 2015


Richard D. Smith, Chairman
Niagara Falls Planning Board

504 14 524151

2015 JUN 24

Amended at Planning Board meeting 6/24/15

Encroachment Conditions: 250 Rainbow Blvd

- 1) The owner/applicant must obtain all applicable permits and inspections.
- 2) The owner/applicant will add the City of Niagara Falls as an additional insured on its liability insurance policy.
- 3) The owner/applicant will agree to defend and indemnify the City from liability related to the encroachment.
- 4) The City can revoke the license for the encroachment on sixty- (60) day's notice.
- 5) The owner/applicant must comply with any conditions imposed by the City Engineer with regard to sufficient space for pedestrian passage on the sidewalk right-of-way and to insure that no damage occurs to the City's right-of-way.
- 6) Sidewalk right-of-way and any reconstructed areas in the sidewalk right-of-way made by the owner/applicant shall be maintained by the owner/applicant. Improvements shall be implemented, with evidence of all such improvement provided to the Planning Office, prior to the issuance of any Certificate of Occupancy. All such improvements shall be undertaken by the owner/applicant at their own expense and maintained in accordance with all NYS DOT and City Engineering requirements and approvals.
- 7) Contingent on a waiver being granted by New York State from the 2010 Mechanical Code of NYS.
- 8) Encroachment should extinguish with the use.
- 9) Right-of-Way should be restored to pre-encroachment conditions should the use end and the encroachment be extinguished.

Agenda Item #6

RE: Renewal of Agreement between Unified Court System (UCS) and the City

Council Members:

The UCS is establishing a renewal period in the five (5) year term of the Agreement the City has with the UCS for the maintenance of the court house at 1925 Main Street and the corresponding reimbursement from the state. The renewal period encompasses April 1, 2015 – March 31, 2016. The proposed budget for City services to be reimbursed is \$276,675.

Will the Council so approve and authorize the Mayor to execute an Agreement acceptable to the Corporation Counsel?



STATE OF NEW YORK
UNIFIED COURT SYSTEM
EIGHTH JUDICIAL DISTRICT
92 FRANKLIN STREET - Third Floor
BUFFALO, NEW YORK 14202-3902
(716) 845-2905
FAX (716) 845-7500

A. GAIL PRUDENTI
Chief Administrative Judge

MICHAEL V. COCCOMA
Deputy Chief Administrative Judge
Courts outside New York City

PAULA L. FEROLETO
District Administrative Judge

ANDREW B. ISENBERG, ESQ.
District Executive

June 24, 2015

Mayor Paul Dyster
745 Main Street
PO Box 69
Niagara Falls, NY 14302

Re: Agreement between UCS and the City of Niagara Falls
for Court Cleaning and Minor Repairs (Contract No. C300346)
Annual Renewal Letter and Budget (Appendix B) for SFY 2015-16

Dear Mayor Dyster:

Please be advised that pursuant to Section I of the existing contract between the Unified Court System and the City of Niagara Falls, we are hereby establishing a renewal period in the five-year term of this agreement. Said renewal period shall commence on April 1, 2015 and shall terminate on March 31, 2016. During this 2015-2016 renewal period, all terms and conditions of the above-referenced Agreement shall continue to apply, except as specified below.

The proposed budget for services to be rendered pursuant to this contract in the 2015-2016 period shall be \$276,675. Pursuant to the provisions of Chapter 686 of the Laws of 1996, as amended to date, the maximum compensation for the 2015-2016 period shall be 100% of that amount. The attached revised Appendix B, detailing the proposed budget for the renewal period, shall be incorporated into the Agreement and shall replace all prior Appendix B's. The signatures below shall confirm acceptance of this renewal by the City of Niagara Falls and by the UCS.

Agenda Item #7

RE: Partial Reorganization in the Department of Code Enforcement

Council Members:

The Acting Building Commissioner of the Department of Code Enforcement is requesting a reclassification of a position. This reclassification has been approved by the Municipal Civil Service Commission. The position in question is presently classified as "Code Enforcement/Property Owner Registration Clerk" which is a Grade 5A. The salary for that position is \$30,042.52. The individual who serves in this capacity has successfully completed Code Enforcement Officer training and is now certified as a Code Enforcement Officer. The reclassification of the "Code Enforcement/Property Owner Registration Clerk" position to "Code Enforcement Officer/Property Owner Registrant" is a Grade 20A. The salary for this position is \$40,703.68 which will result in an annual increase of \$10,661.16. Because the year is already half over, the cost for this reclassification for the balance of calendar year 2015 will be approximately \$5,300.00.

The Acting Building Commissioner advises this reclassification will serve the best interest of the Department of Code Enforcement and the City in that this individual is now a certified Code Enforcement Officer and can be available at the discretion of the Acting Building Commissioner to conduct inspections as required. This individual will continue to perform the duties of Property Owner Registration Clerk as he has in the past and will be available to serve the public in any capacity needed by the Department as Code Enforcement Officer.

The process to have this position reclassified began approximately seven (7) months ago which enabled the individual in this position to obtain the necessary training administered by the Department of State, participate successfully in all examinations and testing and obtain the required certification from the State.

Funding is available in the Department of Code Enforcements bi-weekly payroll line which is A3620.0000.0110.000.

Will the Council so approve?

**CITY OF NIAGARA FALLS
NEW YORK
OFFICE OF THE CITY ASSESSOR**

DATE: July 6, 2015
TO: The City Council
FROM: James R. Bird 
City Assessor
SUBJ: INFORMATIONAL ITEM: *2015 General Assessment Roll*

Listed below are the taxable totals of the General Assessment Roll for the City of Niagara Falls, New York, as now constituted and completed by the Board of Assessment Review for the year 2015 and were filed with the City Clerk on July 1, 2015.

Also, attached, please find the exemption summary for the 2015 roll.

Total Taxable Assessed Value	\$1,274,907,936
Homestead	\$876,492,885
Non-Homestead	<u>398,415,051</u>
Total	\$1,274,907,936

Attachment

Exemption Code	Exemption Name	Exemption Count	Land Assessed Value	Total Assessed Value	County	City/Town	School	Village
12100	NYS	299	56,700,824	88,530,504	88,530,504	88,530,504	88,530,504	0
12350	NYS+PAUTH	8	6,593,700	190,902,500	190,902,500	190,902,500	190,902,500	0
13100	COUNTY LIM	12	800,600	5,670,300	5,670,300	5,670,300	5,670,300	0
13350	CITY	148	14,940,900	211,297,100	211,297,100	211,297,100	211,297,100	0
13380	CITY MKT	1	784,200	1,835,000	502,700	502,700	502,700	0
13510	CEMETERY-T	5	896,700	1,790,200	1,790,200	1,790,200	1,790,200	0
13800	C4 SCHOOL	41	2,000,600	74,117,632	74,117,632	74,117,632	74,117,632	0
14100	US	8	629,000	3,946,900	3,946,900	3,946,900	3,946,900	0
14110	US PROPERT	2	265,700	2,483,000	2,483,000	2,483,000	2,483,000	0
14300	INDIAN RES	45	24,962,400	160,102,500	160,102,500	160,102,500	160,102,500	0
18020	MUNICI	97	7,530,260	165,471,618	165,471,618	165,471,618	165,471,618	0
18060	URA	7	806,400	806,400	806,400	806,400	806,400	0
18180	UDC	3	144,400	144,400	144,400	144,400	144,400	0
21600	RELIG RES	1	3,200	69,500	69,500	69,500	69,500	0
25110	RELIG CORP	214	4,027,850	33,221,900	33,221,900	33,221,900	33,221,900	0
25120	EDUC CORP	4	350,600	1,783,300	1,783,300	1,783,300	1,783,300	0
25130	NONPROFIT	35	836,300	5,811,400	5,811,400	5,811,400	5,811,400	0
25210	HOSPITAL P	4	96,000	25,159,200	25,159,200	25,159,200	25,159,200	0
25230	MENTL/MORA	16	316,700	2,260,900	2,260,900	2,260,900	2,260,900	0
25300	NONPROFIT	21	830,100	3,482,500	3,482,500	3,482,500	3,482,500	0
25600	HOSPITAL	3	42,400	2,131,000	2,131,000	2,131,000	2,131,000	0
26100	VETORG CTS	13	152,800	1,087,700	1,087,700	1,087,700	1,087,700	0
28100	STAFF HOUS	5	1,157,600	6,691,900	6,691,900	6,691,900	6,691,900	0
28110	AGED HOUS	6	51,900	3,352,900	3,352,900	3,352,900	3,352,900	0
28120	HOU DEV PR	35	262,100	6,410,200	6,410,200	6,410,200	6,410,200	0
28220	CDA	45	113,000	1,008,700	1,008,700	1,008,700	1,008,700	0
28520	NURSING H	1	383,300	3,894,400	3,894,400	3,894,400	3,894,400	0
33401	FORCLOSURE	214	1,010,300	3,305,600	3,305,600	3,305,600	3,305,600	0
38260	HOU DV PUB	30	1,382,000	21,189,500	21,189,500	21,189,500	21,189,500	0
41101	VETS-EF-CT	35	190,100	2,181,100	62,650	62,650	0	0
41111	VETS-PR-CT	192	945,400	12,520,400	4,336,397	4,336,397	0	0
41122	VET WAR C	971	5,073,460	62,992,500	9,228,401	0	0	0
41123	VET WAR T	971	5,073,460	62,992,500	0	8,568,249	0	0
41132	VET COM C	864	4,318,212	55,419,700	13,579,594	0	0	0
41133	VET COM T	863	4,314,912	55,374,700	0	12,556,938	0	0
41142	VET DIS C	213	1,185,700	13,785,300	3,973,660	0	0	0
41143	VET DIS T	213	1,185,700	13,785,300	0	3,815,910	0	0

Exemption Code	Exemption Name	Exemption Count	Land Assessed Value		Total Assessed Value	Exemption Amounts			
			Assessed Value	Land Assessed Value		County	City/Town	School	Village
41152	CW_10_VET/C	77	331,700	4,823,900	271,020	0	0	0	0
41172	CW_DISBLD_VET/C	13	62,200	840,100	177,640	0	0	0	0
41400	CLERGY	8	48,700	591,700	12,000	12,000	12,000	0	0
41800	AGED C/T/S	156	557,300	7,559,900	3,562,074	3,563,136	3,776,575	0	0
41801	AGED C/T	762	2,836,490	40,622,600	13,379,576	13,412,737	0	0	0
41802	AGED C	5	32,800	379,500	107,175	0	0	0	0
41804	AGED S	215	758,100	11,192,500	0	0	3,529,039	0	0
41834	Enhanced Star	3172	15,093,483	192,843,000	0	0	155,393,531	0	0
41854	Basic Star	7295	36,743,592	461,968,130	0	0	193,980,598	0	0
41903	DISABLED	3	15,300	238,400	0	23,745	0	0	0
41931	DISABILITY CT	124	443,730	5,886,800	2,413,238	2,415,038	0	0	0
44210	421 Phys Imprvm CTS	103	765,400	8,238,260	989,194	989,194	989,194	0	0
44243	Multiple Units 421-j	2	8,400	342,000	0	29,250	0	0	0
44323	Res New Build 485-j	5	25,700	629,300	0	293,500	0	0	0
47200	RR CEILING	1	0	11,055,000	4,025,797	4,025,797	4,025,797	0	0
47590	Res-com-urban C/T/S	4	42,200	969,700	576,900	576,900	576,900	0	0
47596	RCUE T/S	2	35,500	3,810,800	0	3,194,200	3,194,200	0	0
47610	Bus Im CTS	57	12,408,000	88,486,496	9,582,686	9,582,686	9,582,686	0	0
47611	Bus Im CT	1	1,384,800	10,397,400	2,253,150	2,253,150	0	0	0
47612	Bus Im C	1	23,300	3,733,700	62,375	0	0	0	0
48650	HOUSING DV	1	104,900	1,644,600	1,644,600	1,644,600	1,644,600	0	0
Total Exemptions Exclusive Of System Exemptions:		17,652	222,080,373	2,163,263,940	1,096,864,481	1,097,982,431	1,400,025,874	0	0
Total System Exemptions:		0	0	0	0	0	0	0	0
Totals:		17,652	222,080,373	2,163,263,940	1,096,864,481	1,097,982,431	1,400,025,874	0	0

Agenda Item #9

RE: Request for Approval to Settle and Pay Claim of McNeil & Company, Inc. as subrogee of Wolcottsville Volunteer Fire Co. Inc.
PO Box 5670, Courtland, New York 13045

Council Members:

Date Claim Filed:	October 16, 2014
Date Action Commenced:	N/A
Date of Occurrence:	September 20, 2014
Location:	4001 Packard Road
Nature of Claim:	Automobile damage sustained in mutual aid firefighting incident.
Status of Action:	Claim stage.
Recommendation/Reason:	Best interests of City to pay claim and General Municipal Law Section 209-E.
Amount to be Paid:	\$5,457.00
Make Check Payable to:	McNeil & Company, Inc. as subrogee of Wolcottsville Volunteer Fire Co. Inc.
Conditions:	General Release to City, approved by Corporation Counsel.

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

Agenda Item #10

RE: Request for Approval to Settle and Pay Claim of *St. Johnsburg Fire Company, Inc.*
7165 Ward Road, North Tonawanda, New York 14120

Council Members:

Date Claim Filed:	November 19, 2014
Date Action Commenced:	N/A
Date of Occurrence:	September 20, 2014
Location:	4001 Packard Road
Nature of Claim:	Automobile damage in mutual aid firefighting incident.
Status of Action:	Claim stage.
Recommendation/Reason:	Best interests of City to pay claim and General Municipal Law Section 209-E.
Amount to be Paid:	\$3,985.00
Make Check Payable to:	St. Johnsburg Fire Company, Inc.
Conditions:	General Release to City, approved by Corporation Counsel.

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

Agenda Item #11

*RE: Request for Approval to Settle and Pay Claim of Catherine Yoleusky Boas
2713 Woodlawn Avenue, Niagara Falls, New York 14301*

Council Members:

Date Claim Filed:	March 5, 2015
Date Action Commenced:	N/A
Date of Occurrence:	March 4, 2015
Location:	2713 Woodlawn Avenue, Niagara Falls, NY
Nature of Claim:	Automobile damage sustained in an accident with City vehicle.
Status of Action:	Claim stage.
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$275.35
Make Check Payable to:	Catherine Yoleusky Boas
Conditions:	General Release to City, approved by Corporation Counsel.

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