

January 11, 2016

**PRESENTATIONS:**

1. Management Information Systems (MIS) Update on City Website  
Joseph Morock, Jr. – Director
  
2. Refuse & Recycle Program – Update  
Brook D'Angelo, SWEET Program Coordinator  
  
Joe Hickman, Sales & Municipal Accounts Manager, Modern Disposal

---

**ADMINISTRATIVE UPDATE:**

None

Agenda Item #1

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

**NOTICE OF CLAIM**

Porter, Andre  
2108 10<sup>th</sup> Street

In reference to personal issues

Feagin, Glenda  
2408 Ontario Avenue

In reference to vehicle damage

Ketch, Victor C.  
236 62<sup>nd</sup> Street

In reference to property damage.

**SUMMONS**

Esposito, Frank  
2419 Whitney Avenue

In reference to Civil Action # 15-CV-155-S

Agenda Item #2

*RE: Vehicles for Niagara Falls Police Department (“NFPD”)*

Council Members:

The Superintendent of Police advises that it is necessary now to purchase five (5) new vehicles. These vehicles consist of three (3) Ford Police Interceptors (SUV type vehicles) and two (2) Ford vans. The vehicles that are being replaced are high mileage vehicles and are out of compliance with acceptable police standards. The total cost of the five (5) vehicles inclusive of up-fitting the vehicles, inside and out and marking them with graphics is \$180,500.

The City Controller advises that funding is available from casino revenues.

Will the Council so approve?

Agenda Item 2A

**RE: City Council Agenda Item:**

**425 Third Street Construction Access Permission**

**Council Members:**

The City owns the vacant lot located at 425 Third Street. The owner of the Zaika Indian Restaurant at 421 Third Street, the adjoining property, has asked for permission to enter the City-owned property for access to a wall on the restaurant property during some renovations.

Under Real Property Action and Proceedings Law §881, a property owner can obtain a court order for access to an adjoining property for construction. Since the law provides for this access, the City Council generally grants permission.

In this instance, the access will be for up to 14 consecutive days during January or February, with the specific dates to be agreed upon. The property owner will indemnify the City against any damages or claims for injuries to persons or property. The contractor will provide the standard City insurance, with the City named as additional insured. The property owner or contractor will not damage the City property during construction and will restore the City property to the condition it was in before access.

Will the Council vote to approve construction access permission as set forth herein, and authorize the Mayor to execute any documents necessary to effectuate the same?

Agenda Item #3

*RE:* Request for Approval to Settle and Pay Claim of **Charles V. Calabro**  
1302 Michigan Avenue, Niagara Falls, New York

Council Members:

Date Claim Filed:	February 2, 2008
Date Action Commenced:	March 17, 2009
Date of Occurrence:	January 8, 2008
Location:	1300 block of Michigan Avenue
Nature of Claim:	Damages sustained during police investigation
Status of Action:	Pre-trial stage.
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$115,000.00
Make Check Payable to:	Charles V. Calabro and Shaw & Shaw, P.C.
Conditions:	Stipulation of Discontinuance and 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 #4

RESOLUTION RELATIVE TO AMENDING CHAPTER 171  
OF THE CODIFIED ORDINANCES ENTITLED  
“BENEFITS OF EMPLOYEES NOT COVERED BY  
COLLECTIVE BARGAINING AGREEMENTS”

Council Member Kenneth M. Tompkins

BE IT RESOLVED by the City Council of Niagara Falls, New York that Chapter 171 of the Codified Ordinances entitled “Benefits of Employees Not Covered by Collective Bargaining Agreements” is hereby amended by amending Section 171.01 to read as follows:

171.01 DEFINITIONS.

a. The term “City employee”, as used in this Chapter, shall include all full-time employees of the City of Niagara Falls not covered by Collective Bargaining Agreements, excepting seasonal employees and members of City boards and commissions. For the purpose of retirement system membership, health and dental insurance, life insurance and Worker’s Compensation benefits only, elected officials shall be considered city employees as defined above. For the purposes of health, dental and life insurance benefits only, Municipal Civil Service Commissioners **[shall be considered City employees as defined above]** **first appointed after January 1, 2016 shall not be considered City employees as defined above.**

• • •

Bold and Underlining indicate **Additions.**

Bold and Brackets indicate **[Deletions].**

Agenda Item #5

RESOLUTION RELATIVE TO AMENDING CHAPTER 171  
OF THE CODIFIED ORDINANCES ENTITLED  
“BENEFITS OF EMPLOYEES NOT COVERED BY  
COLLECTIVE BARGAINING AGREEMENTS”

Council Member Kenneth M. Tompkins

BE IT RESOLVED by the City Council of Niagara Falls, New York that Chapter 171 of the Codified Ordinances entitled “Benefits of Employees Not Covered by Collective Bargaining Agreements” is hereby amended by amending Section 171.05 to read as follows:

171.05 HEALTH INSURANCE.

a. The City shall provide group health and dental insurance as provided for under the City’s “Health Care Memorandum of Understanding”, agreed to be the City’s Health Care Committee and adopted by the City Council January 17, 2006. The Blue Cross/Blue Shield PPO is the current health insurance plan under the MOU and Delta Dental Premier is the current dental plan. **City Council members first elected after January 1, 2016 or re-elected, after a separation from service as a City Council member after January 1, 2016, will not be entitled to any benefit contained in the City’s “Health Care Memorandum of Understanding”, including, but not limited to, health and dental insurance and any health insurance opt-out payment.**

• • •

Bold and Underlining indicate **Additions.**

Bold and Brackets indicate **[Deletions].**

**RELATIVE TO REAPPOINTMENTS AND APPOINTMENTS TO THE  
CABLE TELEVISION COMMISSION**

BY:

Council Chairman Andrew Touma  
Council Member Kristen Grandinetti  
Council Member Ezra Scott, Jr.  
Council Member Kenny Tompkins  
Council Member Charles Walker

**BE IT RESOLVED**, that the following individuals are hereby reappointed and appointed to the City of Niagara Falls Cable Television Commission, effective immediately, for the term expiring on the date which appears opposite their name:

REAPPOINTMENT: \_\_\_\_\_ TERM EXPIRES: \_\_\_\_\_

Richard Meranto 12/31/2020  
4622 Terrace Drive  
Niagara Falls, NY 14305

APPOINTMENT: \_\_\_\_\_ TERM EXPIRES: \_\_\_\_\_

Kenneth A. Badger 12/31/2019  
563 17<sup>th</sup> Street  
Niagara Falls, NY 14301

Matthew J. Jones 12/31/2018  
1639 Ontario Avenue  
Niagara Falls, NY 14305

**RELATIVE TO APPOINTMENT TO THE CIVIL SERVICE  
COMMISSION**

BY:

Council Chairman Andrew Touma  
Council Member Kristen Grandinetti  
Council Member Ezra Scott, Jr.  
Council Member Kenny Tompkins  
Council Member Charles Walker

**WHEREAS**, there is currently one vacant seat on the Niagara Falls Civil Service Commission, due to the passing of Mr. Lewis “Babe” Rotella.

**NOW THEREFORE, BE IT RESOLVED**, that the following individual is hereby appointed to the City of Niagara Falls Civil Service Commission, effective immediately to fill the unexpired term of Mr. Rotella:

APPOINTMENT:

TERM EXPIRES:

Lora Allen  
1656 Michigan Avenue  
Niagara Falls, NY 14305

5/31/2020

Agenda Item #8

**RELATIVE TO REAPPOINTMENTS TO THE SENIOR CITIZEN COUNCIL**

BY:

Council Chairman Andrew Touma  
Council Member Kristen Grandinetti  
Council Member Ezra Scott, Jr.  
Council Member Kenny Tompkins  
Council Member Charles Walker

**BE IT RESOLVED**, that the following individuals are hereby reappointed to the City of Niagara Falls Senior Citizen Council, effective immediately, for the term expiring on the date which appears opposite their name:

<u>REAPPOINTMENT:</u>	<u>TERM EXPIRES:</u>
Marie DeFelice 2540 Jerauld Avenue Niagara Falls, NY 14303	12/31/2016
Harold Fox 2243 Cleveland Avenue Niagara Falls, NY 14305	12/31/2017
George Kralick 512 82 <sup>nd</sup> Street Niagara Falls, NY 14304	12/31/2017
Robert Ramos 2481 South Avenue Niagara Falls, NY 14305	12/31/2017
Norman Bock 3807 Pine Avenue Niagara Falls, NY 14301	12/31/2018
Lucy Hamera 3019 Welch Avenue Niagara Falls, NY 14303	12/31/2018

**RELATIVE TO REAPPOINTMENTS AND APPOINTMENTS TO THE  
PLANNING BOARD**

BY:

Council Chairman Andrew Touma  
Council Member Kristen Grandinetti  
Council Member Ezra Scott, Jr.  
Council Member Kenny Tompkins  
Council Member Charles Walker

**BE IT RESOLVED**, that the following individuals are hereby reappointed and appointed to the City of Niagara Falls Planning Board, effective immediately, for the term expiring on the date which appears opposite their name:

REAPPOINTMENT: TERM EXPIRES:

Lisa Vitello 12/31/2018  
4859 Terrace Drive  
Niagara Falls, NY 14305

APPOINTMENT: TERM EXPIRES:

Michael Murphy 12/31/2016  
642 4<sup>th</sup> Street  
Niagara Falls, NY 14301  
*(to fill the unexpired term of Ms. Laurie Davis)*

Joyce M. Williams 12/31/2018  
1314 Calumet Avenue  
Niagara Falls, NY 14305

Agenda Item #10

**RELATIVE TO REAPPOINTMENTS AND APPOINTMENTS TO THE TOURISM ADVISORY BOARD**

BY:

Council Chairman Andrew Touma  
Council Member Kristen Grandinetti  
Council Member Ezra Scott, Jr.  
Council Member Kenny Tompkins  
Council Member Charles Walker

**BE IT RESOLVED**, that the following individuals are hereby reappointed and appointed to the City of Niagara Falls Tourism Advisory, effective immediately, for the term expiring on the date which appears opposite their name:

<u>REAPPOINTMENT:</u>	<u>TERM EXPIRES:</u>
Traci L. Bax 8654 Hennepin Avenue Niagara Falls, NY 14304	12/31/2016
Adrienne Bedgood 2256 South Avenue Niagara Falls, NY 14305	12/31/2016
Angela Berti Prospect Street & Old Falls St. Niagara Falls, NY 14303	12/31/2016
Ron Droegmyer 300 3rd Street Niagara Falls, NY 14303	12/31/2016
Mickey Dumas 1023 South Avenue Niagara Falls, NY 14305	12/31/2016
Denise Easterling 1306 Willow Avenue Niagara Falls, NY 14305	12/31/2016

Ernest Lucantonio 12/31/2016  
2450 Forest Avenue  
Niagara Falls, NY 14301

Mark Mistriner 12/31/2016  
2945 North Avenue  
Niagara Falls, NY 14301

Gay Molnar 12/31/2016  
2114 River Road  
Niagara Falls, NY 14304

Jason Murgia 12/31/2016  
101 Old Falls Street  
Niagara Falls, NY 14303

Willie Price 12/31/2016  
91 Deuro Drive  
Niagara Falls, NY 14304

Pat Proctor 12/31/2016  
454 Main Street  
Niagara Falls, NY 14301

Lisa Vitello 12/31/2016  
4859 Terrace Drive  
Niagara Falls, NY 14305

Shawn Weber 12/31/2016  
250 Rainbow Boulevard  
Niagara Falls, NY 14303

<u>APPOINTMENT:</u>	<u>TERM EXPIRES:</u>
Richard A. Crogan 646 4 <sup>th</sup> Street Niagara Falls, NY 14301	12/31/2016

Jeffery Flach 12/31/2016  
723 3<sup>rd</sup> Street  
Niagara Falls, NY 14301



Agenda Item #12

**RELATIVE TO REAPPOINTMENTS AND APPOINTMENTS TO THE YOUTH BOARD**

BY:

Council Chairman Andrew Touma  
Council Member Kristen Grandinetti  
Council Member Ezra Scott, Jr.  
Council Member Kenny Tompkins  
Council Member Charles Walker

**BE IT RESOLVED**, that the following individuals are hereby reappointed and appointed to the City of Niagara Falls Youth Board, effective immediately, for the term expiring on the date which appears opposite their name:

REAPPOINTMENT: \_\_\_\_\_ TERM EXPIRES:

Philip Mohr 12/31/2018  
4525 Lewiston Road  
Niagara Falls, NY 14301

APPOINTMENT: \_\_\_\_\_ TERM EXPIRES:

Vera Woods 12/31/2018  
4015 McKoon Avenue  
Niagara Falls, NY 14305

Theresa Kasper 12/31/2018  
2936 Niagara Avenue  
Niagara Falls, NY 14305

Helen Kress 12/31/2018  
2965 Weston Avenue  
Niagara Falls, NY 14305

Sanquin Starks 12/31/2017  
8521 Porter Rd. #23  
Niagara Falls, NY 14304  
*(to fill the unexpired term of Bryan Rotella – resignation)*

**RELATIVE TO FEE WAIVER OF HYDE PARK OASIS FOR THE  
NIAGARA FALLS SERTOMA CLUB – 62<sup>ND</sup> ANNUAL FUNDRAISER TO  
SUPPORT VARIOUS ORGANIZATIONS THROUGHOUT THE CITY**

**BY:**

Council Chairman Andrew Touma

**WHEREAS**, the Niagara Falls Sertoma Club wishes to do its part in helping those in our city who are considered less fortunate; and

**WHEREAS**, the Sertoma Club donates to various organizations including the V.A. Homeless Veterans Program, Family and Children Services, Niagara Hospice, Niagara Falls Boys and Girls Club, Niagara Cerebral Palsy, Heart and Soul Community Kitchen, NF Police Association and Opportunities Unlimited; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Niagara Falls, New York that the City of Niagara Falls does hereby waive the rental fee of the Oasis at Hyde Park, for the Niagara Falls Sertoma Club's 62<sup>nd</sup> Annual Chicken Barbecue, to be held on Sunday, August 21, 2016. This is one of their main fundraisers that help support various organizations throughout the City.

**RELATIVE TO HONORING THE MEMORY AND SERVICE OF SGT. THEODORE  
TRAVIS**

BY:

Council Chairman Andrew Touma  
Council Member Kristen Grandinetti  
Council Member Ezra Scott, Jr.  
Council Member Kenny Tompkins  
Council Member Charles Walker

**WHEREAS**, the Niagara Falls City Council wishes to honor the memory and service of Sgt. Theodore Travis for his dedication to the City of Niagara Falls and the United States of America; and

**WHEREAS**, Sgt. Travis was a dedicated and diligent member of our United States Military Service. He was a member of the 101<sup>st</sup> Airborne, 2<sup>nd</sup> Brigade, 3<sup>rd</sup> Battalion, 502 Infantry, Multinational Force of Sinai Peninsula, and 8 crew members. He was one of 248 members of the military killed in the historic Gander, New Foundland airplane explosion. The incident was known as one of the worst aviation accidents in military history at the time; and

**WHEREAS**, Mr. Travis was the exceptional husband of Cynthia, father of Theodore, Jr. and Stephan Sr.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of Niagara Falls, New York, does hereby honor the memory of Sgt. Theodore Travis. This honor will be entered into public record forevermore.

**RELATIVE TO REAPPOINTMENT OF MARRIAGE OFFICER**

**BY:**

Council Chairman Andrew Touma

**WHEREAS**, Niagara Falls has an international reputation as “The Honeymoon Capitol”; and

**WHEREAS**, couples arrive at the City Clerk’s Office from all over the world to obtain a marriage license; and

**WHEREAS**, it is advantageous for the City and convenient to the couple to have these marriages solemnized within the confines of the City of Niagara Falls; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Niagara Falls, New York that in accordance with Section 11-c of the New York Domestic Relations Law, the following employee in the City Clerk’s office, Leonard G. Lapp, Jr. be reappointed as a Marriage Officer for the City of Niagara Falls for a term of four years; and

**BE IT FURTHER RESOLVED**, that the fee for such marriage service shall be \$100.00; and

**BE IT FURTHER RESOLVED**, that the fees for all marriages performed by said Marriage Officers during normal business hours be deposited to the credit of the City of Niagara Falls.