

The following is a report of the licenses issued and collections made in the Office of the City Clerk during the month of October 2010.

		<u>CONTROLLER</u>	<u>TOTAL</u>
A1255-001 A012	Vital Statistics	\$ 4,160.00	\$ 4,160.00
A1255-004 A013	Copies of Records	\$ 715.50	\$ 715.50
A1255-004 A013	Certificates of Marriage	\$ 790.00	\$ 790.00
A2501-014 A046	Electrician - Exam Fee	\$ 125.00	\$ 125.00
A2501-016 A047	Stationary Engineers Test Fee	\$ 240.00	\$ 240.00
A2501-021 A048	Amusement Games	\$ 650.00	\$ 650.00
A2542-000 A053	Dogs/N County Treasurer \$ 462.95	\$ -	\$ 462.95
A2542-000 A053	Dogs/NYS Agr. & Mkts \$ 219.00	\$ -	\$ 219.00
A2542-000 A053	Additional Dogs	\$ 2,572.05	\$ 2,572.05
A2545-001 A054	Marriage License/NYSHD \$1,775.50	\$ 592.50	\$ 2,370.00
A1255-002 A123	Commissioners of Deeds	\$ 10.00	\$ 10.00
A2545-021 A316	Vending	\$ 4,750.00	\$ 4,750.00
A2545-023 A318	Hunters/NYS DEC RAU \$1,815.20	\$ -	\$ 1,815.20
A2545-023 A318	Hunters Fees	\$ 92.80	\$ 92.80
			\$
A1255-003 A499	Notary Fee	\$ 4.00	4.00
A1255-005 A528	Dog Release	\$ 150.00	\$ 150.00
TA63008 A597	Marriage Performance	\$ 825.00	\$ 825.00
A1255-006-A696	Photos/passport-license	\$ 27.00	\$ 27.00
TOTAL:		<u>\$ 15,703.85</u>	<u>\$ 19,978.50</u>
	<u>\$4,272.65</u>		
Check #	<u>50262</u>	Niagara County Treasurer	\$ 462.95
Check #	<u>50293</u>	NYS Dept. of Arg. & Mkts	\$ 219.00
Check #	<u>50261</u>	NYS Health Department	\$1,775.50
Check #	<u>ET</u>	NYS DEC RAU	\$1,815.20

The following claims have been filed in the Office of the City Clerk during the month of October 2010. The claims were subsequently referred to the Office of the Corporation Counsel.

NOTICE OF CLAIM

ALLEGED DAMAGE

Shepherd, Evie
c/o The Carey Firm, LLC

Emotional harm and distress caused by the negligence of the Niagara Falls Police Dept.

Leffler, Marina
c/o State Farm Insurance

Property damages caused by rotted tree hitting roof of house.

Lopez, Maritza
c/o Cellino & Barnes, P.C.

Personal injuries sustained when tripped over a sewer that was exposed.

Wilson, Deidra
245 82nd St

Property damages caused by city backhoe hitting fence.

Black, Dwight
233 82nd St.

Property damages to fence caused by installation of sidewalk.

Salters, Steffane
c/o Andrews, Bernstein & Maranto, LLP

Personal injuries sustained when tripped and fell over raised cracked sidewalk.

Blazejewski, Kenneth
3158 Dell Drive

Property damages caused by construction on Lewiston Road.

Richardson, Donnell
PO Box 1575

Damages caused when arrested.

Gorski, Tammy
222 Skillen St
Buffalo, NY 14207

Vehicle damages caused by city workers painting in city parking lot.

Lee, Angela
C/O William K. Mattar, P.C.

Personal injuries sustained to her father from automobile accident

Morrison, Rodger E.
65 Kies Ct

Property damages after tree fell on driveway.

SUPPLEMENTAL SUMMONS

National Grid F/K/A Niagara Mohawk
c/o Solomon and Solomon, P.C.
Office & PO Address
Columbia Circle, Box 15019
Albany, NY 12212-5019

Index # 10-57969

Agenda Item #3

At its meeting of December 14, 2009, the Council awarded the above referenced bid to Morris Protective Services, Inc. (see attached copy of Council letter). The contract is in effect for one year thru December 31, 2010. If mutually agreeable, the agreement may be extended one additional year thru December 31, 2011 under the same terms, conditions and specifications. Morris Protective Service, inc. has requested we exercise this extension.

Therefore, we recommend the Council approve extension of this agreement for one additional year.

Funds for this expenditure are included in the 2011 proposed budget in the Public Works Department, Administration code: A1490.0001.0449.004.

Agenda Item #4

The following was the result of bids received on October 26, 2010 for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>
D.V. Brown & Associates, Inc. 567 Vickers Street Tonawanda NY 14150	\$220,000.00
Hoot Mechanical & Electrical	\$222,200.00
MLP Plumbing	\$238,800.00
O'Connor Mechanical Corp.	\$244,900.00
John W. Danforth Co.	\$264,000.00

It is the recommendation of the undersigned that this project be awarded to the low bidder D.V. Brown & Associates, Inc., at their total bid of \$220,000.00. Funding is available in Code H0904.2004.0904.0443.000.

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 #5

A contract for the above referenced project was awarded to O'Connell Electric, Inc. on October 7, 2009 in the amount of \$93,140.00.

During the course of work vandalism to the overhead electrical service mounted on the exterior of the existing comfort station and children were climbing on the service mast to get to the roof were observed. As a new service was to be installed in this contract, a request was made to the contractor to provide a price to install this new service underground for safety and aesthetic reasons. Also, a request was received to install lighting to flagpoles in the park. The total increase to the contract is \$17,485.33, making the revised sum of this contract to \$110,625.33. These changes have already been approved by the Greenway Commission that will fund these changes to the project scope. Funding is available in code H0962.2009.0962.0449.599.

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

Agenda Item #6

The Council previously approved an agreement with Wendel Duchscherer to provide planning services for the LaSalle Waterfront Park site at 6611 Buffalo Avenue.

As part of this project, the consultants and City personnel held three community meetings to receive the input of the community as to what amenities should be included in the park. This input is included in the final design. However, due to grant funding cycles, it was necessary to divide the project into two phases which resulted in additional engineering costs.

It is requested that the Council approve an amendment to the agreement in the amount of \$96,500 that will provide for the preparation of bidding documents and services during the construction of the project and represents the total amount required for engineering services.

Funding is available from Greenway Funds approved for this project.

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

Agenda Item #7

The Library Director has requested the installation of a new bookdrop at the LaSalle Branch Library. The existing bookdrop is antiquated and leaks. The cost of a new bookdrop will not exceed \$6,500.00. Funding is available from Casino Revenues.

Will the Council so approve?

Agenda Item #8

The Director of the Department of Public Works is requesting approval to purchase two (2) tandem dump trucks. One such truck is intended to replace a truck that is quite old and of limited value in daily operations and the other truck will be an addition to the fleet of vehicles. This will enhance the department's ability to conduct in-house street paving in 2011. The total for these two (2) vehicles will be \$340,500.00. Funding is available from Special Projects Fund Balance.

Will the Council so approve?

Agenda Item #9

At the Traffic Advisory Commission meeting held on October 26, 2010, the Commission:

DENIED:

- 1) Request submitted by Michael Dan, 5687 Lindbergh Avenue, to **INSTALL ALL WAY STOP SIGNS** at the intersection of 60th Street & Lindbergh Avenue. The intersection was studied with the following results: 2006/0, 2007/0, 2008/0, 2009/0, and 2010/0 to present. Traffic volume per hour: 60th Street = 22 vehicles + 5 pedestrians, Lindbergh Avenue = 19 vehicles + 3 pedestrians (total = 41 vehicles per hour & 8 pedestrians). This intersection falls far short of the MUTCD Minimum Warrant for the placement of "ALL WAY" stop signs. Per Police Captain Salvatore Pino the area was checked by radar on October 19th and 20th, 2010 for speeding and no problems were found.
- 2) Request submitted by Kathy Monti, 1106 James Avenue to **INSTALL A 5' HANDICAPPED ACCESS SPACE** in front of 1106 James Avenue. The request was denied since the criteria for the handicapped access space was not met. The residence has a driveway to provide access, in addition to no lead in sidewalk.
- 3) Request was made by Bishop Stephan Booze on behalf of Roosevelt Coleman, 418 - 24th Street to **INSTALL A RESERVED HANDICAPPED PARKING SPACE** in front of 418 - 24th Street. The request was denied since there is a fire hydrant in front of the house. Per NYS Vehicle & Traffic Law parking is not permitted within fifteen feet of a fire hydrant, and in addition, the ADA does not mandate reserved on-street handicapped parking.

Agenda Item #10

At the Traffic Advisory Commission meeting held on October 26, 2010 the Commission recommended APPROVAL of the following item:

**INSTALL A 5' HANDICAPPED ACCESS SPACE
IN FRONT OF 1744 CUDABACK AVENUE**

[Physician verification of wheelchair dependency and/or severe restriction of movement, has been received]

Submitted By: Daisy Jackson, 1744 Cudaback Avenue

It is requested that City Council approve this recommendation.

Agenda Item #11

At the Traffic Advisory Commission meeting held on October 26, 2010 the Commission recommended APPROVAL of the following item:

**INSTALL A 5' HANDICAPPED ACCESS SPACE
IN FRONT OF 2192 SENECA AVENUE**

[Physician verification of wheelchair dependency and/or severe restriction of movement, has been received]

Submitted By: James Rose, 2192 Seneca Avenue

It is requested that City Council approve this recommendation.

Agenda Item #12

At a Traffic Advisory Commission meeting held on October 26, 2010, the Commission recommended APPROVAL of the following item:

ELIMINATE THE "NO STANDING ANYTIME" RESTRICTION ON MCKOON AVENUE BETWEEN COLLEGE AVENUE & VANDERBILT AVENUE (WEST SIDE OF THE STREET) AND ALLOW ALTERNATE OVERNIGHT PARKING

A petition from the residents of this block was received with 89% signatures. In addition, since the former St. Theresa's School, which is located in this block, has been closed, and the roadway is 30' wide, this block can now accommodate parking on the west side.

Submitted By: Albert Zaepfel, 3907 McKoon Avenue & Petition/Residents of Block

It is requested that City Council approve this recommendation.

Agenda Item #13

At a Traffic Advisory Commission meeting held on October 26, 2010, the Commission recommended APPROVAL of the following item:

**INSTALL ALL WAY STOP SIGNS AT THE INTERSECTION
OF LINDBERGH AVENUE & 79TH STREET**

Submitted By: Brenda Williams, 242 - 68th Street

It is requested that City Council approve this recommendation.

Agenda Item #14

At a Traffic Advisory Commission meeting held on October 26, 2010 the Commission recommended APPROVAL of the following item:

ELIMINATE PARKING ON O'LAUGHLIN DRIVE, NORTH SIDE, BETWEEN PROSPECT STREET & RAINBOW BOULEVARD

Submitted By: Steven Fournier, City Council Member

It is requested that City Council approve this recommendation.

Agenda Item #15

At the Traffic Advisory Commission meeting held on October 26, 2010, the Commission recommended APPROVAL of the following item:

ALLOW TWO SIDED OVERNIGHT PARKING ON 33RD STREET BETWEEN PINE AVENUE & WALNUT AVENUE FROM APRIL 1ST THRU NOVEMBER 30TH EACH YEAR

A Petition from the residents of this block was received with 91% signatures.

Submitted By: Petition/Residents of 33rd Street

The Commission made a special exception approving this request for a one year trial period in October 2009 due to the road being 30 feet in width with daytime parking being allowed on both sides of the street and houses located only on one side of the street (all with shared driveways). Parking will only be allowed on both sides of the street from April 1st thru November 30. No problems were reported during this year long trial period.

It is requested that City Council approve this recommendation.

Agenda Item #16

At a Traffic Advisory Commission meeting held on October 26, 2010 the Commission recommended APPROVAL of the following item:

INSTALL ALTERNATE OVERNIGHT PARKING ON 93RD STREET BETWEEN SHANTZ AVENUE AND DEAD END AT CREEK

A Petition from the residents of this block was received with 71% signatures.

Submitted By: Paula Bianco, 1108 - 93rd Street and Petition/Residents of Block

It is requested that City Council approve this recommendation.

RESOLUTION No. 2010-

RELATIVE TO APPOINTMENT AND RE-APPOINTMENT TO THE
HUMAN RIGHTS COMMISSION

BY:

Council Member Charles Walker

BE IT RESOLVED, that the following individuals are hereby appointed and re-appointed to the Human Rights Commission effective immediately for the expiration date of which appears opposite their names:

<u>RE-APPOINTMENT</u>	<u>TERM EXPIRES:</u>
Maureen Minicucci 2953 McKoon Avenue Niagara Falls, NY 14305	12/31/2014

<u>APPOINTMENT</u>	<u>TERM EXPIRES:</u>
Nicholas J. Ligammari 2960 Linwood Avenue Niagara Falls, NY 14305	12/31/2014