

Item #1

SUBJECT: LETTER OF AWARD FOR NEW FUEL DISPENSING STATION AT CORPORATION YARD

The following was the result of bids received on June 15, 2010, for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>
Empire State Mechanical Construction 3039 Sherwood Rd. Palmyra NY 14522	\$ 399,000.00
Yarussi Construction Inc.	\$ 448,000.00
Sicoli Construction	\$ 471,700.00
Nature Way	\$ 514,800.00

It is the recommendation of the undersigned that this project be awarded to the low bidder Empire State Mechanical Construction, at their Base Bid of \$399,000.00. Funding is available in Code HO0811.2008.0811.0419.006.

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

Item #10

RE: Overtime for Department of Code Enforcement

The Department of Code Enforcement has been conducting weekend neighborhood blitzes and has found these blitzes to be effective. The Department would like to continue this program. In order to do so, it is necessary to transfer \$10,000 into the overtime line in the Department of Code Enforcement's budget. Funding is available from the City Council Contingency Fund.

Will the Council so approve?

Item #11

SUBJECT: Bid #25-10 Spin/Relief Grinder

We respectfully request you award the above referenced bid as follows:

TO: Moffett Turf Equipment, Inc.
33 Thruway Park Drive
West Henrietta, NY 14586

FOR: One (1) Spin/relief grinder: \$21,751.71

The City Purchasing Agent certifies that all bids were solicited in accordance with Section 103 of the General Municipal Law.

Notice that bids were to be received was advertised in the Niagara Gazette and bids were sent to three (3) vendors. Two bids were received. The above referenced company submitted the lowest bid. A bid was also received from Grassland Equipment (\$24,000.00).

Funds for this expenditure are available in the Capital budget code:
H0912.2009.0912.0250.000

Item #12

SUBJECT: Bid #28-10 Sidewalk Street Sweeper

We respectfully request you award the above referenced bid as follows:

TO: Joe Johnson Equipment, Inc.
62 LaGrange Avenue
Rochester, NY 14613

FOR: One (1) Sidewalk Street Sweeper: \$78,342.86

The City Purchasing Agent certifies that all bids were solicited in accordance with Section 103 of the General Municipal Law.

Notice that bids were to be received was advertised in the Niagara Gazette and bids were sent to five (5) vendors. The above referenced company submitted the only bid.

Funds for this expenditure are available in the Capital budget code:
H0912.2009.0912.0230.000

Item #13

RE: Request for Approval to Settle and Pay Claim of Albert J. Gazy
1423 - 99th Street, Niagara Falls, NY 14304

Date Claim Filed:	November 6, 2009
Date Action Commenced:	N/A
Date of Occurrence:	November 5, 2009
Location:	1423 - 99 th Street
Nature of Claim:	Property damage sustained in an accident with City vehicle
City Driver:	Vincent Jackson
Status of Action:	Claim stage.
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$195.78
Make Check Payable to:	Albert J. Gazy
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?

Item #14

RE: Request for Approval to Settle and Pay Claim of Anthony M. Grasso
693 Brighton Road, Tonawanda, NY 14150

Date Claim Filed:	February 23, 2010
Date Action Commenced:	N/A
Date of Occurrence:	January 7, 2010
Location:	Beach Avenue, Niagara Falls, NY 14305
Nature of Claim:	Automobile damage sustained in an accident with City vehicle
City Driver:	Kory Keiper
Status of Action:	Claim stage.
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$916.36
Make Check Payable to:	Anthony M. Grasso
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?

Item #16

SUBJ: INFORMATIONAL ITEM: 2010 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 2010 and will be filed with the City Clerk on July 1, 2010.

Also, attached, please find the exemption summary for the 2010 roll.

Total Taxable Assessed Value	\$1,275,477,200
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Homestead	\$869,562,750
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Non-Homestead	<u>405,914,450</u>
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Total	\$1,275,477,200
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Attachment

RELATIVE TO SUPPORT IN ACQUIRING
MICHAEL HUSKEY'S MEDAL OF HONOR

BY: Council Chairman Samuel Fruscione
Council Member Robert Anderson, Jr.
Council Member Steve Fournier
Council Member Kristen Grandinetti
Council Member Charles Walker

WHEREAS, fourteen Niagara County citizens have been awarded the Medal of Honor for distinguishing themselves by their valor and gallantry in action; and

WHEREAS, Irish-born Niagara County native, Michael Huskey, earned the Medal of Honor during the Civil War as a sailor aboard the USS Carondelet (Steele's Bayou Expedition, Vicksburg); and

WHEREAS, Michael Huskey died before receiving his Medal of Honor; and

WHEREAS, his Medal of Honor was never issued to his family, who continued to reside in Niagara County; and

WHEREAS, the Huskey family line has completely died out except for us, the people who benefited from his service and sacrifice; and

WHEREAS, Michael Huskey's Medal of Honor is proposed to be placed in a permanent and prominent display in the historic Niagara County Courthouse Rotunda as a perpetual memorial honoring Michael Huskey and all other veterans; and

WHEREAS, the United States Navy has rebuffed Niagara County's efforts to honor Michael Huskey in this manner by issuing his duly earned Medal of Honor to his remaining family - the people of Niagara County.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Niagara Falls, New York does hereby request that the United States Navy release Michael Huskey's Medal of Honor to the care of his family - the people of Niagara County; and be it further

RESOLVED, that the City Council of the City of Niagara Falls, New York shall forward copies of this Resolution to President Barack Obama, U.S. Secretary of the Navy, Ray Mabus, Senator Carl L. Levin, Senator John McCain, Senator Charles Schumer, Senator Kirsten Gillibrand, Congresswoman Louise Slaughter, Congressman Chris Lee, Governor David Paterson, Senator George D. Maziarz, Senator Antoine D. Thompson, Senate Majority Leader Pedro Espada, Jr., Member of the Assembly Jane L. Corwin, Member of the Assembly Stephen Hawley, Member of the Assembly Jim Hayes, Member of the Assembly Robin Schimminger, Member of the Assembly Francine DelMonte, Speaker of the Assembly Sheldon Silver, and all others deemed necessary and proper.

Item #18

RESOLUTION CALLING FOR A PUBLIC HEARING
RELATIVE TO FLOOD DAMAGE PREVENTION

BY: Council Chairman Samuel Fruscione
Council Member Charles Walker

RESOLVED, that Local Law No. ____ for the year 2010 be introduced, and that a public hearing be held on such Local Law on the 12th day of July, 2010 at 7:00 P.M. Daylight Saving Time, in the Council Chambers of the City of Niagara Falls, New York, and that three (3) days notice of said hearing be published in the Niagara Gazette preceding said hearing relative to adopting a new Local Law entitled AFlood Damage Prevention@.

RELATIVE TO CITY BANDSTAND FOR
COMMUNITY-WIDE ACTIVITIES AND FESTIVALS

BY: Council Chairman Samuel Fruscione
Council Member Charles Walker

WHEREAS, this City Council has previously approved agenda items which have resulted in funding/co-sponsorship for community-wide activities and festivals organized and/or promoted by various groups in the City of Niagara Falls, New York including, but not limited to, block clubs, business associations and not-for-profit organizations; and

WHEREAS, one reason for the City Council's financial support for these various community-wide activities and festivals is that each event, in its own way, promotes the quality of life in the City of Niagara Falls and promotes tourism and economic development in the City of Niagara Falls; and

WHEREAS, in addition to the City's financial support for these various community-wide activities and festivals the use of a City-owned bandstand may enhance a particular community-wide activity or festival.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York that a City-owned bandstand (and associated personnel costs) is available at no cost for use at a community-wide activity or festival that has received the financial support from the City, provided that these organizers and/or promoters of these various community-wide activities and festivals make proper request and application for a bandstand, provide necessary paperwork, including proof of insurance, and further provided that such a bandstand is available on the date(s) requested.

Item #2

**SUBJECT: CHANGE ORDER #1 – INSTALLATION OF PLAYGROUND AT SOUTH JR. HIGH SCHOOL SITE -
561 PORTAGE ROAD**

A contract for the above referenced project was awarded to Gardenville Landscape & Nursery on October 9, 2009 in the amount of \$96,057.00.

Subsequent to the start of the project, the accepted portions of the completed fence, playground and equipment installation sustained damage as a result of both vandalism and snow removal operations. The cost associated with the repairs referenced is \$4,445.00, bringing the contract total to \$100,502.00. Funding is available A7140.0100.0419.007.

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

Item #3

SUBJECT: SWIMMING POOL SUB-METERING PROJECT - SAL MAGLIE STADIUM

After a meeting between the City, the Niagara Falls Water Board and the Niagara Falls Board of Education, it was determined that in order to more equitably distribute the costs associated with running the Sal Maglie Stadium and adjacent athletic facilities, the City would sub-meter the pool's water supply service. The initial filling of the pool and subsequent make-up water used throughout the season could then be accurately monitored without approximations and/or estimates.

To this end, the City solicited three independent quotes from municipally licensed plumbers. The lowest received quote for this work was that of J.R. Swanson Plumbing Co., Inc. at \$5,375.00.

It is the request of the undersigned that the Council allow the transfer of \$5,375.00 from casino funding to the appropriate Parks Department funding line.

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

Item #4

**RE: Re-Programming of Community Development Block Grant Funds
New Jerusalem Boy's Reporting Center**

The New Jerusalem Boy's Reporting Center was allocated \$100,000 in the 2010 Community Development budget to help defray administrative costs associated with the operation of the center. The 2010 City funding agreements have all been re-structured to provide funding based on a July 1 to June 30 program year. The existing agreement with the Boy's Reporting Center expired on April 30, 2010 leaving the months of May and June unfunded.

In order to address this issue we are recommend the re-programming of \$16,666 in existing CDBG funds currently unprogrammed in Public Services to bridge the gap for the Boy's Reporting Center. If approved, a grant agreement extension will be signed based on the approved pro-rated allocation formula for administrative expenses.

The City normally receives the CDBG grant in May or June of each year, so we have opted to change the program year for sub-grantees to coincide with the anticipated receipt of funding from HUD. However, we cannot guarantee the exact date that HUD will issue a release of funding. Therefore, all CDBG grant recipients will be reminded again that City (CDBG) funding is based on the dates indicated in the annual funding agreement and that from time to time there may be gaps in funding availability.

Will City Council vote to so approve the use of \$16,666 in Community Development Block Grant funds from budget code CD1.8676.0000.0450.500 to the New Jerusalem Boy's Reporting Center and authorize the Mayor to execute the required grant agreement?

Item #5

**RE: AGENDA ITEM:
Approval of Budget Amendment for Community Development
Section 8 Staff Realignment**

The Section 8 Division of the Department of Community Development currently has a vacant part-time Junior Account Clerk position (Grade 3) that is fully funded in the 2010 budget and a vacant, unfilled Leased Housing Intake Technician (Grade 4) that is funded for \$1.00. We are requesting that the part-time junior account clerk position be abolished and the full-time Leased Housing Intake Technician be created. The Leased Housing Intake Technician will work 50% of the time on Leased Housing programs and 50% of the time on Homeless Prevention and Rapid Re-Housing Programs. Funding for the position will also be split 50/50 between Section 8 and HPRP.

Section 8 Funding is available in S8 8612.0000.0110.000

HPRP Funding is available in CD9 8694.0001.0110.000

Will the Council vote to so approve the staff realignment as outlined above?

Item #6

SUBJECT: Bid #32-10 Compact 4X4 Hybrid SUV

We respectfully request you award the above referenced bid as follows:

TO: Vision Ford
4545 Ridge Road West
Rochester, NY 14626

FOR: 2010 Model Ford Escape 4x4 Hybrid SUV: \$29,874.00

The City Purchasing Agent certifies that all bids were solicited in accordance with Section 103 of the General Municipal Law.

Notice that bids were to be received was advertised in the Niagara Gazette and bids were sent to seven (7) vendors. Three bids were received. The above referenced company submitted the lowest bid. Bids were also received from West Herr Ford-Hamburg. (\$31,656.00) and Delacy Ford, Inc. (\$32,764.00).

Funds for this expenditure are available in the Capital budget code:
H0912.2009.0912.0230.000.

Item #7

RE: Agreement with County of Niagara for Police Department- Internet Access

Attached is an agreement with Niagara County to provide the City's Police Department with some internet access.

The cost is included in the Police budget.

Will the Council so approve and authorize the Mayor to sign same?

Item #8

RE: City Court Cleaning Supervision

The Chief Clerk of the City Court is requesting that the Council agenda item adopted on May 17, 2010 changing an MW-2 position to an MW-3 position be rescinded which will leave the MW-2 position in place. Rather, the Chief Clerk is requesting that two new positions be approved and assigned to the Court system. Those new positions will be a Crew Leader position and a new MW-3 position. This will provide the supervision during day and evening shifts. Funding is available through Code A.1620.2315 meaning that salaries and benefits for both positions will be reimbursed 100% by the New York State Court System.

Will the Council approve the rescission of the agenda item approved at its May 17, 2010 meeting as requested and approve the two new positions?

Item #9

RE: Special Projects fund for Economic Development

NFC is the City's funding mechanism to promote economic development in the City of Niagara Falls. It is desirable that the City transfer the sum of \$250,000 to NFC to be used to promote economic development projects including, but not limited to, business loans and grants, building acquisition and leasehold improvements. Funding is available from Special Projects fund balance.

Will the Council so approve?