

Item #1

RE: Mayor's Approval of Ordinances 2008-99

Please be advised that on December 1, 2008 Mayor Paul A. Dyster duly approved Resolution 2008-99, relative to amending Chapter 365 of the Codified Ordinances entitled "Taxicabs and Taxicab Drivers".

Item #2

The following claims have been filed in the Office of the City Clerk during the month of November, 2008. The claims were subsequently referred to the Office of the Corporation Counsel.

NOTICE OF CLAIM

ALLEGED DAMAGE

Gus Michael Farinella, as Administrator
Of the Estate of Magdalena Marta Lubowska,
Deceased, et al.
180 West 20th St.
Suite 12B
New York, NY 10011

Severe personal injuries and conscious pain and
wrongful death of Claimant's decedent and all other
damages allowed by statute and case law

Enzo Balassone
2261 Grand Ave.

Damage to fence and gate from fallen City tree

James/Mary Daley
18 Florence Ave
Buffalo, NY 14214

Towing and storage fees charged for stolen vehicle
while it was under a police hold.

Robert Guinney Lee
3365 D Street

Damage to property from a City leaf collector
vehicle.

Mary T. Clark
6861 Joanne Circle
Niagara Falls, NY 14304

Damage to automobile caused by a pothole.

Martha Porter
1138 North Avenue
Niagara Falls, NY 14305

Damage to sanitary sewer from City tree roots.

Evette Sharlen Corns, Individually and as PNG
Of Marcus T. Johnson, Jr.
1868 Pierce Ave.

Alleged personal injuries , medical expenses and
property damage sustained from a fall off a bicycle
caused by hazardous City sidewalk

Sean Wilczak
326 Cedar Avenue

Property damage sustained as a result of fallen City
tree

Ruth J. Voelker
4403 Lewiston Rd.

Plumbing costs for backup of sewer line caused by
City tree roots

Michael Morrison
arrest
1982 Delaware Ave. Apt. 6
Buffalo, N.Y. 14216

Loss of property and legal fees caused by false

Robert Smith
1028 Centre Ave.

Personal injuries & medical expenses sustained from
a moped accident caused by a pothole

Letcher S. Potter
625 Rainbow Blvd. Apt.#1

Automobile damage caused by accident on slippery
road.

Jeffords, Mary
427-67th Street

Break in sewer main caused by road sink

NOTICE OF PENDENCY

Tien Han Lee and Li-Yen Yang Lee
a/k/a Diana L. Lee

Index # 135087

SUBJECT: Bid #37-08 Rental of Snow Removal Equipment

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

TO: Armand Cerrone, Inc.
4625 Witmer Road
Niagara Falls, NY 14305

FOR: Items 1-56, per the attached tally sheet.

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 six (6) vendors. The above referenced company submitted the only bid.

Funds for this expenditure will be made available in the Department of Parks and Public Works, Snow Removal Equipment code: A5142.0000.0442.003.

Item #4

RE: Designation of Casino Funds for Area Revitalization Coordinators

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Due to the reduction of funding available to the Community Development Department it was determined that funding for the Area Revitalization Coordinator Positions be removed from the Community Development budget and funded from Casino funds.

Therefore, will the Council designate Casino funds for the Niagara Street, Pine Avenue/NHS and Main Street/Center City Area Revitalization Coordinators in the amount of \$12,000.00 each (a total of \$36,000.00) and authorize the Mayor to execute funding Agreements in a form acceptable to the Corporation Counsel?

Item #5

RE: Agreement between UCS and UC of Niagara Falls for Court Cleaning and Minor Repairs (Contract No. 300230) New Five Year Contract Agreement

At your October 14 meeting you approved the above referenced contract indicating that for the April 1, 2008 thru March 31, 2009 period the maximum compensation was \$195,103.00.

Because this renewal, also includes potential cost for certain wiring in the new court house the actual maximum reimbursement for this fiscal year is \$1,309.035.00

Will the Council so approve and authorize the Mayor to execute any required documentation?

Item #6

RE: Request for Approval to Settle and Pay Claim of Melinda Smith
1827 Willow Avenue, Niagara Falls, New York

Date Claim Filed:	September 26, 2008
Date Action Commenced:	N/A
Date of Occurrence:	July 1, 2008
Location:	17 th Street and LaSalle Avenue, Niagara Falls, New York
Nature of Claim:	Automobile damage sustained in an accident with City vehicle
City Driver:	Police Officer Nicolas Grant
Status of Action:	Claim stage.
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	714.70
Make Check Payable to:	"Melinda Smith"
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 #7

SUBJ: *AGENDA ITEM: Locally-Adjusted Homestead & Non-Homestead Proportions*

In accordance with Resolution 1998-140 relative to the two-tier property tax system that was adopted November 24, 1998 and Section 1903-4c of the Real Property Tax Law, I have calculated the locally adjusted proportions for the City of Niagara Falls 2009 tax levy:

City of Niagara Falls

Homestead	53.65455
Non-Homestead	46.34545

This calculation represents a 10% shift to the homestead class.

Will the Council so approve?

RESOLUTION No. 2008–

RELATIVE TO SHARED MUNICIPAL SERVICE
INCENTIVE GRANT APPLICATION FOR SHARED FUELING FACILITY

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

WHEREAS, the New York Department of State, division of local government has a shared municipal service incentive grant program; and

WHEREAS, the City of Niagara Falls, the County of Niagara, the Niagara Falls School District, and the Niagara Falls Water Board are applying for a Grant from the Efficiency Implementation Grant Program for the Shared Fueling Facility to be located at the City's Corporation Yard as set forth on the attached schedule A;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York, that the Mayor is authorized to file the Shared Municipal Services Grant application on behalf of the City; and

BE IT FURTHER RESOLVED, that the City Council supports the Grant application as shown on the attached exhibit A and plans to fund the City's local share from Casino revenue; and

BE IT FURTHER RESOLVED, that if the Grant is approved, that the Mayor is authorized to execute any agreements or other documentation to implement the Grant.

RESOLUTION No. 2008–

RELATIVE TO PROPOSED AMENDMENTS
TO CHAPTER 1330 AND CHAPTER 1331
OF THE CODIFIED ORDINANCES

BY: Council Chairman Samuel Fruscione

WHEREAS, Section 1308.05 of the Codified Ordinances provides the procedure for amending the Zoning Ordinance; and

WHEREAS, one of these methods is by Council adoption of a resolution of intention to amend which resolution shall, upon adoption, be referred to the Planning Board; and

WHEREAS, it is the intention of this Council to amend Chapters 1330 and 1331 of the Zoning Ordinance as shown on the attached resolutions;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York, that it intends to amend Chapters 1330 and 1331 as set forth on the attached resolutions; and

BE IT FURTHER RESOLVED, a copy of this resolution is forwarded to the Planning Board for its review and recommendation.