

Agenda Item #1

The following claims have been filed in the Office of the City Clerk during the month of November 2013 the claims were subsequently referred to the Office of the Corporation Counsel.

NOTICE OF CLAIM

Rendina, David A. Personal injuries sustained from
City employee.
c/o Johnny G. Destino, Esq.

Aquino, Beth K. Personal injuries sustained from
hitting pothole with bicycle
c/o Magavern Magavern Grimm LLP on bike path.

Glass, Christopher Personal injuries sustained from an
automobile accident.
c/o James M. O'Keefe, Esq.

Tunnickliff, Diane M. Automobile damages sustained from
tree branch on car.
c/o State Farm

Welch, Sandra Automobile damages sustained from tree
branch.
761 8th St.

Webb, Helen J. Personal injuries from falling on the
sidewalk
c/o Steve Boyd PC

DeBiaso, Chet L. (Chester) Personal injuries sustained from
corrections officers.
Gouverneur Correctional Facility
PO Box 480
Gouverneur, NY 13642

SUMMONS

Lamar, Torez Index#E151608/2013
c/o Robert J. Maranto Jr., Esq.

Agenda Item #2

**RE: City Council Agenda Item: R.E.D. Change Order 1 \$28,085.44
Remediation and Demolition at 555 39th Street (Former 39th St
School)**

Council Members:

A contract for remediation and demolition services for the above referenced project was awarded to Regional Environmental Demolition, Inc (R.E.D.), 3695 Pine Avenue, Niagara Falls, NY 14301, by City Council on

July 8, 2013 for asbestos abatement, remediation and demolition of the former 39th Street school (555 39th Street). The funds for this project are completely covered from a grant from the Niagara County Brownfield Development Corporation (NCBD). City Council approved acceptance of the grant January 9, 2012.

During the course of the project, there were two items uncovered that were previously unknown. First was a sealed electrical room that was found to contain three transformers filled with PCB laden oil. The second item was the underground fuel oil storage tank (UST). The UST was found to have around 5,000 gallons of #6 fuel oil (a very thick, tar-like substance), instead of being empty.

This additional work encumbered an additional cost of \$28,085.44.

The additional cost obligation is available under the existing NCBD grant. This previously approved grant is for \$300,000.00. The current contract amount with R.E.D. is for \$226,444.00. R.E.D. has performed the remediation and demolition work in a satisfactory manner and remains under contract. Therefore, it is recommended that this "Change Order No. 1" be approved, to increase the contract by \$28,085.44, for completion of the approved project at the above-referenced site. The costs will be covered completely by the NCBD grant with no funds required from the City.

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

Agenda Item #3

RE: City Council Agenda Item: LiRo Engineers, Inc. Change Order 1 \$5,744.00 Engineering Services at 555 39th Street (Former 39th St School)

Council Members:

A contract for engineering and asbestos monitoring services for the above referenced project was awarded to LiRo Engineers, Inc. 690 Delaware Avenue, Buffalo, NY 14209, by City Council on October 29, 2012 for engineering services related to asbestos abatement and remediation of the former 39th Street school (555 39th Street). The funds for this project are completely covered from a grant from the Niagara County Brownfield Development Corporation (NCBD). City Council approved acceptance of the grant January 9, 2012.

Due to the unforeseen issues with the discovery of the sealed electrical room containing three transformers filled with PCB laden oil, and the underground fuel oil storage tank (UST) having around 5,000 gallons of #6 fuel oil (a very thick, tar-like substance) instead of being empty, along with weather problems, the amount of time that a project monitor needed to be on the job site exceeded the contracted hours.

This additional time encumbered an additional cost of \$5,744.00.

The additional cost obligation is available under the existing NCBD grant. This previously approved grant is for \$300,000.00. The current contract amount with LiRo Engineers, Inc is for \$28,940.00. LiRo Engineers, Inc has performed the engineering and site monitoring services in a satisfactory manner and remains under contract. Therefore, it is recommended that this "Change Order No. 1" be approved, to increase the contract by \$5,744.00, for completion of the approved project at the above-referenced site. The costs will be covered completely by the NCBD grant with no funds required from the City.

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

Agenda Item #4

RE: Sale of 617 Walnut Avenue to Housing Visions, Inc.

Council Members:

The City has been working with Housing Visions, Inc. to rehabilitate downtown properties. Housing Visions, Inc. has applied to the State Division of Homes and Community Renewal for low income housing tax credits for the project. The application requires that Housing Visions, Inc. have site control of the properties.

Housing Visions, Inc. has offered \$500.00 for the purchase of the above property in "as is" condition. The sale is contingent on Housing Visions, Inc. obtaining funds to complete the project. Upon approval of the tax credit allocation and demonstration of availability of funds, the property will be transferred. The Planning Board approved the sale of this property on November 13, 2013.

City Charter §59 requires that real property be sold at public auction to the highest bidder. Approval of a negotiated sale requires that Council determine that the best interest of the city shall be subserved by dispensing with a sale at public auction.

Will the Council vote to determine that the best interest of the City shall be subserved by dispensing with a sale at public auction and to approve sale of 617 Walnut Avenue as set forth herein, and authorize the Mayor to execute any documents necessary to effectuate the same?



City of Niagara Falls, New York

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

November 13, 2013

NIAGARA FALLS PLANNING BOARD

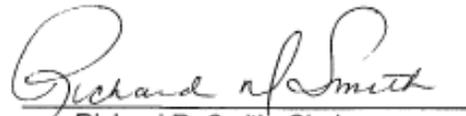
RECOMMENDATION TO CITY COUNCIL
Disposition of Property – Real Property Sale

Pursuant to action taken by the Niagara Falls Planning Board on the 13th day of November 2013 your request is hereby granted.

NAME OF OWNER: City of Niagara Falls
ADDRESS OF ACTION: 617 Walnut Avenue
PURPOSE: Sell property to Housing Visions for rehabilitation and sale

A real property disposition recommendation is granted.

DATE: November 13, 2013


Richard D. Smith, Chairman
Niagara Falls Planning Board

13 NOV 14 PM 1:13
NIAGARA FALLS
CITY CLERK

Agenda Item #5

**SUBJECT: Window & Door Replacement and
Stone Repointing & Cleaning
at the Stone Comfort Building, Hyde Park Ice Rinks
CHANGE ORDER #2**

A contract for the above referenced project was awarded to Big L Windows and Doors, 2727 William Street, Cheektowaga, N.Y., on June 10, 2013 in an amount of \$160,000.00.

An inspection of the above premises was conducted by the City's Code Enforcement Department subsequent to the occupancy of the City's tenant Niagara Sports Tournaments Inc. It was determined that a New York State occupancy variance (requested by the City) is required for the continued use within the building. Part of the N.Y. State Code requirement is for Fire Rated doors and panic hardware be installed on interior exiting doors. The City's existing contractor, Big L Windows and Doors Inc., has agreed to install these new doors and hardware at the cost of \$9,200.00.

Therefore, it is the recommendation of the undersigned that **Change Order #2 in the amount of \$9,200.00** be approved, bringing the **new contract total to \$180,108.00**. Sufficient funds presently exist in Code H1214.2012.1214.0449.599.

Will the Council vote to so approve?

Agenda Item #6

**RE: City Council Agenda Item:
Sale to Isaiah 61
540 Sixteenth Street**

Isaiah 61 has been rehabilitating properties in Niagara Falls. The rehab work is completed by licensed contractors, BOCES instructors and Isaiah 61 job training students. Key Bank has committed \$35,000.00 to the Isaiah 61 project. The renovated properties are sold to first time homebuyers.

540 Sixteenth Street, a property owned by the City, has been identified for the project. The SBL number for the property is 159-24-5-20. Isaiah 61 has offered \$500.00 for the property. The sale will be in "as is" condition. The Planning Board approved the sale of this property on April 24, 2013, along with a number of other properties which Isaiah 61 has identified. Each proposed sale will be brought to Council for approval when Isaiah 61 is prepared to start work on the house.

City Charter §59 requires that real property be sold at public auction to the highest bidder. Approval of a negotiated sale requires that Council determine that the best interest of the city shall be subserved by dispensing with a sale at public auction.

Will the Council vote to determine that the best interest of the city shall be subserved by dispensing with a sale at public auction and to approve sale of 540 Sixteenth Street as set forth herein, and authorize the Mayor to execute any documents necessary to effectuate the same?

Agenda Item #7

RE: Agreements Pertaining to Upgrading Fire Alarm System in Various Areas at the Ice Pavilion and also Video Surveillance Systems at Various Locations Maintained by the Department of Public Works

Council Members:

Please recall that funding was approved by the City Council for the above referenced projects during City Council meetings held on November 25, 2013 and November 12, 2013, respectively. It is necessary for agreements to be signed by the Mayor which detail the work to be accomplished and the chronology of steps to be undertaken by the vendor.

Will the Council so approve and authorize the Mayor to execute any agreements in form satisfactory to the Corporation Counsel?

Agenda Item #8

RE: Funding for NFC Development Corp.

Council Members:

It is requested that the sum of \$93,531 be made available to NFC Development Corp. for the 2014 NFC Development Corp. budget for operational costs. This will include the amount of \$72,000 for payments to National Development Council.

Funding is available from casino revenues.

Will the Council so approve?

Agenda Item #9

RE: 501 Walnut Avenue, Niagara Falls, New York (the "Premises")

Council Members:

7170 Group, LLC, a subsidiary of Ellicott Development Company, has submitted an offer to purchase the above referenced Premises from the City. This is vacant land and was acquired by the City through the tax foreclosure process in August of 2007. The assessed value is \$4,500. 7170 Group, LLC owns a building located at 606 6th Street and wishes to use the above Premises for parking for users of the 606 6th Street building. Attached (on file in the City Clerk's Office) is a copy of a letter of request together with an aerial photo.

7170 Group, LLC has offered to purchase this vacant lot for the sum of \$4,900. A copy of the Planning Board approval is attached hereto. Because the Premises is not contiguous to 606 6th Street, a variance was required from the Zoning Board of Appeals in order for 7170 Group, LLC to use the Premises for parking. Attached hereto is copy of that variance.

7170 Group, LLC must comply with the conditions imposed by the Planning Board

Will the Council find that the best interest of the City will be subserved by dispensing with the sale of the property at public auction and authorize the conveyance of the subject premises to 7170 Group, LLC for the sum of \$4,900 and authorize the Mayor to execute appropriate documents/deeds to accomplish the conveyance, form satisfactory to Corporation Counsel?

Agenda Item #10

RE: Extension of Agreement with Niagara County SPCA (SPCA)

Council Members:

The City has been in discussions with a representative from the SPCA regarding a contractual relationship by and between the City and the SPCA for calendar year 2014. Attached hereto is a copy of the existing Agreement which expires on December 31, 2013. The current contract price for all SPCA services for the City, annualized, is \$180,000 for a year. Attached hereto is a copy of the SPCA proposal for calendar year 2014 which proposes to continue the existing Agreement with an increase of \$18,000 over the current level for a total contract price for 2014 of \$198,000. This will be paid in monthly installments on the first day of each month in the amount of \$16,500. The attached communication from the SPCA points out that even with this increase the SPCA will still lose \$89,000 during calendar year 2014 because of the level of service it must provide to service the needs of the City of Niagara Falls. It is recommended that the Council approve the extension of the existing Agreement with the requested increase in the contract price.

2014 will be a year of transition for the City. As noted in the communication from the SPCA, the SPCA will be slowly phasing out the animal control function of the services it provides. The City will be moving in the direction of assuming the animal control services during this period of time. This will involve training of personnel as well as the acquisition of an appropriate vehicle. The SPCA has offered its assistance in this transition. More details will be provided when they are available. In addition, the SPCA has advised that it is hopeful that at some future time the City can undertake its own animal sheltering function. This will require much planning, the securing of funding sources and the development of a facility to serve the City's needs. This facet of the SPCA's transition is anticipated to be a few years away. More information will be provided to you as it becomes available.

Will the Council so approve the extension of the existing Agreement with the SPCA, the contract price increase and authorize the Mayor to execute an agreement in form satisfactory to the Corporation Counsel?

AGREEMENT

THIS AGREEMENT, made this 1st, day of July, 2013, by and between the CITY OF NIAGARA FALLS, a Municipal Corporation in the State of New York, hereinafter referred to as "First Party", and the NIAGARA COUNTY SPCA located at 2100 Lockport Road in the Town of Wheatfield, County of Niagara and State of New York, hereinafter referred to as "Second Party".

WITNESSETH

In consideration of the mutual promises herein contained and for other good and valuable consideration, the parties hereto agree as follows:

1. The Second Party will carry out the duties and responsibilities of Dog Control Officer from 8:30 a.m. to 5:00 p.m. Monday through Friday, within the corporate limits of the First Party. The duties, responsibilities and enforcement shall be pursuant to Article 7 of the Agriculture and Markets Law and shall include the responsibility for the issuance and service of summons for delinquencies in dog licensing.
2. The Second Party, upon adoption of a dog by a resident of the City of Niagara Falls, will collect the required licensing fee and submit at month end, all applications and corresponding fees collected. The First Party will provide all required applications.
3. The Second Party shall provide an employee or agent to serve as dog control officer within the corporate limits of the City; fully equipped, including a suitable motor vehicle to perform the foregoing duties and obligations on a five-day basis.
4. The Second Party shall provide, maintain and operate a shelter for seized dogs and shall provide facilities to humanely euthanize and make available dogs for adoption in compliance with Article 7 of the Agriculture and Markets Law.
5. The Second Party will hold seized dogs for the legal period specified in the New York State Agriculture and Markets Law. If during this period the owners wish to redeem their dog, they must obtain a New York State DL-18 dog release form from the Niagara Falls City Clerk's Office. The Party of the second Part will release the dog immediately upon their receipt of said release.
6. The Second Party shall be open to the public from 12:00 p.m. to 8:00 p.m. Monday, Wednesday and Thursday, Friday from 10:30 a.m. to 5:00 p.m., Saturday 11:00 a.m. to 5:00 p.m. and Sunday 12:00 p.m. to 5:00 p.m. with the exception of holidays.

7. The Second Party shall, if reasonably possible, answer all emergency calls pertaining to injured stray domestic animals or stray domestic animals in distress.
8. The Second Party will file and maintain all records necessary for the seizure and disposition of any dog, as required by Article 7 of the Agriculture and Markets Law.
9. The Second Party will, at the beginning of each month, submit to the City Clerk a report describing the number of strays picked up.
10. In connection with the Second Party's issuance and service of summonses for delinquencies in dog licensing, the First Party agrees to pay Second Party, as additional compensation, 50% of any license fees received by First Party during calendar year 2014 as a result of enforcement activities initiated by Second Party arising from the delinquencies in dog licensing. The Second Party agrees to provide First Party on a monthly basis with copies of summonses issued and attempted to be served by Second Party together with copies of summonses issued and successfully served by Second Party along with the disposition of those summonses as determined by the Court having Jurisdiction.
11. This contract shall be for a term of six (6) months, commencing on the 1st day of July 2013 and expiring on the 31st of December 2013. Payments shall be due on the first day of each month during the term of this contract. The contract price is \$15,000 per month.
12. The First Party agrees to the payment of \$50.00 per call to make "special calls" after regular hours in the City of Niagara Falls. A "special call" would be one initiated by either the Superintendent of Police or the Patrol Captain requesting assistance to handle an uninjured stray domestic animal, including a "dangerous" dog, creating a problem not covered by the current contract between the First Party and the Niagara County SPCA. If the Second Party is called out after hours for an emergency and the animal is found to be in good flesh and not in immediate danger, the Second Party has the right and authority to bill the First Party for a "special call".
13. The First Party shall be responsible for the payment of all unpaid fees relating to the housing and care of dogs deemed dangerous by Niagara Falls City Court if said animal(s) remain unclaimed by owner. These fees will be on a per diem basis of \$10 per day.
14. The Second Party shall provide all services heretofore agreed with reasonable care and diligence.

15. Any modification, addition or addendum to this agreement shall be in writing and executed by both the First Party and Second Party in order to be enforceable.

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed and this agreement to be signed by their duly authorized officers, the day and year first written.

CITY OF NIAGARA FALLS

(seal)

ATTEST
Carol A. Norman S. J. P.
CITY CLERK Mayor

NIAGARA COUNTY SPCA

(seal)

Michelle D. Madigan
President, Board of Directors



November 19, 2013

City Administrator Donna D. Owens
City of Niagara Falls, NY

Dear Ms. Owens et al,

This letter serves as a follow-up to the topics discussed between City Officials and myself on Tuesday, October 22 and again on Tuesday, November 5. We discussed transitioning the duties of not only dog control officer, but also sheltering of dogs strayed within the limits of the City of Niagara Falls to the City of Niagara Falls.

It is the intention of the Niagara County SPCA to slowly phase out offering dog control services. In doing so, we will assist the City in whatever way that is feasible to make that transition as seamless as possible. This decision has not been made for any one reason alone, but for a number of reasons including lack of adequate space to house the volume of animals that originate from the City within the shelter; insufficient revenue to cover the cost of providing dog control and sheltering services; and most importantly the shelter has, itself, strayed from our core mission by providing municipal dog control services. It is our belief that the SPCA must redefine its mission as one of a traditional SPCA: to prevent cruelty; to offer alternatives for owners unable to care for their animals; to offer valuable educational opportunities and means of animal birth prevention to the residents of Niagara County. Getting back to our core mission means phasing dog control out of our operations and sustaining the mission of the shelter through sources of funding not related to municipal dog control contracts.

This is not a process I envision happening overnight. I understand that this type of endeavor will entail significant planning, securing funding sources and building or retrofitting a facility to suit your needs. I will make myself available as a resource to you throughout the process. In the meantime, it is important that the shelter begin to close the gap in revenue between the cost of providing services and the revenue the shelter receives from providing such services. Our current contract price of \$180,000 yearly is set to expire on December 31, 2013. Based on a thorough cost analysis of providing dog control and sheltering services to the City of Niagara Falls provided to you in our first meeting, the current contract falls \$107,000 short of covering the Shelter's costs. It is my plan to continue the contract on a yearly basis until both parties reach a suitable agreement that works both financially and in terms of timeline. The next contract date will be for the period of January 1, 2014 to December 31, 2014. I am proposing an increase of \$18,000 over the course of the contract for a total of \$198,000 due in monthly installments on the first of each month in the amount of \$16,500. This is an increase of \$1,500 per month with costs continuing to exceed contract revenue by \$89,000.



At the close of this fiscal year, I will provide additional documentation on the cost of providing services for year 2013 for your review and will be available for any questions.

Attached you will find documentation outlining the costs associated with only providing the City with sheltering services: sans dog control. To clarify: this includes sheltering services without a dog control officer or transportation to and from the City for reasons of picking up or dropping off stray dogs. This change would have no bearing on seizure of animals for reasons of cruelty or pick-up and/or relinquishment of animals owned by residents of the City of Niagara Falls (space permitting). It also has no bearing on the acceptance of cats or other small companion animals.

The process of transitioning dog control, ultimately a municipal function, to the City of Niagara Falls gives both the Shelter and the City a means to separate the functions of dog control and SPCA without entirely abandoning our relationship with one another. I envision a symbiotic relationship where the City and the Shelter can work together in the future to combat canine and feline overpopulation within the City limits; to provide education on animal care and cruelty prevention to children who may not receive it otherwise and additional adoption opportunities.

If you have any questions, please do not hesitate to call me at 716-731-4368 ext 302.

Respectfully,

A handwritten signature in cursive script that reads 'Amy L. Lewis'.

Amy L. Lewis
Executive Director
Niagara County SPCA

11/19/13

Cost of providing only sheltering services for the City of Niagara Falls (sans dog control)

Costs not included:

Dedicated driver w/benefits	\$42,546.92
After hours coverage	\$1,776.33
Dispatcher Salary	\$15,671.68
Deceased animal cremation	\$1,275
Dedicated van	\$10,010.46
Total Dog Control Cost and Related Expenses	\$71,280.39

Cost of sheltering broken down:

Veterinary Expenses	\$37,381.08
Emergency Vet Care	\$10,987.67
Staff including Veterinary, Intake, Kennel Admin/Officer	\$74,043.26
Medical Supplies/Medication	\$45,275.86
Insurance	\$19,213.74
Boarding, Food, Cleaning	\$9,394.80
	\$20,235.16
Total cost of sheltering:	\$216,531.57

Agenda Item #11

RE: Debt Management Policy

Council Members:

The City Controller has undertaken the task of preparing a Debt Management Policy to be followed by those individuals in and outside of City government who are involved in the process of incurring City debt. Attached hereto is a copy of that policy.

Will the Council approve the implementation of the attached Debt Management Policy?

**CITY OF NIAGARA FALLS, NY
OFFICE OF THE CITY CONTROLLER
DEBT MANAGEMENT POLICY**

General Purpose:

In support of its mission, the City of Niagara Falls, NY maintains a long-term capital strategic plan. The establishment of a Debt Policy is to provide formal written guidelines and constraints as well as to demonstrate sound "in-place" financial practices to accompanying the long-term capital strategic plan and outline the following:

The use of City debt

The amount of City debt

The process for issuing debt

The ability to borrow to conform to federal, state and local laws and bond documents

The following policy provides a summary of the City's Debt Management Policy and applies only to City of Niagara Falls, NY, supported debt. The Mayor and City Council recognize there are no absolute rules or easy formulas that can substitute for a complete review of all information affecting the City's debt position. This policy includes well intended prescribed structures or constraints, however it is not intended to limit financial flexibility or limit the City's ability to achieve debt management goals. The City's debt decisions should be the result of deliberative consideration of all factors involved. The attached policy is a "living" document that will change over time to meet the changing needs of our City and its taxpayers.

EST.: 12.3.2013

**CITY OF NIAGARA FALLS, NY
OFFICE OF THE CITY CONTROLLER
DEBT MANAGEMENT POLICY**

Credit Rating:

The City shall seek to improve its current bond rating with its three current rating agencies; Fitch Ratings, Standard and Poor's and Moody's Investors so borrowing costs are minimized and access to credit is preserved. It is imperative that the City demonstrates to its rating agencies, investment bankers, creditors and taxpayers that City officials are making good sound financial decisions and following a prescribed multi-year financial plan. The City will follow a policy of full disclosure with the rating agencies of all present and future financial conditions.

Conflicts of Interest:

The City recognizes the importance that elected and appointed City officials, and all others associated with the issuance of City debt, not only avoid the reality of a conflict of interest, but the appearance thereof as well. City officials must consistently conduct themselves with the best interests of the City and taxpayers. Elected and appointed City officials should avoid even the appearance of an association between politics and public finance that can erode the confidence of the taxpayers, rate payers and voters. Elected and appointed City officials must adhere to the New York State General Municipal Law Section 800-809: Conflicts of Interest of Municipal Officers and Employees.

Transparency:

Disclosure of compensation provided related to services in the debt issuance process will be inclusive and disclosure of relationships between those parties involved in the issuance of City debt.

Taxpayer Equity:

City of Niagara Falls taxpayers and citizens who benefit from projects/equipment financed by bonds should be considered as a source of the related debt service funding. Taxpayer equity can be defined as an educated prediction of the bonds sold as they relate to the change in the ability of the taxpayer to pay the government what is owed. Taxpayer equity should be a consideration for setting rates in determining future net revenues for bond coverage ratios. The City will always give consideration to limit tax revenues to finance debt.

From year 2004 through the present, the City of Niagara Falls source of related debt service funding has been revenues received from the Seneca Niagara Casino Local Share of Slot Revenues in accordance with New York State Laws 99-h.

Selection of Professional Services:

The City will use the services of qualified internal staff and outside advisors to assist in the analysis, evaluation and decision process. The City shall evaluate the performance of providers of professional services (i.e. underwriters, bond counsel, underwriter's counsel, financial advisor, etc.) paid in conjunction with a bond transaction. Compensation for all professional fees related to bond issuances should be finalized no later than two weeks prior to the date of each bond pricing. The Payment of professional fees is subject to the successful execution of a bond issuance or similarly-related transaction.

CITY OF NIAGARA FALLS, NY OFFICE OF THE CITY CONTROLLER DEBT MANAGEMENT POLICY

Decision Analysis for New Money Bond Sales:

The City's qualified internal engineering staff and/or the use of outside planners, architects, engineers and other qualified consultants must determine the proper amount needed to borrow for a capital project. Once a reasonable amount of the project is determined, a bond resolution must be approved by the majority of the City's Council members authorizing the funding in order for the project to proceed.

The City will analyze the future debt service payments to all repayment sources such as:

- Casino
- General fund budget
- Other financing sources
- Affordability of debt-borrowing v. PAYGO

Analysis of savings

- Every project proposed for financing through general obligation bonds should be accompanied by a fully analysis of any future energy, productivity, operating and maintenance costs, etc. associated with the project.

Uses of General Obligation Bond Sales:

The use of debt plays a critical role in ensuring adequate funding for the City's Capital Plan as well as providing cost-effective source of funding for other purposes.

It is the City's intent to limit bond proceeds use to:

- Capital Projects-Planning, design, land acquisition, & buildings
- Permanent structures
- Attached fixtures of equipment
- Movable pieces of equipment
- Working Capital
- Refunding Bonds
- All other costs permitted by New York State Local Finance Law

The City prohibits the use of long term borrowing for operational expenses

Method of Sale:

The City will limit its Debt Instruments to the following:

- Bonds-General Obligation, Revenue and Other
- Notes
- Capital Leases

Bonds will be sold on a competitive basis to minimize interest expense, unless it is the best interest of the City to conduct a negotiated sale. Competitive sales will be the preferred method. Negotiated sales may occur when selling bonds for a defeasance of existing debt, for current or advanced refunding of debt, or for other appropriate reasons.

**CITY OF NIAGARA FALLS, NY
OFFICE OF THE CITY CONTROLLER
DEBT MANAGEMENT POLICY**

Method of Sale: (continued)

The City and their financial advisors will determine what is the most cost effective and advantage in the borrowing such as:

- Structural requirements such as use of a call feature v. a non-callable feature
- Principal payment requirement-periodicity, timing of the first installment for cash flow purposes and relationship to other expenditures
- Periodic interest payment requirement
- Amortizing new money bonds-The City will adhere to periods of probable usefulness where applicable
- Final maturity of new money bonds-stated in maximum years to maturity v. useful life of the project
- Portfolio Approach to Outstanding Debt-targeted share of variable rate v. fixed rate debt
- Variable Rate Debt-what is the maximum rate of interest

Tax-exempt debt cannot be issued for a longer maturity schedule than a conservative estimate of the useful life of the asset to be financed. The City will attempt to keep the average maturity of general obligation bonds at or below 30 years. Absent of a compelling justification otherwise, it shall also have a call option not greater than ten years.

Short Term Financing/Capital Lease Debt

The City will not use short-term borrowing to finance operating needs except in the case of an extreme financial emergency which is beyond its control and there is no available Undesignated Fund Balance to cover the cost. Short-term financing or capital lease debt will be considered to finance certain equipment when the aggregate cost of equipment to be purchase exceeds \$100,000.

The term of short-term financing will be limited to the useful life period of the vehicle or equipment, but in no case will exceed five years.

CITY OF NIAGARA FALLS, NY

OFFICE OF THE CITY CONTROLLER

DEBT MANAGEMENT POLICY

Debt Management:

Constitutional Debt Limit Consideration

Prior to any bond issuance, the City must consider its current percentage of its debt limit exhausted and its debt margin.

In accordance with New York State Constitutional Debt Limit, the City will limit the total of its general obligation debt to 7% of the 5 year average of the City's total homestead and non-homestead assessed valuation.

Required Financial Communication and Continuing Disclosure

Significant financial reports affecting or commenting on the City's finances will be forwarded to all rating agencies.

City's annual audited financials-an important financial tool that provides assurance that all financial activity is recorded with accuracy and integrity and gives the year end result of the financial position of the City.

City's Official Statement ("OS")-The OS is the City's principal means for and official form for disclosing certain financial information. The OS is used in connection with the issuance of the bonds, and to provide timely notice of material events (as defined by the Securities and Exchange Commission), for the benefits of the investors in the secondary market. The continuing disclosure typically consists of information relevant to the security of the bonds then being offered for sale.

Refunding Parameters:

- Discount rate for calculating present value of future savings
- Present value savings-as a percentage of refunded par
- Time to call exercise
- Time left to maturity after exercise date
- Amortization of refunding bonds relative to refunded bonds will be considered. I.e. average life, final maturity of refunding a bond v. refunded.
- The City will determine appropriateness of using a non-callable bond only to enhance a savings
- Structure of allowing or disallowing negative nominal savings in any future year

Other considerations the City will consider in its debt management:

- Bond Arbitrage
- Record Retention
- Periodic review and updating of this policy

Agenda Item #12

RE: Biel's Document Management Service for Human Resources Department

Council Members:

The Director of Human Resources advises that the department is ready to proceed to Phase 2 of the Document Management Program, which will involve the digitizing of all forms and indexing into current software. The cost for Phase 2 of this project is \$33,437.50 as per the attached invoice. Funding is available from casino interest.

Will the Council so approve?



QUOTE #: 57-1013-04A	Date 10/16/13
Terms: 50%w/order-50%on install	FOB:
Ship Via:	

Ruby Pulliam
 Equal Employment Opportunity
 City of Niagara Falls
 745 Main Street
 Room 16
 Niagara Falls, NY 14302-0069

Phone: 716-286-4327 Ext.
 Fax:
 Email: Ruby.Pulliam@niagarafallsny.gov

We are pleased to quote on the following, subject to the terms herein:

Description	Ext. Price
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Onboarding Automation ~

Solution Suite Server - Production Environment 10,000 Form Submissions, per Server, per Year	\$13,750.00
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The price above is a one-time fee for a perpetual license that allows a designated level of submissions per server, per year, and not a recurring annual fee. The submission licenses above can be used in a single server production environment.

The Biel's Solution Suite includes the following product modules:

- Filler (unlimited distribution)
- Designer (3-user license included with each suite purchase)
- E-Forms Manager, including:
 - Autofill
 - Autowrite
 - Workflow
 - Index Image Export Scheduler
 - iFiller
 - One Existing Connector (AX)

Indexing Software	\$6,800.00
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Professional Services -

Installation, Integration, Testing and Training: 80 hour estimate - Recommended as 10 discounted 8-hour block of service @ \$125/hour. - Projected on a best estimate basis in accordance with previous experience. - Estimate to be finalized in the SOW. Unused hours in block will be reserved for future use.	\$10,000.00
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Project Total	\$30,550.00
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\$ 33,437.50

Annual Software Maintenance -

Includes all upgrades, bug fixes and software help / troubleshooting	\$2,887.50
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NOTE: To expedite your order, please refer to the Biel's quotation number and/or the Biel's job number on your purchase order. If purchase orders are not utilized within your company please sign, date, and return a copy of this quotation to authorize the described services and/or products.

NOTE: All quotations and agreements are contingent upon strikes, accidents, fires, availability of materials and all other causes beyond our control. Prices are based on costs and conditions existing on date of quotation and are subject to change by the Seller before final acceptance. Typographical and stenographic errors subject to correction. Purchaser assumes liability for patent and copyright infringement when goods are made to Purchaser's specifications. When quotation specifies material to be furnished by the purchaser, ample allowance must be made for reasonable spoilage and material must be of suitable quality to facilitate efficient production. Conditions not specifically stated herein shall be governed by established trade customs. Terms inconsistent with those stated herein which may appear on Purchaser's formal order will not be binding on the Seller. Proposal subject to change without notice after 30 days. Our payment terms must be strictly observed. A finance charge of 1 1/2% per month will be charged on all past due balances.

Quoted By: Salvatore Alfano	Name & Title:	Date:
10/16/13	Thank you for your business!	
	Biel's Quote Page 2	

1201 Indian Church Road | West Seneca, NY | 14224 | 800.722.2435 | Fax: 716.675.8627 | biels.com |

Agenda Item #13

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 2014 tax levy:

City of Niagara Falls

Homestead	55.11163
Non-Homestead	44.88837

This calculation represents a 20% shift to the homestead class.

Will the Council so approve?

Monday December 9, 2013 Council Meeting

PRESENTATIONS:

City Parks, master plan - Tom DeSantis

ADMINISTRATIVE UPDATE:

Hamister contract - status

HR Department - purchase and implementation of software