

Monday, December 14, 2015

PRESENTATIONS:

1. Community Development – FFY 12 – 14 Accomplishment Data
Seth Piccirillo, Director
-

ADMINISTRATIVE UPDATE:

None

Agenda Item #1

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

NOTICE OF CLAIM

Townsend, Paul and Dawn
656 81st Street

In reference to sewer repair.

Laughlin, Lanora
2415 Niagara Ave
c/o Paul K. Barr, Esq.

In reference to personal injuries.

Kinan, Salim and Janet
602 72nd Street

In reference to frozen pipes.

Daniels, Latora J.
1821 16th Street

In reference to vehicle damage caused by limbs from a city tree.

Dellamore, David
4961 Gerber Pkwy.
Hamburg, NY 14075

In reference to vehicle damage.

Geico General Insurance Company
P. O. Box 88
Woodbury, NY 11797-2589
c/o Tessia Harris

Claim for reimbursement against the city of Niagara Falls.

Maines, Ronald E.
601 88th Street

In reference to vehicle damage caused by a city tree.

SUMMONS

Groomes, Paul
2003 Rhode Island Avenue
c/o Shaw & Shaw, P. C.

In reference to personal injuries.

Agenda Item #2

SUBJECT: Purchase and Installation of New Phone System

We respectfully request you approve the above referenced purchase as follows:

TO: Superior Telephone Systems	AT technology, Inc.
2410 Route 44	636 Sheridan Drive
Salt Point, NY 12578	Tonawanda, NY 14150

FOR: Purchase of city-wide telephone system for the Public Safety Building, City Hall, Central Garage, Carnegie building and Brydges Library, FD HQ:	\$ 72,730.00
Professional services - installation and training:	\$ 88,000.00
TOTAL:	\$ 160,730.00

AGREEMENT ON FILE IN THE CITY CLERK'S OFFICE

The City Purchasing Agent certifies that this purchase is available on New York State Contract for Telecommunications Services.

Funds for this expenditure are available in Casino revenues.

Will the Council vote to approve and authorize the Mayor to execute any documents necessary to effectuate the same?

Agenda Item #3

RE: Funding for tree planting

Council Members:

The Acting Director of the Department of Public Works is requesting that the sum of \$7,536.00 be made available to his Department budget line for temporary labor to engage in the planting of 100 trees this month. This sum of money is broken down as \$7,000.00 allocated for wages plus the FICA amount totaling \$536.00.

Funding is available from casino funds transferred to a “new” capital projects code H1515.2015.1515.0449.599 titled “tree removal, replacement and stump removal”.

Will the council so approve?

Agenda Item #4

RE: Additional Funding for Road Paving Plan

Council Members:

The Acting Director of the Department of Public Works advises that it is necessary to make the sum of \$50,000 available to the Department's Road Reconstruction budget line to cover additional amounts needed for the road paving plan for year 2014 – 2015. This will close out the Road Reconstruction account for year-end 2015.

Funding is available from casino revenues.

Will the Council so approve?

Agenda Item #5

RE: City Council Agenda Item:

451 Third Street Police Substation Lease

Council Members:

The development of the waterpark in the Sheraton Hotel requires the relocation of the Police substation currently located on the Hotel premises. It is proposed that the substation be relocated to Third Street. The rent will be \$500.00 per month, including utilities. The lease will be for one year, and will continue thereafter as a month-to-month tenancy under New York law. The site is owned by Erdco Development, LLC. Funds are available as part of the Council approved 2015 Community Development Action Plan

The City previously paid \$425.00 per month plus utilities and \$800.00 per month plus utilities for substation leases on 19th Street and Linwood Avenue, and pays \$625.00 per month for the Highland Avenue substation lease.

Will the Council vote to approve 451 Third Street substation lease as set forth herein, and authorize the Mayor to execute any documents necessary to effectuate the same?

Agenda Item #6

RE: AGENDA ITEM: DRAFT 2016 Department of Housing and Urban Development - Community Development Block Grant, HOME and Emergency Solutions Grant Programs

The Niagara Falls Community Development Department requests Niagara Falls City Council approval of the draft Federal Fiscal Year (FFY) 2016 Community Development Consolidated Action Plan. The attached draft (on file in the City Clerk's Office) FFY 2016 Community Development Action Plan consists of the following United States Housing and Urban Development (HUD) Programs: Community Development Block Grant (CDBG) Program, HOME Rehabilitation Program, and Emergency Solutions Grant Program (ESG).

Draft 2016 CDBG Amount:	\$2,241,544
Draft 2016 HOME Amount:	\$317,911
Draft 2016 ESG Amount:	\$199,375
Total 2016 Consolidated Action Plan Amount w/Leveraged Matching Funds:	\$6,404,330

These budgets are being presented to the City Council, in draft form based on estimate, to accommodate the city and federal governments' differing fiscal year budget schedules. HUD's final FFY 2016 HUD allocations are expected in Spring 2016. The Niagara Falls Community Development Department will request City Council approval of the final HUD allocations at that point. The action plan, individual projects, and total/individual budget amounts are not final until HUD approves of the plan. Funds are also not released until HUD's final allocations are approved at the federal level. Per HUD and City of Niagara Falls Citizen Participation Plan Guidelines, the city will adjust programmatic budgets to meet the final allocation without deviating from the project scopes or objectives already approved by the City Council. Available program income will also be expended on approved action plan projects and programs, per HUD guidelines.

The draft 2016 Community Development Consolidated Action Plan was built through civic engagement. Funding applications were made available on May 18, 2015, and were due on June 30, 2015. In addition, the following neighborhood workshops were held to give residents the opportunity to specifically outline community needs and suggest investments that can enhance quality of life.

- June 9, 2015: LaSalle Public Library
- June 11, 2015: Neighborhood Housing Services
- June 16, 2015: Doris Jones Family Resource Building
- June 18, 2015: Dept. of Community Development

On August 27, 2015, the Niagara Falls Community Development Department released version one of the FFY Year 2016 Community Development Consolidated Action Plan and hosted a public hearing on the draft action plan on September 3, 2015. The public had an additional opportunity to submit written comments on the draft until October 3, 2015. The Community Development Department did not receive any written comments from residents. Per Niagara Falls City Council request, the Niagara Falls Memorial Medical Center Cardiac Care Education Center CDBG budget was increased to \$60,000 from \$25,000. To accommodate that increase within the CDBG budget, the CDBG demolition budget was decreased by \$15,000, the City of Niagara Falls targeted home renovation budget was decreased by \$10,000 and the Health Association of Niagara County Inc.'s Senior PACE expansion was reduced by \$10,000. The reductions to the demolition and home renovation budgets will not have a negative impact on production, as both renovation and demolition contracts can access multi-year funding.

Will Council vote to approve the draft 2016 Community Development Consolidated Action Plan, so allowing the administration to submit official application to HUD?

Agenda Item #7

*RE: Approval of the 2010 – 2013 Collective Bargaining Agreement between
the Uniformed Firefighters Local 714 and the City of Niagara Falls*

Council Members:

Attached **(ON FILE IN THE CITY CLERK'S OFFICE)** please find the proposed Collective Bargaining Agreement between the Uniformed Firefighters Local 714 and the City of Niagara Falls, New York covering the years 2010 – 2013.

This Agreement is a compilation of the contract that expired in 2007, the interest arbitration award covering the years 2008 and 2009 and the most recent memorandum of agreement covering the years 2010 through 2013. This updated agreement does not alter or amend any provision currently in effect.

Will the Council so approve?

Agenda Item #8

RE: 607 Walnut Avenue – former NF School District Administration Building
Historic Preservation Commission Recommended Local Landmark Designation

Council Members:

Attached is the approval from the Niagara Falls Historic Preservation Commission recommending designation of 607 Walnut Avenue, for NF School District Administration Building, as an historic landmark under the City Historic Preservation Ordinance. This proposed designation was approved with the participation and support of the Walnut Avenue Homes, LLC (aka Housing Visions, owner).

The Historic Preservation ordinance provides:

1335.05-2(I) At its next scheduled meeting after receipt of any recommendation from the Commission, the City Council shall consider the designation or acquisition of the landmark site or historic structure, or the designation of the historic district. A majority vote shall be required by the City Council for the designation or acquisition. The Mayor shall approve or veto said designation or acquisition as provided by law.

Will the Council vote to approve the designation of 607 Walnut Avenue, former NF School Administration Building, and forward the designation to the Mayor for approval, as provided by City Ordinance?

NIAGARA FALLS HISTORIC PRESERVATION COMMISSION



RECOMMENDATION TO CITY COUNCIL

APPROVAL OF LOCAL LANDMARK DESIGNATION

Pursuant to action taken by the Niagara Falls Historic Preservation Commission on the 2nd day of December 2015, your request for recommendation to City Council is hereby granted.

NAME OF OWNER: *Walnut Avenue Homes, LLC*
(aka Housing Visions)

ADDRESS OF ACTION: *607 Walnut Avenue*

PURPOSE: *Local Landmark Designation*

See Resolution attached

DATE: December 2, 2015

William J. Robideau, Chairperson

Historic Preservation Commission

NF

RESOLUTION

**By the Historic Preservation Commission
City of Niagara Falls**

Regarding the

**Former Niagara Falls School District Administration Building
607 Walnut Avenue**

WHEREAS, the Historic Preservation Commission has reviewed Walnut Avenue Homes, LLC's (a.k.a Housing Visions) application for a City landmark designation of 607 Walnut Avenue, and;

WHEREAS, the Historic Preservation Commission has reviewed the supporting documentation submitted as part of this application for the two-story brick masonry with limestone trim Classic Revival office building located at 607 Walnut Avenue, and;

WHEREAS, the Historic Preservation Commission held a Public Hearing on November 18, 2015 with notice duly advertised in the Niagara Gazette, and;

WHEREAS, in 1927, the Niagara Falls School District hired architect C.F. Obenhack of Architectural Associates to design the Niagara Falls Administrative Building at 607 Walnut Avenue following the precepts of standardized school design promoted by the New York State Education Department, and;

WHEREAS, C.F. Obenhack is a significant individual in the history of Niagara Falls as he was the first academically trained architect (Syracuse University) to practice in Niagara Falls, and;

WHEREAS, the construction of 607 Walnut Avenue was completed in spring 1928 for a total cost of \$137,210, and;

WHEREAS, the building's exterior has been relatively unaltered since its 1928 construction with surviving decorative features intact such as four column stone portico, ornamented pediment with "Board of Education" in carved letters on the frieze and original double hung wood windows with twelve over twelve lights, and;

WHEREAS, the building's interior has original 1928 features intact such as the original central stair and balustrade, wood paneling and beamed ceiling in the former Board Room, transoms and terrazzo floors, and;

WHEREAS, the former Niagara Falls School District Administration Building at 607 Walnut Avenue was listed on the National Park Service's National Register of Historic Places in 2014 for its historical and architectural significance based on national standards of the National Historic Preservation Act of 1966, and;

WHEREAS, the former Niagara Falls School District Administrative Building at 607 Walnut Avenue meets the criteria of the enabling ordinance and is therefore eligible for Landmark Designation;

NOW THEREFORE BE IT RESOLVED, that the Historic Preservation Commission hereby recommend that the application for landmark status be forwarded to City Council for Landmark Designation.

Agenda Item #9

RE: Request for Approval to Settle and Pay Claim of Kevin J. Ormsby
C/O 5113 South Park Avenue, Hamburg, NY 14075

Council Members:

Date Action Commenced:	February, 2014
Date of Occurrence:	December, 2013
Nature of Claim:	Damages allegedly sustained relative to termination of employment.
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$15,000.00
Make Check Payable to:	Chiacchia & Fleming, LLP, as attorneys for Kevin Ormsby
Conditions:	General Release to City, approved by Corporation Counsel.

It is the recommendation of this Department that the above be paid under the terms set forth above. Will the Council so approve?

Agenda Item #10

**RELATIVE TO FILLING TEMPORARY VACANCY IN THE OFFICE OF
NIAGARA FALLS CITY COUNCIL**

BY:

Council Chairman Andrew Touma

WHEREAS, on November 25, 2015, Council Member Robert Anderson, Jr. passed away, thereby creating a vacancy on the City Council; and

WHEREAS, Section 2.8 of the City Charter provides that this Council shall fill such vacancy temporarily by appointing a qualified person of the same political party as Robert Anderson, Jr. to serve until the qualification of a successor so elected;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Niagara Falls, New York that Ezra P. Scott Jr., residing at 2703 Linwood Avenue, Niagara Falls, NY 14305, and being a resident of the City of Niagara Falls, New York for the preceding year and an enrolled member of the Democratic Party, and who is otherwise qualified under the City Charter, is hereby appointed as a member of the City Council of Niagara Falls, New York to fill the vacancy in that office created by the death of Robert Anderson, Jr., to serve the remainder of the term of Robert Anderson, Jr.

Agenda Item #11

RESOLUTION No. 2015-

BY:

Council Chairman Andrew Touma
Council Member Glenn Choolokian
Council Member Kristen Grandinetti
Council Member Charles Walker

**ABANDONMENT OF THE PORTION OF TENNESSEE AVENUE EXTENDING
APPROXIMATELY 130 FEET EAST OF HIGHLAND AVENUE**

WHEREAS, the adjoining property owner has requested the abandonment of a portion of Tennessee Avenue east of Highland Avenue; and

WHEREAS, the Planning Board of the City of Niagara Falls has recommended the granting of this abandonment; and

WHEREAS, this Council declares its intention to abandon said portion of Tennessee Avenue;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York, that a public hearing be held relative to the abandonment of the aforementioned street portion, said public hearing to be held at a meeting of the Council to be held at the Council Chambers in City Hall on December 28, 2015 at 6:00 p.m. standard time and the City Clerk is hereby directed to publish notice of intention to discontinue and abandon the said street portion in the official newspaper once a week for two (2) successive weeks preceding December 28, 2015.



City of Niagara Falls, New York

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

November 23, 2015

NIAGARA FALLS PLANNING BOARD

RECOMMENDATION TO CITY COUNCIL
Abandonment: Portion of Tennessee Avenue

Pursuant to action taken by the Niagara Falls Planning Board on the 23rd day of November 2015, your request is hereby approved.

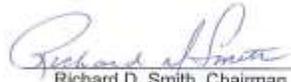
NAME OF OWNER: City of Niagara Falls

ADDRESS OF ACTION: Portion of Tennessee Avenue directly east of Highland Avenue

PURPOSE: To acquire property for construction of industrial/manufacturing facility

This request is hereby recommended to City Council.

DATE: November 23, 2015


Richard D. Smith, Chairman
Niagara Falls Planning Board

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