

Monday December 23, 2013 Council Meeting

PRESENTATIONS:

Cooper Sign Company – welcome signs

ADMINISTRATIVE UPDATE:

Hamister contract – status

Agenda Item #1

The following is a report of the licenses issued and collections made in the Office of the City Clerk during the month of November 2013.

			<u>CONTROLLER</u>	<u>TOTAL</u>
A1255-001				
A012	Vital Statistics		\$ 3,360.00	\$ 3,360.00
A1255-004				
A013	Copies of Records		\$ 1,213.50	\$ 1,213.50
A1255-004				
A013	Certificates of Marriage		\$ 1,100.00	\$ 1,100.00
A2501-011				
A044	Peddler		\$ 25.00	\$ 25.00
A2501-016				
A047	Stationary Engineers		\$ 2,390.00	\$ 2,390.00
A2542-000				
A053	Dogs/NYS Agr.& Mkts	\$ 262.00	\$ -	\$ 262.00
A2542-000				
A053	Additional Dogs		\$ 2,646.00	\$ 2,646.00
A2545-001				
A054	Marriage License/NYSHD	\$ 2,475.00	\$ 825.00	\$ 3,300.00
A1255-002				
A123	Commissioners of Deeds		\$ 15.00	\$ 15.00
A2545-010				
A128	Petroleum - Retail		\$ 70.00	\$ 70.00
A2545-010				
A128	Petroleum - Storage		\$ 180.00	\$ 180.00
A2545-010				
A128	Petroleum - Wholesale		\$ 100.00	\$ 100.00
A2545-021				
A316	Vending		\$ 70.00	\$ 70.00
A2545-023				
A318	Hunters/NYS DEC RAU	\$ 469.66	\$ -	\$ 469.66
A2545-023				
A318	Hunters Fees		\$ 27.34	\$ 27.34
A1255-003				
A499	Notary Fee		\$ 20.00	\$ 20.00

A1255-005			\$	
A528	Dog Release		300.00	\$ 300.00
TA63008			\$	
A597	Marriage Performance		2,800.00	\$ 2,800.00
A1255-006-			\$	
A696	Photos/passport-license		9.00	\$ 9.00
TOTAL:		<u>\$ 3,206.66</u>	<u>\$ 15,150.84</u>	<u>\$ 18,357.50</u>

Check #	<u>65509</u>	NYS Dept.of Arg. & Mkts	\$ 262.00
Check #	<u>65483</u>	NYS Health Department	\$2,475.00
		NYS DEC	
Check #	<u>ET</u>	RAU	\$ 469.66

RESOLUTION No. 2013

RELATIVE TO

DEDICATING LEGENDS MAIN COURT IN MEMORY OF BILL DUFF, EDUCATOR

BY:

Council Member Sam Fruscione

WHEREAS, upon the passing of Mr. Bill Duff, this city lost a treasured member of the Niagara Falls education community, and

WHEREAS, Bill - loving husband and father - was a dedicated and exceptional Physical Education teacher for two decades at Abate Elementary School, and in this capacity he served as educator, mentor, coach, father figure, and community servant, and

WHEREAS, because the education of our children and the importance of physical activity in their lives made up the very fabric of Bill's life it is important that our community should remember Bill Duff in a manner that addresses his legacy and serves the community, and

WHEREAS, the Legends basketball complex has proven to be a welcome addition in meeting the recreation and social needs of our youth, with this complex serving to amplify the role that recreation and physical activity plays in the growth and development in young lives as emphasized by Bill Duff,

THEREFORE, the Niagara Falls City Council does hereby name the main basketball court at the Legends facility "Bill Duff Court" in respectful recognition of a man who served his community, and the students he instructed throughout his career as a Physical Education teacher.

Agenda Item #2

SUBJECT: Renewal of Bid #30-12 Watchman Services

At its meeting of January 7, 2013, the Council awarded the above referenced bid to G4S Secure Solutions (USA), Inc. (see attached copy of Council letter). The contract is in effect for one year thru December 31, 2013. If mutually agreeable, the agreement may be extended one additional year thru December 31, 2014 under the same terms, conditions and specifications. G4S Secure Solutions (USA), Inc. 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 2014 proposed budget in the Public Works Department, Administration code: A1490.0001.0449.004.

Will the Council so approve?

Agenda Item #3

**RE: City Council Agenda Item:
Center City Neighborhood Development Corporation
Community Housing Development Organization (CHDO) Agreements
956 Niagara Avenue and 1133 Ontario Avenue**

Council Members:

Each year, the Community Development Block Grant budget includes an appropriation of HOME funds for CHDO activities. Center City qualifies as a Community Housing Development Organization. These funds are available to CCNDC for rehabilitation of properties owned by Center City.

Center City has proposed to renovate two properties under the CHDO program. The City will enter into an agreement with Center City which will require, among other things, that the renovated properties are available to low income tenants for 15 years, and that rents are limited under HUD rent limitations.

Center City will use \$45,000.00 of previously appropriated CHDO funds for 956 Niagara Avenue, which will be multi-family housing consisting of 3 units. Center City will use \$45,000.00 of previously appropriated CHDO funds for 1133 Ontario Avenue which will be multi-family housing consisting of 2 units. While the funds have been appropriated, the specific CHDO contracts are subject to City Council approval.

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

Agenda Item #4

*RE: NYS Division of Criminal Justice Services (DCJS) Grant to
Niagara Falls Police Department (NFPD)*

Council Members:

The NFPD has been awarded a grant in the amount of \$36,500 by DCJS for calendar year 2014 in collaboration with the NYS Motor Vehicle Theft and Insurance Fraud Prevention Board.

This will allow the NFPD Detective Bureau to work overtime hours on open cases involving theft of motor vehicles and matters pertaining to insurance fraud. Attached hereto is a copy of the letter of award.

There is no City match required.

Will the Council so approve and authorize the Mayor to execute a Grant Agreement and any other necessary documents required to accept this grant?



STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES
Alfred E. Smith Office Building
80 South Swan Street
Albany, New York 12210
<http://criminaljustice.ny.gov>

ANDREW M. CUOMO
GOVERNOR

MICHAEL C. GREEN
EXECUTIVE DEPUTY COMMISSIONER

December 13, 2013

Mr. Byran DelPorto
Superintendent
Niagara Falls City Police Department
1925 Main Street
Niagara Falls, NY 14305

Dear Superintendent DelPorto:

The New York State Division of Criminal Justice Services (DCJS) is pleased to advise you that Niagara Falls City Police Department has been awarded \$36,500 in SFY 2013-14 Motor Vehicle Theft and Insurance Fraud grant funds. This award is in collaboration with the New York State Motor Vehicle Theft and Insurance Fraud Prevention Board (the Board) through funding available from the Motor Vehicle Theft and Insurance Fraud Demonstration Program (MVTIFDP) to support the program proposal described in your recent grant application. The award will be for the contract period January 1, 2014 to December 31, 2014. **We also wanted to make you aware that a press release is scheduled to be issued about these awards, so it is possible you may get inquiries from local reporters on the award.**

Over \$4.2 million in grant funding was requested as compared to the approximately \$3.9 million available for awards in this contract cycle. As a result of this response your application request may have been reduced to accommodate the funds available. In the very near future, an Office of Program Development and Funding (OPDF) Criminal Justice Program Representative (CJPR) will contact your office to assist you in the development of the grant contract. We will work with you to help structure your proposed program consistent with the award amount.

Please note the following requirements are part of the final 2013-14 contract conditions:

- **Reports and Vouchers:** Grantees are required to submit quarterly progress reports and vouchers within 30 days of completion of each quarter.
- **M/WBE:** Effective April 1, 2013, all NYS grant recipients must demonstrate good faith efforts to promote opportunities for minority- and women-owned businesses and the employment of minority group members and women in the performance of DCJS contracts. Grantees receiving in excess of \$25,000 must submit a M/WBE Equal Employment Opportunity Staffing Plan (DCJS-3300), a Local Assistance M/WBE Subcontractor/Supplier Utilization Proposal Form (DCJS-3301) and a Local Assistance M/WBE NPS Discretionary Budget Determination Worksheet (DCJS-3309). Your program representative will advise you if the forms submitted during the

application process are acceptable, or will assist you if revisions are needed. M/WBE forms 3300, 3301 and 3309 may be found on the DCJS public website at <http://www.criminaljustice.ny.gov/ofpa/mwbe/mwbe-forms.htm>.

- All grant recipients are required to enter investigative targets in the Secure Automated Fast Event Tracking Network (SAFETNet).
- During the contract period, grantees will be expected to produce substantiated information, both statistical and programmatic, on the effectiveness of the initiatives implemented by the grant program. This information is essential to demonstrate the success of your program and may influence the continued support of your program initiatives in future funding cycles.

The CJPR will assist the primary contact for your project in the development of the final MVTIFP grant contract. If you have any questions related to the Motor Vehicle Theft and Insurance Fraud Prevention Program, please call the MVTIF Program staff at (518) 457-8404.

Congratulations on your award! We look forward to working with you in the upcoming year to keep New York State the safest large state in the nation.

Very truly yours,



Michael C. Green
Executive Deputy Commissioner

MCG:ams:pr

cc: William Thomson, Captain
Niagara Falls City Police Department

Agenda Item #5

RE: City Council Agenda Item

Approval of Casino Funding - The Niagara Falls Police Department Ranger Program & Department of Public Works Clean-up Campaign, New Jerusalem Boy's Reporting Center.

On November 12, 2013, the Niagara Falls City Council approved the 2014 Community Development Action Plan. That application was sent to the United States Department of Housing and Urban Development for approval on November 15, 2013. During the Community Development budget proceeding, the City Council requested that the federal funding for the proposed Niagara Falls Ranger Program and Department of Public Works Clean-up Project be reduced and supplemented with 2014 casino funding, in the following amounts:

Niagara Falls Police Department Ranger Program
Original Amount Proposed at Public Hearing: \$150,000
Council Requested Amount (FINAL): \$120,000
Difference: \$30,000

DPW Clean-up Project
Original Amount Proposed at Public Hearing: \$117,000
Council Requested Amount (FINAL): \$70,000
Difference: \$47,000

In addition, the Council discussed additional funding (\$40,000) for the New Jerusalem Boy's Reporting Center during the Community Development budget process. Due to the federal public services cap, this organization was allocated \$40,000 in 2014 Community Development Block Grant funding. This amount is significantly less than its historical funding as well as a matching funding source from the Niagara County Department of Social Services.

In order for these projects to be planned and executed as efficiently as possible, a final expenditure plan must be set. Will the City Council approve the allocation of \$47,000 in casino revenue for the DPW Clean-up Project, \$30,000 for the Niagara Falls Police Department Ranger Program, and \$40,000 for the New Jerusalem Boy's Reporting Center, for a total of \$117,000?

Agenda Item #6

*RE: Fee Schedule for Police Department Accident Photographs and
Reconstruction Reports*

Council Members:

The Police Superintendent advises that NFPD routinely receives requests from various entities, primarily insurance companies, for copies of Accident Reconstruction Reports, photographs and videos, as well as photo disks. Attached hereto is the recommended fee schedule. The Superintendent advises that these fees are consistent with those charged by other police departments.

Will the Council so approve?

**PROPOSED FEE SCHEDULE CHANGES FOR ACCIDENT
PICTURES/ RECONSTRUCTION REPORTS**

\$300 for Accident Reconstruction Reports

\$5 per picture (entire set must be purchased)

\$150 for video or photo disc



Agenda Item #7

RE: Amendments to 2014 Budget

Council Members:

The final adopted 2014 budget contained a \$10,000 stipend for the City Controller, a \$3,000 stipend for the Assistant Corporation Counsel and changes \$5,000 from a stipend to salary increase for the City Assessor.

It is requested that the Council vote to amend the budget to change the stipends for the Controller and Assistant Corporation Counsel to the salary line for their respective positions. It is also requested that the Council separate the \$5,000 from the Assessor salary to a stipend. The reason for these requests is that the \$5,000 for the Assessor is paid by the Town of Wilson and reflects additional duties pursuant to the City's agreement with the Town of Wilson, and that for the other positions, salary is more appropriate than a stipend.

There is no financial impact on the budget by making these changes.

Will the Council so approve?

Agenda Item #8

RE: Design Work by Cooper Sign

Council Members:

There has been recent discussion regarding the signage marking various entryways to the City and the possibility of upgrading signage at certain entryways. Cooper Sign has submitted a proposal to assist in the design work for these entryways and will collaborate with the City Engineering Department in connection with the development of design specifications if it is determined that the upgrades are desired and warranted.

The attached estimate from Cooper Sign estimates the cost for this design work to be \$10,000. Attached hereto is a copy of the proposal.

Funding is available from the City Council Consultant budget line and Undesignated Services.

Will the Council so approve?



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7350 Porter Road, Box 172, Niagara Falls, NY 14304-0172
716.297.2340 800.835.2340 Fax: 716.297.5159
www.coopersign.com www.oldgloryflag.com

December 17, 2013

Chairman Glenn Choolokian
Niagara Falls City Council
725 Main St
Niagara Falls, NY 14302

Dear Councilman Choolokian:

Re. Proposal for design services

I am pleased to quote the following on your sign needs.

Professional design services to design new entrance signs for the City of Niagara Falls to include basic design of sign, required materials and foundations, pumps and heating requirements for water feature. Cooper Sign to work with all required City of Niagara Falls Departments. Design package and specifications for future bid process to be provided.

\$10,000.00

Thank you for the opportunity to quote on your sign needs. If you should have any questions, please feel free to call.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Cooper Sr.", is written over the word "Sincerely,".

John A. Cooper Sr.

Agenda Item #9

RE: Approval to pay Medical Expenses of Kimberly Stanek in the amount of \$35.52

Council Members:

The above claimant has incurred medical expenses for personal injuries suffered by her when she was a passenger in a City police vehicle which was involved in a motor vehicle accident on November 12, 2011.

Under the New York State No-Fault Law, the City of Niagara Falls, as a self-insured entity, is obligated to pay the claimant's medical expenses arising out of this incident. If the same meets with your approval, please vote to direct the City Clerk to draw a warrant on the City Controller directing her to issue the following check:

<u>Provider</u>	<u>Date of Service</u>	<u>Amount</u>
Cardamone Chiropractic	12/12/2013	\$ 35.52

Please be advised that there may be further medical bills which will have to be paid pursuant to the New York State No-Fault Law.

Will the Council so approve?

Agenda Item #10

RE: One Niagara LLC vs. Board of Assessment Review, et al.
Tax Certiorari Proceedings
Assessment Rolls dated July 1, 2009 through 2013

Council Members:

As the Council is aware, the above referenced taxpayer has commenced tax assessment challenges for the years set forth above for the property located at 360 Rainbow Boulevard.

In addition, there are a number of unpaid taxes included in the City's In Rem Tax Foreclosure and the taxpayer has also commenced a proceeding under Section 556 of the Real Property Tax Law, alleging errors with regard to the 2008 assessment of the property.

After lengthy negotiations, and with the assistance of State Supreme Court Justice Ralph A. Boniello, III, a tentative settlement has been reached. The settlement provides that the challenge under Section 556 referenced above will be discontinued and all of the taxes levied pursuant to assessment rolls prior to July 1, 2009 will be paid in full, together with all penalties and interest.

For the assessment rolls from July 1, 2009 through July 1, 2013, the assessment would be set at \$1 Million. Revised bills reflecting the \$1 Million assessment would be issued for these taxes and they would also be paid in full. All of the above amounts for City and School Taxes total approximately \$1,550,000. (All unpaid County Taxes will also be paid in full.) These payments will occur prior to February 28, 2014.

It is the recommendation of the City Assessor and this Department that this settlement be approved.

Will the Council so approve?