

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, 2011

			<u>CONTROLLER</u>	<u>TOTAL</u>
A1255-001				
A012	Vital Statistics		\$ 4,610.00	\$ 4,610.00
A1255-004				
A013	Copies of Records		\$ 478.25	\$ 478.25
A1255-004				
A013	Certificates of Marriage		\$ 550.00	\$ 550.00
A2501-011				
A044	Peddler		\$ 250.00	\$ 250.00
A2501-016				
A047	Stationary Engineers		\$ 4,220.00	\$ 4,220.00
A2501-021				
A048	Amusement Games		\$ 700.00	\$ 700.00
A2542-000				
A053	Dogs/NYS Agr. & Mkts	\$ 255.00	\$ -	\$ 255.00
A2542-000				
A053	Additional Dogs		\$ 2,806.00	\$ 2,806.00
A2545-001				
A054	Marriage License/NYSHD	\$ 1,237.50	\$ 412.50	\$ 1,650.00
A2550-001				
A056	Loading Zone		\$ 85.00	\$ 85.00
A1255-002				
A123	Commissioners of Deeds		\$ 55.00	\$ 55.00
A2545-021				
A316	Vending		\$ 1,200.00	\$ 1,200.00
A2545-023				
A318	Hunters/NYS DEC RAU	\$ 921.32	\$ -	\$ 921.32
A2545-023				
A318	Hunters Fees		\$ 53.68	\$ 53.68
A1255-003				
A499	Notary Fee		\$ 14.00	\$ 14.00
A1255-005				
A528	Dog Release		\$ 350.00	\$ 350.00

TA63008
A597

Marriage Performance

\$ 900.00

\$ 900.00

TOTAL:

\$ 2,413.82

\$ 16,684.43

\$ 19,098.25

Check #

55795

NYS Dept.of Arg. & Mkts

\$ 255.00

Check #

55769

NYS Health Department

\$1,237.50

Check #

ET

NYS DEC

RAU

\$ 921.32

Agenda Item #2

A contract for the above referenced project was awarded to Abate Associates Engineers and Surveyors, PC, 4455 Genesee Street, PO Box 218, Buffalo, NY 14225-0218 on September 21, 2009 in the amount of \$18,000. Funding is through casino revenue.

Subsequent to the completion of the scoping and preliminary design phases of the above –referenced projects, the recent receipt of a fully executed NYSDOT agreement allows the city to permit the consultant, Abate Associates, to perform the requisite final design tasks necessary to complete the project and proceed to the constructional portion of the program. Additionally, the consultant will perform any/all contract administration and inspection tasks required. The costs associated with these phases of professional services for both projects are \$84,897.00, bringing the total contract amount to \$102,897.00. Please note that these costs are fully reimbursable via an existing agreement between the city and NYSDOT.

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

Agenda Item #3

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

TO: West Herr Ford
5025 Camp Road

Hamburg, Ny 14075

FOR: 2012 Ford F450 Chassis with a 9' Stake Body and Liftgate: \$44,201.00

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 twelve (12) vendors. Five (5) bids were received. The above referenced company submitted the lowest bid price.

Funds for this expenditure are available in the Capital budget code:
H0625.2006.0625.0230.000

Agenda Item #4

Last year the City entered into a non-exclusive consulting agreement with an individual to provide grant writing and grant administration services to the City. The fee for those services was not to exceed \$30,000.00 for 2011 and has not exceeded that sum. It is recommended that the City enter into a similar agreement with the same individual with an amount that will not exceed \$30,000.00 for 2012. Funding is available from Special Projects Fund Balance.

Will the Council authorize the Mayor to enter into and execute an agreement in a form acceptable to the Corporation Counsel?

Agenda Item #5

The City has received a proposal from LiRo Engineer's, Inc. to provide the consulting services for demolition of the walkway adjacent to Old Falls Street.

The total cost is a not to exceed amount of \$25,500.00 which includes updating the asbestos survey, design work, bidding specifications and award and project monitoring for asbestos.

At the December 12, 2011 meeting, City Council appropriated \$25,500.00 from the Special Projects Fund Balance for this project.

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

Agenda Item #6

The City presently has policies in place pertaining to “Special Projects Fund Balance Use,” “Undesignated Fund Balance” and “Undesignated Fund Balance Usage.” The City Controller advised that GASB 54 has now been issued which changes the way these items are identified and referenced. Special Projects Fund Balance and Use will now be referred to as “Assigned Fund Balance Policy & Use,” “Undesignated Fund Balance” will now be referred to as “Unassigned Fund Balance” and “Undesignated Fund Balance Usage” will now be referred to as “Unassigned Fund Balance Usage.” Available for review in the office of the City Controller are revised proposed policies which are intended to supersede the existing policies.

Will the Council so approve?

Agenda Item #7

As a result of a retirement in the Department, the Director of the Department of Public Works requests that the position of Senior Account Clerk in the Central Garage be abolished and that an Account Clerk position in Central Garage be established. Factoring in FICA and benefits, this will result in a cost savings of \$12,116.00.

Will the Council so approve?

Agenda Item #8

A contract for the above referenced project was awarded to Wendel Duchscherer, PC on October 9, 2001. The Revised Contract Amount including previous Change Orders # 1-3 is \$3,223,030.45.

This Change Order is for Additional Construction Phase Services related to an extension of the Time of Completion for the Construction Contract and includes two line item adjustments to the existing Contract. The first adjustment would transfer \$20,000.00 from the Direct Non-Salary Cost (DNSC) Reimbursables line item to the Construction Administration line item. The second adjustment would transfer \$80,000.00 from the DNSC Reimbursables line item to the Construction Administration line item. However, existing funds allocated for work slated for completion for completion in future phases will allow this work to be added to the contract without a change to the contract total (\$0.00) at this time.

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

Agenda Item #9

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>
Rural/Metro Medical Services	11/12/2011	\$917.70
FDR Medical Services, PC	11/12/2011	\$112.76
Niagara Falls Memorial Medical Center	11/12/2011	\$670.92

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?

RELATIVE TO THE 2012 COUNCIL MEETING SCHEDULE

BY:

Council Chair Sam Fruscione
Council Member Robert A. Anderson, Jr.
Council Member Steve Fournier
Council Member Kristen Grandinetti
Council Member Charles Walker

BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York,
that it hereby adopts the following 2012 City Council Meeting dates as the official
2012 CITY COUNCIL AGENDA AND MEETING SCHEDULE.

4PM ---- Work Session --7pm --- Council Meeting

January 2nd – Monday -11:00am
(Reorganization meeting and Swearing
In Ceremony for city and county
Officials.)

January 9
January 23

February 6
February 21 - Tuesday

March 5
March 19

April 2
April 16
April 30

May 14
May 29 - Tuesday

June 11
June 25

July 9
July 23

AUGUST RECESS

September 4 - Tuesday
September 17

October 1
October 15
October 29

November 13 - Tuesday
November 26

December 10
December 26 – Wednesday

**RELATIVE TO HONORING SUPERINTENDENT
JOHN R. CHELLA
NIAGARA FALLS POLICE DEPARTMENT**



BY:

Council Chair Sam Fruscione
Council Member Robert A. Anderson, Jr.
Council Member Steve Fournier
Council Member Kristen Grandinetti
Council Member Charles Walker

WHEREAS, on December 30, 2011, Superintendent John R. Chella of the Niagara Falls Police Department will be retiring from the Niagara Falls Police Department after 39 ½ years on the force; and

WHEREAS, an up through the ranks Falls police officer, Chella was appointed superintendent in 2004 and has led the Niagara Falls Police Department through some very challenging times; and

WHEREAS, Chella began as a patrol officer, serving in what was then called the Street Crimes Unit. He served a term as deputy superintendent under Superintendent Ernest Palmer and was also a detective and longtime lieutenant in the Narcotics Division before moving up to the department's chief; and

WHEREAS, Chella oversaw the move of the department from the old Public Safety Building on Hyde Park Boulevard to the new headquarters on Main Street. He has also been credited with working hard to improve relations between police and the community and with making significant investments into proactive, intelligence based policing.

NOW THEREFORE BE IT RESOLVED, that the members of the Niagara Falls City Council congratulates Superintendent John R. Chella upon his retirement and wishes him well in his future endeavors.

RELATIVE TO NIAGARA HONEYMOON SWEETS MEDALLIONS
AS THE OFFICIAL CHOCOLATE OF NIAGARA



BY:

Council Chair Sam Fruscione
Council Member Robert A. Anderson, Jr.
Council Member Steve Fournier
Council Member Kristen Grandinetti
Council Member Charles Walker

WHEREAS, the Niagara’s Honeymoon Sweets, LLC was founded in Niagara Falls, New York, “the Honeymoon Capital of the World.” They are a family owned and operated business led by Mary Ann Hess; and

WHEREAS, Niagara’s Honeymoon Sweets, LLC holds a patent to the only chocolate mold featuring a finely detailed embossing of Niagara Falls; and

WHEREAS, Niagara’s Honeymoon Sweets serves local customers in Niagara Falls, New York and the surrounding areas of Western New York.

NOW THEREFORE BE IT RESOLVED, that the members of the Niagara Falls City Council declare and name Niagara’s Honeymoon Sweets embossed Medallion of Niagara Falls as the official Chocolate of Niagara.

RELATIVE TO THE REAPPOINTMENT TO THE
NIAGARA FALLS CABLE COMMISSION

BY:

Council Chair Sam Fruscione

BE IT RESOLVED, that the following individual is hereby reappointed to the
City of Niagara Falls Cable Commission effective December 31, 2011, for the
expiration date, which appears opposite his/her name:

<u>APPOINTMENT</u>	<u>TERM EXPIRES</u>
Lewis Rotella 8950 Rivershore Drive Niagara Falls, NY 14304	12/31/2014

RELATIVE TO REAPPOINTMENT TO THE
NIAGARA FALLS PLANNING BOARD

BY:

Council Chair Sam Fruscione

BE IT RESOLVED, that the following individuals are hereby reappointed to the City of Niagara Falls Planning Board effective January 1, 2012 and for the expiration date, which appears opposite their names:

<u>REAPPOINTMENT</u>	<u>TERM:</u>
Harold (Hal) Faba 3010 Macklem Avenue Niagara Falls, NY 14305	12/31/2014
Tony Palmer 1612 South Avenue Niagara Falls, NY 14305	12/31/2014
Timothy Polka 4020 Barton Avenue Niagara Falls, NY 14305	12/31/2014
Randy Ubriaco 837 – 15 th Street Niagara Falls, NY 14301	12/31/2014

RELATIVE TO
RE-APPOINTMENT TO THE
TRAFFIC ADVISORY COMMISSION

BY:

Council Chair Sam Fruscione

BE IT RESOLVED, that the following individual is hereby reappointed to the
Traffic Advisory Board for the expiration date of which appears opposite
his name:

<u>RE-APPOINTMENT</u>	<u>TERM EXPIRES:</u>
Mr. William Williamson 818 Vanderbilt Avenue Niagara Falls, NY 14305	12/31/2016

Agenda Item #16

RELATIVE TO INSTALLATION OF TRAFFIC SIGNAL

BY:

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

WHEREAS, the City Council has been made aware of certain traffic accidents involving pedestrians in the vicinity of 2220 Pine Avenue, Niagara Falls, New York.

WHEREAS, this City Council takes the safety and well being of its residents and visitors to the City of Niagara Falls very seriously.

WHEREAS, this City Council, through the visual observations of its members as well as comments made by people in the community, believes that many pedestrians attempt to cross Pine Avenue at all times of the year in the vicinity of 2220 Pine Avenue and that particular location is a busy area in the City.

WHEREAS, the City Council believes that the safety and well being of City residents and visitors to the City will be enhanced by the presence of a traffic signal in the vicinity of that location which will halt the flow of vehicles on Pine Avenue when necessary, so as to allow pedestrians to cross the street, thereby improving safety conditions.

NOW THEREFORE BE IT RESOLVED, that the City Council hereby requests the City Engineer of the City of Niagara Falls, New York to take whatever steps are necessary, including retaining the services of an Engineer who specializes in the installation of traffic control devices such as traffic signals, expeditiously install a traffic signal in the vicinity of 2220 Pine Avenue, Niagara Falls, New York

Agenda Item #17

RELATIVE TO AMENDING CHAPTER 365 OF THE CODIFIED ORDINANCES ENTITLED
“TAXICABS AND TAXICAB DRIVERS”

BY:

Council Chairman Samuel Fruscione
Council Member Robert Anderson, Jr.

BE IT RESOLVED by the City Council of Niagara Falls, New York that Chapter 365 of the Codified Ordinances entitled “Taxicabs and Taxicab Drivers” is hereby amended as attached hereto (on file in the City Clerk’s Office):

Bold and Underlining indicate **Additions**.
Strikethrough indicates [Deletions]

Agenda Item #18

RELATIVE TO ADOPTING THE NIAGARA COUNTY MULTI-JURISDICTIONAL HAZARD
MITIGATION PLAN

BY:

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

WHEREAS, the City of Niagara Falls with the assistance from Ecology & Environment, Inc. has gathered information and prepared the Niagara County Multi-jurisdictional Hazard Mitigation Plan; and

WHEREAS, the Niagara County Multi-jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the City of Niagara Falls is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the City of Niagara Falls has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Niagara Falls, that the City of Niagara Falls adopts the Niagara County Multi-jurisdictional Hazard Mitigation Plan as this Jurisdiction's Natural and Manmade Hazard Mitigation Plan, and resolves to execute the actions in the Plan.