

Monday, February 2, 2015 Council Meeting

PRESENTATIONS:

None

ADMINISTRATIVE UPDATE:

City Controller Maria Brown – Casino Funding Update

Agenda Item #1

**SUBJECT: RECONSTRUCTION OF BUFFALO AVENUE PHASE II
I-190 TO CAYUGA AVENUE – PIN 5757.16

ENGINEERING SERVICES CONTRACT SCOPE ADJUSTMENT CHANGE ORDER # 1 -
\$0.00**

The City Council previously approved resolutions and appropriated funding, which is federally reimbursable, for the above referenced project that was awarded to C & S Engineers, Inc. on July 23, 2007.

Before completing the design for this project, the construction funding to be received from the NYSDOT was reduced. This funding reduction necessitated a change in design from a complete reconstruction to “preservation” or modified resurfacing project. This change order is needed to fund additional consultant design services related to this change in the project’s scope.

However, existing funds allocated for the original design work are still available which will allow this additional work to be added to the contract without a change to the contract total (\$0.00) at this time. Funding is available in code H0634.2006.0634.0449.599.

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

Agenda Item #2

RE: Agreement with Clark Patterson Lee for engineering services

Council Members:

At the Council's January 21, 2014 meeting, it approved an agreement with Clark Patterson Lee to provide as needed engineering services in an amount not to exceed \$94,000 for one year and allowed for the agreement to be extended for an additional one year. (A copy of this item is attached).

A copy of a letter dated January 19, 2015 from Clark Patterson Lee is attached which outlines the services to be provided. The agreement will be in an amount not to exceed \$94,000 and it is recommended that the Council appropriate this sum from casino revenue and authorize the Mayor to execute an extension agreement in a form acceptable to the Corporation Counsel.

Will the Council so approve?



8

City of Niagara Falls, New York

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

OFFICE OF THE MAYOR

Telephone: (716) 286-4310

January 15, 2014

The City Council
Niagara Falls, New York

RE: Engineering Services

Council Members:

The City has been without a City Engineer for quite some time. While the City is in the process of conducting a search for a City Engineer, it is necessary for the City to engage the services of a consulting engineer to be available to the City on an "as needed" basis in order to assist the city engineering staff members with project development and tracking in order to move projects forward. Attached hereto is a proposal from the Clark Patterson Lee firm which provides a description of the services it offers and a brief summary of professional experience. The attachment also contains a summary of the hourly rates charged by Clark Patterson Lee staff. Fees will be charged the City on an hourly and "as needed" basis, not to exceed \$94,000.00 for one (1) year. This agreement may be extended for one (1) year.

Funding is available from casino revenue.

Will the Council so approve?

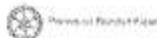
Respectfully submitted,

PAUL A. DYSTER
Mayor

Funding is in place

Maria C. Brown
City Controller

Anderson _____ Cholokian _____ Grandinetti _____ Tosma _____ Walker _____





Clark Patterson Lee
DESIGN PROFESSIONALS

December 16, 2013

Paul A. Dyster, Mayor
City of Niagara Falls
City Hall
745 Main Street
Niagara Falls, New York 14302-0069



Dear Mayor Dyster:

We appreciated the opportunity to meet you and your staff and introduce Clark Patterson Lee to your City. Through our conversations, we have gained a sense of what it would be like to work with you, and our interactions have led to a genuine enthusiasm about developing a working relationship with the City of Niagara Falls.

Who We Are – Clark Patterson Lee is a full-service architecture and engineering firm that has been in business since 1975. We are uniquely organized to provide the full spectrum of professional services required to manage a wide variety of transportation related projects. As the primary contact for this contract, I will ensure that the services needed by the City will be delivered by our most qualified professionals in an effective and efficient manner.

Our Client-Focused Approach – As the Principal-in-Charge, I will be personally committed and involved throughout your projects. This level of consistent experienced leadership assures you of having someone who understands your need to manage financial resources, meet project goals, create operational efficiency, conserve energy and develop a plan that advances your mission. Our emphasis on a team approach ensures that your projects will get the full attention they deserve.

An Experienced Team – Clark Patterson Lee is a multi-disciplinary firm comprised of dedicated architectural and engineering professionals. Our in-house team is fully networked and coordinated to deliver thorough and complete support for your projects.

We know that times are tough in New York and municipalities across the state are searching for better and more efficient ways to do business. We know you are taking steps to improve fiscal stability, consolidate services, and identify ways to make service delivery more effective. No option is off the table when it comes to reconciling limited resources with high expectations for public services. It is within this context that we propose a better model for providing professional consulting services to our municipal clients. Our approach is based on a unique business structure that facilitates the provision of professional services on an as-needed basis, without the typical retainer charged by most firms. We have successfully partnered with dozens of municipalities under this type of agreement. It is an arrangement that continues to set us apart from our colleagues at other professional firms.

Here is how it would work: We provide you with a not-to-exceed fee on an annual or another agreed upon timeframe. Services are provided on an as-needed basis. We will prepare a draft agreement, including proposed rates in accordance with this proposal for your review. The specific services and proper mix of

26 Mississippi Street
Suite 300
Buffalo, NY 14208
clarkpatterson.com
800.274.9000 TEL
716.852.2120 FAX



personnel will be determined based on a request for assistance, and we will provide periodic (as you determine appropriate) accounting of the services rendered, and will bill on a monthly basis. There may be periods of time where no assistance by our staff is required. Your projects will receive focused personal attention, delivered by capable and energetic staff. By pairing young professionals with seasoned senior leadership, we can serve your community at a reasonable cost. Our goal is to develop an enduring relationship with the City, one that will keep you on the path of sustainable recovery.

Mr. Jaros and I have investigated your concerns and David has discussed various approaches with you and your staff to address your needs. We suggest a term agreement approach with a few specific work items that would address your situation, until a new City Engineer is retained. We propose to supply support services as follows:

1. Set up a project tracking system: This system will be set up by David F. Jaros and implemented by City of Niagara Falls' staff with support from Clark Patterson Lee.

Mr. Jaros has 40 years of progressive, responsible engineering experience with extensive expertise in supervision of technical departments including analyzing, planning, estimating, budgeting, designing, and construction of major construction projects. Experience includes extensive coordination with public officials, government officials, including regulatory agencies, and concerned citizens regarding construction projects. Mr. Jaros' experience has also included coordination of diverse engineering assignments with multiple public clients including: Erie County, the City of Buffalo, City of Niagara Falls and the Town and City of Tonawanda.

2. Set up and coordinate a Department of Engineering staff meeting to review and update progress. This meeting will be organized by Christopher G. Sichak or David F. Jaros.

Mr. Sichak is a versatile Project Manager/Engineer with 14 years of experience in the planning, design and construction of transportation projects. His work has included a range of designs for bridge and highway projects including reconstruction, rehabilitation, roadway realignment, utility relocation, and guidrail installation. Specific tasks have included geometry layout, drainage design, hydraulic analyses, maintenance and protection of traffic, substructure and superstructure design, and contract document preparation. In addition, Mr. Sichak is well versed in construction documentation, having experience as a resident engineer and construction inspector.

3. Set up and coordinate a progress meeting with the Department of Engineering and all other City Departments with projects needing engineering review or implementation. This meeting will be organized by David F. Jaros. Mr. Jaros has extensive managerial experiences and a thorough understanding of Niagara Falls Department operations and procedures, as he was the City's Director of Operations and Technical Services from July 1984 to 1992.

4. Supply a professional engineer to assist the City in all facets of engineering activities including, but not limited to design, inspection, planning, estimating, budgeting, and maintaining project schedules. We propose to supply Chris Sichak, P.E. to operate from City Hall one day (8 hours) per week for the duration of the contract. He will get priorities from the Department of Engineering staff and will attend both meetings.

5. Clark Patterson Lee will provide you additional, highly experienced staff on an as-needed basis. All work will be done with appropriate staff. The specific services and proper mix of personnel will be determined based on the request for assistance. There may be periods of time where no assistance is required. Our goal is to develop a plan to supply support services at a reasonable cost.

DEC 2



We have prepared the following rate schedule for your review. I suggest a not-to-exceed fee of \$94,000 for one (1) year with a one (1) year extension clause. I can assure you that the services needed by your City will be delivered by our most qualified professionals in an effective and efficient manner.

Clark Patterson Lee Hourly Rate Schedule	
Title	Hourly Rate
Daniel D. Duprey, Jr., P.E., Principal-in-Charge	No Charge
Daniel D. Duprey, Jr., P.E., Principal-in-Charge - Plan review, approval, P.E. stamp and signature	\$130.00
Jennifer L. Michniewicz, P.E., PTOE, Project Manager	\$97.50
David F. Jaros, P.E., Client Liaison/Quality Control Manager	\$92.50
Christopher G. Sihak, P.E., Senior Structural Engineer	\$92.50
David B. Askinazi, P.E., Senior Highway Engineer	\$92.50
Jason L. Havens, P.E., Highway Engineer	\$92.50
Karlce Gehlbeck, E.I.T., Junior Highway Engineer	\$52.50
Richard W. Paekman, EIC IV/Chief Inspector	\$62.50
Richard W. Paekman, Senior Inspector	\$52.50
Anthony Guginio, Senior Inspector III	\$52.50
Lisa A. Barren, EIC IV	\$62.50
David J. Hastings, E.I.T., Senior Inspector III	\$52.50
Wendover "Cory" Neefus, IV, P.E., Senior Inspector III	\$52.50
Gary M. Short, Surveyor	\$52.50
Jorma S. Schlack, Surveyor	\$52.50

* Proposed rates include all labor, overhead, profit and miscellaneous expenses.

Thank you for the opportunity to submit our qualifications. I am deeply proud of our ability to provide you with quality service at a fair rate. This is what we do, and we do it well. If you have any questions or require any additional information, please feel free to contact me via email at dduprey@clarkpatterson.com or by phone at 716.852.2100, extension 1033.

Very truly yours,
Clark Patterson Lee


Daniel D. Duprey, Jr., P.E.
Executive Vice President





Clark Patterson Lee
DESIGN PROFESSIONALS

January 19, 2015

Paul A. Dyster, Mayor
City of Niagara Falls
City Hall
745 Main Street
Niagara Falls, New York 14302-0069

**RE: CITY OF NIAGARA FALLS
ENGINEERING CONSULTING SERVICES**

Dear Mayor Dyster:

We greatly appreciate the opportunity to renew Clark Patterson Lee's annual Engineering Consulting Services agreement with the City of Niagara Falls. We trust that this extension is a sign that we have met your expectations over the past year.

Going forward, we don't anticipate any major difference in the services we have been providing. In addition to our physical presence one day per week, services will be provided on an as-needed basis. The specific services and proper mix of personnel will be determined based on a request for assistance, and we will provide periodic (as you determine appropriate) accounting of the services rendered, and will bill on a monthly basis. There may be periods of time where no assistance by our staff is required. Your projects will receive focused personal attention, delivered by capable and energetic staff. By pairing young professionals with seasoned senior leadership, we can serve your community at a reasonable cost.

We will continue the term agreement approach with a few specific work items that will continue to address your situation, until a new City Engineer is hired. We propose to supply support services as follows:

1. Continue to maintain the project tracking system.
2. Continue to set up and coordinate a Department of Engineering staff meeting to review and update progress.
3. Continue to set up and coordinate a progress meeting with the Department of Engineering and all other City Departments with projects needing engineering review or implementation.
4. Provide a professional engineer to assist the City in all facets of engineering activities including, but not limited to design, inspection, planning, estimating, budgeting, and maintaining project schedules. This professional will operate from City Hall one day (8 hours) per week for the duration of the contract.
5. Provide you additional, highly experienced staff on an as-needed basis for additional ancillary projects, such as the Jayne Park project we assisted with in 2014.

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716.852.2170 FAX



Paul A. Dyster, Mayor
City of Niagara Falls
January 19, 2015
Page 2 of 2

All work will be done with appropriate staff based on the request for assistance and billed out using the rate schedule below at a not-to-exceed fee of \$94,000.

Clark Patterson Lee - Hourly Rate Schedule	
Name	Hourly Charge
Daniel D. Duprey, Jr., P.E. - Principal-in-Charge	\$140
Jennifer L. Michniewicz, P.E., PTOE - Project Manager	\$105
David B. Askinazi, P.E. - Senior Highway Engineer	\$100
Jason L. Havens, P.E. - Highway Engineer	\$95
David J. Hastings, E.I.T. - Highway Engineer	\$95
Francis A. Mahaney, E.I.T. - Junior Highway Engineer	\$55
Lisa A. Barrett - E.I.C. IV	\$65
David J. Hastings, E.I.T. - Senior Inspector III	\$55
Wendover "Cory" Neeffus, IV, P.E. - Senior Inspector III	\$55
Jerma S. Schlack - Surveyor	\$55

* Proposed rates include all labor, overhead, profit, and miscellaneous expenses.

Thank you for the opportunity to work with you and the City of Niagara Falls once again. I am deeply proud of our ability to provide you with quality service at a fair rate. If you have any questions or require any additional information, please feel free to contact me via email at dduprey@clarkpatterson.com or by phone at 716.852.2100, extension 1033.

Very truly yours,

Clark Patterson Lee

Daniel D. Duprey, P.E.
President and COO

c: Craig Johnson
File

Agenda Item #3

RE: Appropriation of casino funds to NFC for business grants and loans

Council Members:

It is requested that the Council appropriate \$820,000 of casino funds (Tribal Fund) to the NFC Development Corporation for the funding of grants and loans. This amount has been previously reserved in the Economic Development portion of the City casino funds.

Will the Council so approve?

Agenda Item #4

RE: Shared services agreement with the Town of Somerset for assessment services

Council Members:

Attached is a proposed shared services agreement with the Town of Somerset which provides for the City Assessor to also act as the Assessor for the Town of Somerset.

The agreement provides that Somerset will cover the costs related to the work and pay the sum of \$15,000 annually to the City of Niagara Falls. The Assessor will devote 16 hours per month to Somerset.

Of the \$15,000, the City will retain \$5,000 and the Assessor will be paid \$10,000.

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

ASSESSOR SHARED SERVICE AGREEMENT

THIS AGREEMENT made and entered into this 1st day of January 1, 2015 by and between:

THE City of Niagara Falls, New York with offices at City Hall, 745 Main Street, Niagara Falls, New York, 14302, a municipal corporation as defined by General Municipal Law, Section 119-N (a) of the State of New York, party of the first part, and hereinafter referred to as "Niagara Falls",

And

THE Town of Somerset, with offices at 8700 Haight Road, PO Box 368, Barker, New York, 14012, a municipal corporation as defined by the aforesaid statute, party of the second part, hereinafter referred to as "Somerset".

WITNESSETH:

WHEREAS, Niagara Falls and Somerset are empowered to enter into agreement on contractual basis for the provision of an Assessor and assessing services to Somerset pursuant to Section 119-0 of the General Municipal Law of the State of New York, subject to approval by both the City Council of Niagara Falls and the Town Board of Somerset; and

WHEREAS, the following provisions have been duly approved by a majority vote of the City Council of Niagara Falls and by a majority vote of the Town Board of Somerset, the parties agree as follows:

(1) **Statement of Agreement:** Niagara Falls agrees to provide its Assessor (hereinafter "Assessor") and his assessing services to Somerset during the term of this Agreement, and Somerset agrees to engage Niagara Falls by and through its Assessor to provide such service in accordance with the subject of the terms of this Agreement.

(2) **Legal Basis:** This Agreement is authorized pursuant to and by Article 5-G, Section 119-0, of the General Municipal Law and Section 576 of the Real Property Tax Law of the State of New York.

(3) **Delivery of Services:**

(a) **Service Area:** Niagara Falls shall provide its Assessor to assess all real property located within the Town of Somerset, including the Village of Barker.

(b) **Assessing Responsibilities:** The Assessor with the assistance of the Town's designated real property appraiser shall provide Somerset an assessment roll in accordance with the provisions of the Town and Real Property Tax Laws. As part of his duties, the Assessor shall supervise all staff in the town assessor's office. Additionally, the Assessor shall attend any and all meetings of the Board of Assessment

Review of Somerset, as Somerset shall require and at such meetings submit all such information as may be necessary to support any assessment or assessments determined by the Assessor which may be under review by Somerset's Board of Assessment Review. Further, the Assessor shall attend periodic meetings of the Somerset Town Board, consult with and report to the Somerset Town Board, consult with the Town Attorney, appear and defend all small claim proceedings, assist and appear in defending all tax certiorari proceedings and review and determine all tax exemptions and "STAR" applications.

(c) Personnel Policies: The Assessor shall oversee all employee(s) of the Somerset assessor's office and be responsible for overall administration of the department. The Town of Somerset agrees to provide a real property appraiser at no cost to Niagara Falls to perform all duties associated with the title.

(d) Dispute Resolution: Any conflict between the parties concerning the extent or manner of the performance of assessing service delivered to Somerset, not set out in the agreement, shall be resolved through mediation by the Niagara County Real Property Tax Director in Lockport, New York. Any legal proceeding arising under this Agreement shall be brought in New York State Supreme Court, Niagara County.

(e) Dedication of Time: Niagara Falls's Assessor shall dedicate a minimum of 16 hours per month to perform assessing duties for the Town which will include regular office hours, off site appointments and shall be required to be accessible remotely via electronic email, cell phone and/or by other means to fulfill duties. The Town will provide off site access to the assessor's electronic file for remote processing by the assessor.

(4). Resources:

(a) Unless otherwise set out herein, Somerset shall furnish all other required personnel including a real property appraiser to perform all duties associated with the title, office equipment, office space, utilities, postage and supplies required to provide assessing services for Somerset. Assessor shall only be reimbursed for necessary mileage incurred after having first reported to the Somerset office. Somerset shall not be responsible for any cost associated with Assessor's training, certifications or attendance at seminars or conferences.

(b) Individual Ownership: Niagara Falls and the Town of Somerset shall retain title to all property which it has acquired in the operation of its assessing department, and which it hereafter acquires during the term of this Agreement, to fulfill its obligations under this Agreement.

(c) Expenses to be paid by Somerset: Somerset shall pay any and all costs associated with providing it and the Niagara Falls Assessor with a computerized printing of Somerset's assessment roll and any and all incidental charges for notebooks, delivery and revision to such printed roll. Somerset shall also bear any and all costs for any postage for notices required to be sent to owners of property located within the Town of Somerset relative to any change in assessment and the cost of any publication of any and all notices required by law to be published relative to the preparation of the assessment roll.

(d) Liabilities of Somerset: Somerset shall bear all liabilities associated with any erroneous, illegal, or inappropriate assessment made by Assessor while performing his duties pursuant to this Agreement, and shall hold Niagara Falls harmless with respect thereto.

Similarly, Somerset shall pay any and all costs associated with any revaluation of Somerset property ordered by any Court or which may be ordered by the Town Board of Somerset, on any and all real property located within Somerset. Additionally, Somerset shall be solely responsible for any and all legal expenses incurred in defending any litigation which may accrue as a result of any assessment imposed by Assessor and/or Board of Assessment Review of Somerset, and shall further pay any and all costs associated with any appraisal of real property located in Somerset ordered by Assessor, after consultation with the Town Board of Somerset and Town Attorney, to supplement any assessment determination made by Assessor.

(e) Records of Somerset: All assessing records of Somerset shall be maintained at, and all assessing functions of Somerset shall be conducted by Assessor at Somerset's office.

(f) Designation of Assessor: The Assessor of Niagara Falls shall by resolution of the Town of Somerset be designated as Somerset's Assessor.

(g) Employment: The Assessor shall remain an employee of the City of Niagara Falls and shall not be an employee of the Town of Somerset. The City of Niagara Falls shall be solely responsible for all salary and benefits of the Assessor, including any time devoted to Somerset's assessing.

(5). Fees:

(a) Total Sum: Somerset shall pay to Niagara Falls the annual sum of Fifteen Thousand Dollars (\$15,000.00). This sum shall include any retirement and social security contribution on behalf of the assessor that Niagara Falls incurs. Worker's compensation shall be the responsibility of Niagara Falls (self insured).

(b) Manner of Payment: Somerset shall be billed twice annually in equal installments by Niagara Falls with payments due on June 30th and December 31st during each fiscal year for the length of this agreement.

(c) Delinquency: In the event that Somerset does not make payment within thirty (30) days after the date due, Niagara Falls may terminate this Agreement. Somerset shall be liable for assessing services rendered to the time of termination on prorated basis.

(6) Term/Termination: The term of the Agreement shall commence on January 1st, 2015 and terminate on December 31, 2015, provided that thereafter it shall require mutual agreement for five (5) one year extension(s) and with fees to be negotiated by and between the parties thereafter. Negotiated fees for any extended terms should be determined before the final Town budget is adopted for the year in which such service is to be rendered. Either party may terminate this agreement with 2 months written notice holding neither party liable.

(7). Authorization: This Agreement is made and executed pursuant to a resolution of the City Council of the City of Niagara Falls, and the Town of Somerset.

(8) Notices: Any notices under this agreement shall be sent to the Mayor of the City of Niagara Falls and the Supervisor of the Town of Somerset.

(9) Additional Participants: Any additional parties joining this Shared Service Agreement must be agreed to by both the City of Niagara Falls and the Town of Somerset.

(10) Execution: The parties hereto have executed this Agreement the day and year first above written.

Mayor, City of Niagara Falls
City Hall
745 Main Street
Niagara Falls NY 14302

Supervisor, Town of Somerset
Town Hall
8700 Haight Road PO Box 368
Barker, NY 14012

By _____

By _____

Date _____

Date _____

Agenda Item #5

SUBJECT: Vehicle Leases

We respectfully request the Council to authorize the Mayor to execute a lease agreement with Enterprise Fleet Management, 600 Corporate Park Drive, St. Louis, MO 63105 satisfactory to the Corporation Counsel as follows:

	Price Per Year	Total Price for 36 Month Term
Three (3) 36 Month Leases for 2015 Jeep Patriots for Department of Engineering Department	\$3,722.13/vehicle (\$11,166.39 total)	\$33,499.17
One (1) 36 Month Lease for a 2015 Jeep Patriot for Department of Public Works - Clean Neighborhood	\$3,722.13	\$11,166.39
Three (3) 36 Month Leases for 2015 Ford Fusions for Department of Community Development	\$3,645.09/vehicle (\$10,935.27 total)	\$32,805.81

Quotes were solicited and the City received two (2) responses. In addition to Enterprise Fleet Management a quote was received from Steve Baldo Ford; 2015 Ford Escape "SE" (\$21,065.83/36 month term) and Ford Fusion "SE" (\$14,009.68/36 month term.)

Funds are available in the Engineering Department code A1440.0000.0440.003, Department of Public Works Clean Neighborhood code A8510.0000.0440.003 and Department of Community Development code CD1.8686.0001.0440.003.

Will the Council so approve?

Agenda Item #6

RE: Resolution 2015-9

Please be advised that Mayor Paul A. Dyster, on January 26, 2015, duly approved the following;

Resolution 2015-9, relative to amending Chapter 103 of the Codified Ordinances entitled "Administrative Ordinances".

Agenda Item #7

RE: Request for Approval to Settle and Pay Claims of Tom Langer, Michael P. Lynch,
John Murphy and David Rendina
1785 New Road, Niagara Falls, New York

Council Members:

Date Claim Filed:	November 13, 2014 – November 18, 2014
Date Action Commenced:	N/A
Date of Occurrence:	October 23, 2014
Location:	911 Robbins Drive, Niagara Falls, New York
Nature of Claim:	Automobile damage sustained in an accident with City vehicle
City Driver:	John Rosino
Status of Action:	Claim stage.
Recommendation/Reason:	Best interests of City to pay claims.
Amount to be Paid:	See attached Schedule A.
Make Check Payable to:	See attached Schedule A.
Conditions:	General Release to City, approved by Corporation Counsel.

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

Claims of Tom Langer, Michael P. Lynch,
John Murphy and David Rendina

Schedule A - Amounts to be Paid

<u>Amount to be Paid</u>	<u>Check Payable to</u>
\$1,075.10	Tom Langer
\$622.51	Michael P. Lynch
\$754.92	John Murphy
\$718.63	David Rendina

Total Amount to be Paid: \$3,171.17

Agenda Item #8

RE: Approval of In Rem Auction Bids from December 3, 2014

Council Members:

Attached is the list of bids from the December 3, 2014 auction.

With respect to Schedule A properties Ward 9, Pro 3005, Ward 12, Pro 8056, Ward 13, Pro 3380 and Ward 13, Pro 3381, we recommend approval of the bids subject to payment of any delinquent taxes on other properties within 30 days. If the taxes are not paid by that time the bids are rejected and deposits and auctioneer fees forfeited pursuant to the terms of sale.

With the exception of the above, we recommend that the bids for Schedule A properties be approved. The bids for Schedule B properties do not require Council approval and are submitted for your information.

Will the Council so approve and authorize the Mayor to execute deeds to the successful bidders in accordance with the Terms of Sale?

4 128 BEM AUCTION

ROW	W/P	ENL	ADDRESS	PRICE	BIDDER NAME	ADDRESS 1	ADDRESS 2	BIDDER CITY	STATE	ZIP CODE
A	13/2464	144.40-1-31	1334 NORTH AVE	100.00	Flahar, Christopher.C	413 Main St		Tonawanda	NY	14150
A	13/2467	144.40-1-30	1334 NORTH AVE	100.00	Flahar, Christopher.C	413 Main St		Tonawanda	NY	14150
A	08/0873	144.62-2-3	613 WILLOW AVE	50.00	St George Enterprises	2719 W Lake Road		Wilson	NY	14172
A	09/2438	144.63-2-4	1519 PIERCE AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	13/2416	144.63-1-46	2322 1375 ST	25.00	Johnson, William R Jr	3611 Lombard Ave		Niagara Falls	NY	14203
A	10/0980	144.67-3-8	1823 WESTON AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	13/0339.A	144.69-1-92	2187 1878 ST	25.00	Moore, Darlene.A	1807 Ontario Ave		Niagara Falls	NY	14205
A	05/2147	159.36-2-56	3802 SACRAMO RD	50.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	05/2962.A	159.24-2-46	1026 1375 ST	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	09/2459	144.67-3-30	1324 PIERCE AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	10/0808	144.56-1-28	1804 1375 ST	1,800.00	Buffalo RT Group LLC	8144 1393rd St	3rd Floor	Buffalo	NY	14223
A	12/5089	144.21-1-37	2901 2278 ST	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	13/2477	144.40-1-22	2320 1375 ST	125.00	Flahar, Christopher.C	413 Main St		Tonawanda	NY	14150
A	05/1542	144.81-1-4	2015 UNDERBERG AVE	100.00	Moore, Rita	3520 Ferry Ave		Niagara Falls	NY	14203
A	08/2340	144.71-2-63	1324 ASHLAND AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	08/2410	144.71-2-71	1313 1375 ST	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	08/3005	144.64-4-18	1734 PIERCE AVE	2,800.00	Hanmill, Scott.V	2405 Lavelle Ave		Niagara Falls	NY	14201
A	10/0920	144.55-1-40	1128 LINWOOD AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	10/0809	144.56-1-27	1810 1375 ST	sold w/ #10 & #4	Buffalo RT Group LLC	8144 1393rd St	3rd Floor	Buffalo	NY	14223
A	12/4147	144.31-3-44	1546 GROVE AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	14/2353	100.56-2-6	4831 FRONTIER AVE	175.00	Lockwood, Vishnu Prasad	679 East 243rd St		Bronx	NY	10470
A	14/2394	100.56-2-5	4841 FRONTIER AVE	175.00	Lockwood, Vishnu Prasad	679 East 243rd St		Bronx	NY	10470
A	04/0850	158.09-0-29	1811 COLUMBIAN AVE	3,000.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	08/0544	144.77-1-25	873 BRIDGE AVE	3,200.00	Buffalo RT Group LLC	8144 1393rd St	3rd Floor	Buffalo	NY	14223
A	08/2205	144.72-3-6	1515 ASHLAND AVE	25.00	Trane, Leonard.P	1510 Elmwood Ave		Niagara Falls	NY	14201
A	09/2184	144.71-2-44	1347 LAKELAND AVE	6,000.00	Buffalo RT Group LLC	8144 1393rd St	3rd Floor	Buffalo	NY	14223
A	05/2420	144.63-1-23	1510 HURLEY AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	08/2870	144.63-2-24	1129 PIERCE AVE	200.00	Ahmed, Jamil	2825 Walnut Ave		Niagara Falls	NY	14201
A	08/2737.B	144.63-3-78	1487 1375 ST	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	08/2748	144.63-3-53	1363 PIERCE AVE	50.00	St George Enterprises	2719 W Lake Road		Wilson	NY	14172
A	08/2749	144.63-3-57	1311 PIERCE AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	08/2841	144.71-2-2	1307 WILLOW AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	08/3040	144.64-4-14	1402 1878 ST	25.00	Buffalo RT Group LLC	8144 1393rd St	3rd Floor	Buffalo	NY	14223
A	08/3040	144.64-4-14	1310 1878 ST	25.00	Dea, Sharief.A	3501 Crawford Dr		Niagara Falls	NY	14204
A	09/3171	144.63-3-5	1419 1375 ST	125.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	10/0022	144.63-1-23	1442 WILLOW AVE	400.00	St George Enterprises	2719 W Lake Road		Wilson	NY	14172
A	10/0113	144.64-2-22	1537 1375 ST	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	10/0788	144.56-1-45	1320 MICHIGAN AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	10/0805	144.56-1-42	1441 WESTON AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	10/1140	144.58-1-40	1418 WESTON AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	12/1774	144.27-1-18	8828 MCKENZIE AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	12/4311	144.30-1-14	825 CENTER AVE	50.00	Halden, Devin Laddell	1112 Garden Ave		Niagara Falls	NY	14205
A	13/0871	144.47-1-51	2003 1175 ST	1,500.00	Buffalo RT Group LLC	8144 1393rd St	3rd Floor	Buffalo	NY	14223
A	13/1370	144.40-1-24	2220 1375 ST	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	13/1380	144.40-1-23	2220 1375 ST	25.00	St George, Michael.C	2820 150 St		Niagara Falls	NY	14203
A	13/2474	144.40-1-23	2218 1375 ST	125.00	Flahar, Christopher.C	413 Main St		Tonawanda	NY	14150
A	14/5847	100.18-1-19	5784 BUFFALO AVE	1,800.00	Carson Patterson	6497 Ward Heights		Buffalo	NY	14208
A	15/1312	101.04-1-14	1442 978 ST	25.00	Moore, J Moses	213 Pine Street		Buffalo	NY	14204
A	15/1445.A	101.47-1-20	1808 COLUMBIAN AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	15/0877	101.06-4-82	1335 9058 ST	325.00	Sold, Dylan,Michael	3209 Niagara Ave		Niagara Falls	NY	14205
A	10/0730	144.16-1-18	1540 MICHIGAN AVE	3,200.00	Wilson, Perry J Jr	1119 North Ave		Niagara Falls	NY	14205
A	12/0056	100.14-1-41	4021 MIDWAY DR	550.00	Coutanos, James,Michael Jr	1376 Ontario Ave		Niagara Falls	NY	14205
A	15/0729	144.41-1-20	1424 GROVE AVE	9,000.00	Moore, Rita	3520 Ferry Ave		Niagara Falls	NY	14203
A	14/7456	100.11-3-23	830 1187 ST	19,000.00	Black, Matthew.J	4860 Westlawn Rd		Niagara Falls	NY	14205
A	15/2232.L	101.09-2-63	879 82ND ST	3,400.00	Pontana, Louis Eugene	1571 Benjamin Dr		Niagara Falls	NY	14204
A	15/3201.D	101.10-1-49	1040 978 ST	18,000.00	Tomlin, Daniel.J	1039 100th St		Niagara Falls	NY	14204
A	04/0717	159.50-2-78	1432 MCKERNA AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	04/0723	159.50-2-79	1440 MCKERNA AVE	400.00	Moore, J Moses	213 Pine Street		Buffalo	NY	14204
A	04/0732	159.50-2-47	1442 MCKERNA AVE	400.00	Moore, J Moses	213 Pine Street		Buffalo	NY	14204
A	04/0734	159.50-2-45	1446 MCKERNA AVE	400.00	Moore, J Moses	213 Pine Street		Buffalo	NY	14204
A	04/0735	159.50-2-46	1478 MCKERNA AVE	400.00	Moore, J Moses	213 Pine Street		Buffalo	NY	14204
A	04/0833	159.49-2-3	1514 MCKERNA AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	05/0820	159.33-2-64	811 2028 ST	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	05/0832	159.33-2-76	845 2028 ST	4,000.00	Mo, Shou	13939 Sodom Road		Niagara Falls	NY	14203
A	05/0840	159.33-2-43	817 1778 ST	50.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	05/0843	159.33-2-41	817 1778 ST	50.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	05/0906	159.33-1-1	1013 FERRY AVE	24,000.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	05/0946	159.33-3-64	843 2280 ST	6,500.00	Cloonesill, Gerald.M	951 Hyde Park Blvd		Niagara Falls	NY	14201
A	05/1314	159.34-1-44	844 2478 ST	7,500.00	Cassari, Linda.A	310 Deerpark Lane		Grand Island	NY	14202
A	05/2123	159.33-1-1	1013 FERRY AVE	6,500.00	Buffalo RT Group LLC	8144 1393rd St	3rd Floor	Buffalo	NY	14223
A	08/0773	144.79-2-28	1317 BARBERIE AVE	4,000.00	Carter, William.J Jr	1359 Calmar Ave		Niagara Falls	NY	14205
A	08/0486	144.80-2-58	805 1478 ST	17,000.00	Cassari, Linda.A	310 Deerpark Lane		Grand Island	NY	14202
A	08/0781	144.73-2-74	1029 1375 ST	4,500.00	Albert, Marie	92 Delaware Rd		Buffalo	NY	14217
A	08/2224	144.72-1-48	1534 ASHLAND AVE	3,500.00	Antonia Bazzard, Verena.A	1166 Beaulieu Ave	apt 1	Niagara Falls	NY	14201
A	08/2428.B	144.63-1-39	1311 PIERCE AVE	9,170.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	08/2780	144.63-1-35	1315 PIERCE AVE	50.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	08/2782	144.71-2-31	1314 LAKELAND AVE	25.00	Antonia Bazzard, Verena.A	1166 Beaulieu Ave	apt 1	Niagara Falls	NY	14201
A	09/2946	144.64-2-3	1522 PIERCE AVE	5,000.00	Buffalo RT Group LLC	8144 1393rd St	3rd Floor	Buffalo	NY	14223
A	09/3000	144.72-1-20	1328 LAKELAND AVE	19,000.00	Antonia Bazzard, Verena.A	1166 Beaulieu Ave	apt 1	Grand Island	NY	14202
A	10/0004	144.63-1-31	1139 WILLOW AVE	4,000.00	Denny Panader	8820 Main Street	apt 204	Port Jervis	NY	13853
A	10/0091	144.64-1-50	1511 1375 ST	1,250.00	Giorgio S Capusellio	1387-1/2 Linwood Ave		Niagara Falls	NY	14205
A	10/0134	144.64-2-21	1736 WILLOW AVE	275.00	Lockwood, Vishnu Prasad	679 East 243rd St		Bronx	NY	10470
A	10/0230	144.63-1-10	1819 1375 ST	1,100.00	Moore, Rita	3520 Ferry Ave		Niagara Falls	NY	14203
A	10/0392	144.53-1-45	1130 LINWOOD AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	10/0427	144.56-3-64	1338 LINWOOD AVE	6,000.00	Mo, Shou	13939 Sodom Road		Niagara Falls	NY	14205
A	10/0472	144.56-3-40	1502 LINWOOD AVE	175.00	Piromani, Darlene.A	1807 Ontario Ave		Niagara Falls	NY	14205
A	10/0473	144.56-3-38	1534 LINWOOD AVE	175.00	Piromani, Darlene.A	1807 Ontario Ave		Niagara Falls	NY	14205
A	10/0577	144.78-1-40	1412 WILLOW AVE	19,000.00	Black, Matthew.J	4840 Westlawn Dr	apt 8 282	Niagara Falls	NY	14205
A	10/0807	144.56-1-28	1802 1375 ST	sold w/ #10 & #4	Buffalo RT Group LLC	8144 1393rd St	3rd Floor	Buffalo	NY	14223
A	10/0976	144.57-1-12	1837 WESTON AVE	6,500.00	Nebar, Hans,Titus	1632 Niagara Ave A-2		Niagara Falls	NY	14205
A	10/1119	144.56-2-51	1439 WESTON AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	10/1240	144.56-1-40	1442 WESTON AVE	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	10/1316.A	144.56-2-38	1403 SOUTH AVE	2,000.00	Buffalo RT Group LLC	8144 1393rd St	3rd Floor	Buffalo	NY	14223
A	10/1520	144.56-1-20	1610 1878 ST	25.00	Black, Ruyone.E	1516 South Ave		Niagara Falls	NY	14205
A	12/1542	144.38-1-35	832 DEPOT AVE	3,000.00	Moore, Michael.H	942 Niagara Ave A403		Buffalo	NY	14205
A	12/4232	144.31-1-14	1840 FAIRFIELD AVE	25.00	Moore, J Moses	213 Pine Street		Buffalo	NY	14204
A	12/4233	144.31-1-17	1842 FAIRFIELD AVE	25.00	Moore, J Moses	213 Pine Street		Buffalo	NY	14204
A	12/5330	100.81-2-74	1034 VERMILION AVE	25.00	Moore, Rita	3520 Ferry Ave		Niagara Falls	NY	14203
A	13/0125	144.48-1-44	1329 NIAGARA AVE	7,600.00	Dearlight, Brittany,Tranera	9901 Niagara Falls Blvd	apt 33	Niagara Falls	NY	14204
A	13/0161	144.48-2-53	1450 NIAGARA AVE	13,000.00	Melnick, Scott	199 Brockwood Dr		Sandusky	NY	14877
A	13/0506	144.50-1-45	1440 NIAGARA AVE	29,000.00	Moore, Perry E Jr	1519 North Ave		Niagara Falls	NY	14205
A	13/0541.B	144.41-3-37	1807 NORTH AVE	4,500.00	Perry, Alfonso,Demetrius	2075 Robert Drive		Niagara Falls	NY	14204
A	13/0647	144.41-1-74	2421 2187 ST	6,800.00	Davis, Lucine.B	440 27th St		Niagara Falls	NY	14203
A	13/2318.B	144.36-1-28	1842 FAIRWAY DR	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	13/2386	144.40-1-29	2016 1375 ST	275.00	Moore, Michael.H	922 130th St		Niagara Falls	NY	14205
A	13/2388	144.40-1-28	2020 LOCKPORT ST	25.00	Sirrianni, Deborah Dawn	1742 Cudback Ave		Niagara Falls	NY	14203
A	13/2443									

Agenda Item #9

**RESOLUTION RELATIVE TO CALLING FOR A PUBLIC HEARING
FOR THE ABANDONMENT OF A PORTION OF
76TH STREET, NORTH OF NIAGARA FALLS BOULEVARD**

BY: Council Chairman Andrew Touma

WHEREAS, the adjoining property owner has requested the abandonment of a portion of 76th Street, north of Niagara Falls Boulevard; and

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

WHEREAS, this Council declares its intention to abandon said portion of 76th Street.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Niagara Falls, 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 February 17, 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 February 17, 2015.

Agenda Item #10

RELATIVE TO CITY COUNCIL PROCEDURES,
PUBLIC SPEAKERS TIME LIMIT

BY:

Council Chairman Andrew Touma

BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York that pursuant to Section 3.9.d of the City Charter, paragraph 3 of Item V of the Format for the Agenda, as adopted on November 27, 1989 and as amended on July 23, 1990, January 21, 1992 and October 18, 1993, is amended to read as follows:

3. The Chairman will enable members of the public to speak on any topic of concern to the welfare of the City for a time not to exceed **[five (5)] three (3)** minutes for each person; he may limit the number of speakers on a topic or agenda item or the overall public speaking time if the same will unduly delay the commencement of the agenda. **All remarks shall be addressed to the Council as a body and not to any member thereof. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste and should refrain from making comments regarding individuals, including elected officials and City employees, unless such comments pertain to such individual's duties within City government. Although they may, nothing herein shall require the Mayor or the Council to answer questions or engage in debate at any City Council meeting.**

Additions are **underlined**. Deletions are in **[brackets]**.

RELATIVE TO CITY COUNCIL PROCEDURES,
PUBLIC SPEAKERS TIME LIMIT

BY: Council Chairman Andrew Touma

BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York that pursuant to Section 3.9.d of the City Charter, paragraph 3 of Item V of the Format for the Agenda, as adopted on November 27, 1989 and as amended on July 23, 1990, January 21, 1992 and October 18, 1993, is amended to read as follows:

3. The [Chairman] Chairperson will enable members of the public to speak on any topic of concern to the welfare of the City for a time not to exceed [**five (5)**] four (4) minutes for each person; he may limit the number of speakers on a topic or agenda item or the overall public speaking time if the same will unduly delay the commencement of the agenda. All remarks should be addressed to the Council as a body and not to any member thereof. Speakers should refrain from making comments regarding individuals, including elected officials and City employees, unless such comments pertain to such individual's duties within City government.

Additionally, all members of the public and all public officials shall be allowed to take audio and/or visual recordings (including photographs) of the public portions of City Council meetings. No recording is permitted during executive sessions. Any such recordings must be done in a matter which does not interfere with the meeting.

If the Chairperson determines that any such recording is being done in an intrusive manner, taking into consideration, among other factors, the frequency and brightness of any lights, distance from the deliberations of the City Council, size of the equipment and the ability of the public to view and participate in the meeting, the Chairperson may request an accommodation to avoid the interference, and if not complied with, may ask the individual(s) to leave the Council Chambers.

Additions are underlined. Deletions are in [brackets].