

Item #1

			<u>CONTROLLER</u>	<u>TOTAL</u>
A1255-001				\$
A012	Vital Statistics		\$ 3,824.00	3,824.00
A1255-004				\$
A013	Copies of Records		\$ 660.25	660.25
A1255-004				\$
A013	Certificates of Marriage		\$ 250.00	250.00
A2501-014				\$
A046	Electrician - Active		\$ 460.00	460.00
A2501-014				\$
A046	Electrician - Inactive		\$ 120.00	120.00
A2501-014				\$
A046	Electrician - Exam Fee		\$ 125.00	125.00
A2501-016				\$
A047	Stationary Engineers		\$ 230.00	230.00
A2542-000		\$		\$
A053	Dogs/NYS Agr.& Mkts	270.00	\$ -	270.00
A2542-000				\$
A053	Additional Dogs		\$ 3,031.00	3,031.00
A2545-001	Marriage	\$		\$
A054	License/NYSHD	562.50	\$ 187.50	750.00
A1255-002				\$
A123	Commissioners of Deeds		\$ 5.00	5.00
A2545-010				\$
A128	Petroleum - Retail		\$ 70.00	70.00
A2545-010				\$
A128	Petroleum - Storage		\$ 120.00	120.00
A2545-010				\$
A128	Petroleum - Wholesale		\$ 100.00	100.00
A2545-021				\$
A316	Vending		\$ 40.00	40.00
A2545-023		\$		\$
A318	Hunters/NYS DEC RAU	114.60	\$ -	114.60
A2545-023				\$
A318	Hunters Fees		\$ 6.40	6.40
A1255-003	Notary Fee		\$ 10.00	\$

A499				10.00
A1255-005				\$
A528	Dog Release		\$ 50.00	50.00
TA63008				\$
A597	Marriage Performance		\$ 525.00	525.00
A1255-006-				\$
A696	Photos/passport-license		\$ 18.00	18.00
TOTAL:			\$ 947.10	\$ 10,779.25

Check #	<u>51590</u>	NYS Dept.of Arg. & Mkts	\$ 270.00
Check #	<u>51561</u>	NYS Health Department	\$ 562.50
Check #	<u>ET</u>	NYS DEC	\$
		RAU	114.60

Item #2

At its meeting of March 22, 2010, the Council awarded the above referenced bid to Niagara Grass Cutting (see attached Council letter).

One of the provisions on the bid request allows the bid to be extended one year under the same terms, conditions and specifications if mutually agreeable. Niagara Grass Cutting has indicated they would like to exercise this option.

Due to their past performance we recommend extending the contract for one additional year. Funds are available in the Community Beautification code: A8510.0000.0449.080.

Item #3

A contract for the above referenced project was awarded to Empire State Mechanical Construction on June 15, 2010 in the amount of \$399,000.00.

Subsequent to the start of construction, minor adjustments were necessitated by existing conditions that were not a portion of the project's original scope. These adjustments include the addition of specialized joint fillers within the containment area's concrete floor and the replacement of existing electrical control equipment to comply with current codes. The costs for these specific alterations total \$3,510.72, bringing the final contract total to \$402,510.72.

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

Item #4

At the City Council meeting on February 7, 2011, the City Council approved a contribution of \$2,500 to the Niagara Military Affairs Council (NIMAC). Merrell A. Lane, Chairman, is requesting additional funding for NIMAC because of the many projects it is involved in. Mr. Lane will be making a presentation at the City Council meeting on February 22, 2011 in support of his request. Mr. Lane is asking for an additional contribution of \$40,000. Funding is available from the Economic Development Casino Funds.

Will the Council so approve?

Item #5

It is necessary to perform repairs and replacements to the fire alarm system in the main library. The total amount required for this project is estimated to be \$18,295.00. Funding is available from Casino Revenues.

Will the Council so approve?

Item #6

Music plays a role in many City of Niagara Falls activities and events and is provided by live musicians and mechanical means including video tapes, CD's, tapes, etc. The Copyright Law of the United States establishes property rights in musical works and grants creators and owners of copyrighted musical work specific rights. It is recommended that the City engage in Licensing Agreements with the two (2) largest organizations representing copyright owners, namely, ASCAP and BMI, in order to play music at the City activities and events without violating copyright laws and exposing the City to liability. The ASCAP license fee is \$615.00 for a one year term and the BMI license fee is also \$615.00 for a one year term. Funding is available from Tourism Fund Balance.

Will the Council authorize this expenditure and also authorize the Mayor to enter into License Agreements in form satisfactory to the Corporation Counsel?

Item #7

The Police Department has applied for \$40,327 grant under the Eliminate Violence Against Women Program for the period 4/1/11 through 3/31/12.

There is no City match required.

Will the Council approve acceptance of the grant and authorize the Mayor to execute any agreements or other documents necessary to effectuate same?

Item #8

A contract for the above referenced project was awarded to Resetarits Construction Corp. 1115 Delaware Ave Buffalo NY 14209, on July 26, 2010 in the amount of \$1,838,250.00.

The total contract amount included a deduction for the scope of work within the Bath Avenue right of way. This amount was erroneously deducted from the contractor's base bid amount and did not include the value of the Bath Avenue right of way work.

Therefore, it is the recommendation of the undersigned that Change Order #1 in the amount of \$46,750.00 be approved bringing the total contract amount to \$1,885,000.00. Sufficient funds presently exist in Code H0401.2002.0401.0449.599 .

Will the council vote to so approve?

Item #9

During the City Council meeting held on December 27, 2010, the City Council voted to continue utilizing the security personnel employed by The Cordish Company to provide security for the Rainbow Mall Premises, including that portion of the Rainbow Mall Premises utilized by the NCCC. Eleven thousand dollars (\$11,000.00) was appropriated for this purpose. After consultation with the DPW Department, it is requested that utilization of these security personnel be continued through the end of March 2011 as it is cost effective to do so. The cost is \$280.00 per day and with employer costs that amount is \$301.23 per day. It should be noted that NCCC will be reimbursing the City for one-third of these costs retroactive to December 20, 2010 because the County owns approximately one-third of the Rainbow Mall structure. It is therefore anticipated that the City's expense for security services through the end of March, 2011 will not exceed \$13,000.00. The continuation of this arrangement will be reviewed once again in mid March.

The utility accounts for the Rainbow Mall have now been turned over to the City. These will be continuing expenses and NCCC will be reimbursing the City for its share of utility utilization. The monthly cost of these utility accounts is not anticipated to exceed \$500.00 per month until such time as development in the Rainbow Mall begins.

Funding for both security continuation and utilities is available from Special Projects Fund Balance.

Will the Council so approve?

Item #10

Date Claim Filed: July 14, 2009
Date Action Commenced: February 8, 2010
Date of Occurrence: June 24, 2009
Location: 29th Street and Girard Avenue
Nature of Claim: Automobile damage sustained during road repaving.
Status of Action: In litigation.
Recommendation/Reason: Best interests of City to pay.
Amount to be Paid: \$2,335.88
Make Check Payable to: Liberty Mutual Insurance Company a/s/o Brent Nice and Carman, Callahan & Ingham, LLP, as attorneys.
Conditions: Stipulation of Discontinuance and 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?

Item #11

Council Members:

Date Claim Filed:	October 14, 2009
Date Action Commenced:	July 27, 2010
Date of Occurrence:	September 19, 2009
Location:	Intersection of 11 th Street and South Avenue
Nature of Claim:	Automobile damage sustained in an accident with City vehicle.
City Driver:	John Faso
Status of Action:	In litigation.
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$2,013.90
Make Check Payable to:	Geico Insurance Company
Conditions:	Stipulation of Discontinuance and 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?

Item #12

Please be advised that Mayor Paul A. Dyster on February 8, 2011 duly approved the following:

Resolution 2011-10, relative to Amending Chapter 1111 of the Codified Ordinance Entitled “Plumbing Code of the City of Niagara Falls”

Resolution 2011-11, relative to Amending Chapter 1113 of the Codified Ordinance Entitled “Electrician Licensing and Regulations”

Item #13

BE IT RESOLVED, that the following individual is hereby appointed to the City of Niagara Falls Planning Board, due to the resignation of Paulette Shine, for the expiration date, which appears opposite his name:

APPOINTMENT

TERM:

Owen Steed	12/31/2013
1344 North Avenue	
Niagara Falls, New York 14305	
990-6518	