

Tuesday, May 26, 2015 Council Meeting

**PRESENTATIONS:**

2016 Community Development Action Plan Process- Seth Piccirillo

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**ADMINISTRATIVE UPDATE:**

None





Agenda Item #2

*RE: Extension agreement with Niagara County Society for the Prevention of Cruelty to Animals ("SPCA")*

Council Members:

During the City Council meeting held on December 8, 2014 the City Council approved an arrangement with the SPCA which extended the terms of an agreement with the SPCA on a month to month basis. The cost to the City for services provided by the SPCA was \$16,500.00 monthly or \$198,000.00 annually.

Discussions have been ongoing between the City and the SPCA which have focused on the actual cost to the SPCA to service City animals with the goal of reaching an agreement with a one-year term rather than operating on a month to month basis.

The Executive Director of the SPCA has provided calculations relative to the SPCA's actual cost to service City animals which is attached hereto. The Executive Director's analysis, based on year 2014 statistics, includes the total number of animals picked up, average length of sheltering required, cost of veterinary care, medical costs and staffing. The cost is projected to be \$223,127.00 which is \$25,127.00 more than the \$198,000.00 annual fee the City incurs now based upon monthly payments of \$16,500.00. The calculations provided by the Executive Director took into consideration the fact that the City has undertaken the animal control function which was previously provided by the SPCA. In this regard, the Superintendent of Police is in the process of arranging animal control training for additional officers to expand coverage. The purpose of this will be to avoid an after-hours "call out" charge the SPCA imposes.

At this time, it would appear to be more fiscally prudent for the City to continue its arrangement with the SPCA based on this proposal rather than incur the expense of constructing a City owned animal shelter and the cost of staffing it. It is proposed that this agreement be for a term of one year commencing on June 1, 2015 and expiring May 31, 2016. During this period of time the parties will continue a dialogue regarding the services provided by the SPCA for City animals and what arrangement is in the best interest of each respective party moving beyond May 31, 2016.

Funding is available from casino revenue.

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

2014 Cost for Dog Sheltering Services

City of Niagara Falls

Total animals in 2014= 2,449 cats and dogs from all municipalities

(minus euthanasia requests, clinic for microchips, vaccination and spay/neuter and deceased animals)

Total dogs in 2014= 900 dogs from all municipalities

(minus euthanasia requests, clinic for microchips, vaccination and spay/neuter and deceased animals)

Total stray dogs from Niagara Falls= 463

(minus euthanasia requests, clinic for microchips, vaccination and spay/neuter, deceased animals and owner surrenders)

Niagara Falls dogs constitute 18.9% of all animals that enter our shelter and 51.4% of all dogs that enter our shelter with an average length of stay of 54.9 days versus 40.2 or 54% more days than the average of all other municipalities. The cost of veterinary care and holding for dogs is estimated at 33% higher for dogs than cats.

Operating Budget 2014= \$939,535

Total salaries for 2014=	\$567,090
Medical and cleaning staff	- \$201,300
Drivers	- \$74,000
Office/Admin/Other	\$291,790

Cost for NF for Office/Admin/Other= \$55,148  
(based on 18.9%)

Total cost of medical and cleaning wages for total dogs cared for at the shelter= \$201,300  
Weighted cost based on higher cost for dog medical and cleaning wages for NF stray dogs= \$50,601  
( $\$201,300 \times .189 \times 1.33$ )  
Weighted cost based on increased length of stay (LOS)= \$77,926  
( $\$50,601 \times 1.54$ )

Medical costs for 2014= \$197,137  
Weighted cost based on higher cost for dog medical and cleaning wages for NF stray dogs= \$49,554  
( $\$197,137 \times .189 \times 1.33$ )  
Weighted cost based on increased Length of stay (LOS)= \$76,313  
( $\$49,554 \times 1.54$ )  
(Medical and cleaning staff salaries and medical and boarding costs are pulled out to weight for increased cost of care for dogs.)

Miscellaneous costs associated with sheltering :

Total Budget	\$939,535
Wages	- \$567,090
Med/Clean wages	- \$201,300
Driver	- \$74,000
Fundraising	- \$35,805
Vehicle	- \$15,690
Misc	\$45,650

Niagara Falls % (18.9) of miscellaneous expenses: **\$8,628**

**\$1,518** vehicle expenses for vet transports  
(based on NF percentage of 18.9% of 765 vet transport calls of 1,494 calls total or \$1.26)

**\$3,594** driver salaries for vet transports  
(based on 1 of 2 drivers, NF percentage of 18.9% of 705 vet transport calls of 1,404 calls total or \$1.26)

Office/Admin/Other	\$55,148
Medical/Cleaning Wages	\$77,926
Medical/Boarding costs	\$76,313
Misc expenses	\$8,628
Vehicle	\$1,518
Driver salary	\$3,594

**Total Cost for NF**            **\$223,127**

As this price does not include calls out to Niagara Falls to pick up stray dogs, a fee of \$150 will be assessed for each call out during regular business hours and \$250 for each call out for after hour calls.

The hours for dog control are:

M-F 8:30am – 5:00pm

Future contract costs for all municipalities will use this formula.

Agenda Item #3

*RE: Funding for E911 System replacement*

Council Members:

The Superintendent of Police advises that the existing E911 equipment is out of date and out of warranty. It is necessary to replace the system and replacement equipment is available on state contract. Attached hereto is detail for this new system which totals \$226,566.00. This equipment will service both Police and Fire and should last at least five to ten years. It is important to note that this system is state-of-the-art and will be a public safety improvement.

Funding is available from casino revenues.

Will the Council so approve?

## Niagara Falls PFD

## VESTA 9-1-1

Qty	Part No.	Description	Unit List	Est List	Unit NYS	Est NYS
2	870998-0104R3.1	VESTA 4 PS-1 L/D/M	\$3,000.00	\$8,000.00	\$2,100.00	\$5,100.00
2	870998-03002	RM CAD INTF LIC	\$750.00	\$1,500.00	\$637.50	\$1,275.00
1	04000-01584	DLKEX TL155A-1M DATACAST	\$485.00	\$485.00	\$412.25	\$412.25
1	04000-01010	DLB OS25M/D625M 10FT	\$10.00	\$10.00	\$0.50	\$0.50
		<b>VM Median Server Bundle</b>			\$0.00	\$0.00
		Note: The Median Server Bundle is for PS4Ps up to 40 ports with an annual call volume of 500,000 or less.			\$0.00	\$0.00
1	853001-MLSVRSQ-2	V-ML MED SVR BNDL SNGL	\$27,873.00	\$27,873.00	\$23,777.05	\$23,777.05
2	06500-00901	2-POST 5U RACK MNT KIT	\$362.00	\$764.00	\$333.30	\$666.60
2	04000-88005	V-SVR BASIC SPT 1YR	\$110.00	\$236.00	\$101.15	\$202.30
		<b>VESTA - Basic Operations</b>			\$0.00	\$0.00
7	PS-05Q-V5ML	VS BSC MLTP PER SEAT LIC	\$3,000.00	\$21,000.00	\$2,650.00	\$17,550.00
7	SS-05Q-V5SL-1Y	SPT VS BSC 1YR	\$1,495.00	\$10,365.00	\$1,262.25	\$8,835.75
		<b>VESTA Workstation Equipment</b>			\$0.00	\$0.00
7	01000-408606SFF	WKST HP Z330 SFF	\$1,535.00	\$10,745.00	\$1,305.50	\$9,138.50
7	63000-221801	MNTR HP WIDE SCR LCD 22IN	\$411.00	\$2,877.00	\$340.35	\$2,383.45
7	64000-50017	KEYPAD 36KEY USB 25FT CBL	\$145.00	\$1,015.00	\$129.25	\$904.75
7	65000-00196	CBL DV/USB KIT 15FT	\$91.00	\$637.00	\$77.35	\$541.45
7	65000-00401	SAM KEY SPCR KIT	\$250.00	\$1,750.00	\$212.50	\$1,487.50
7	65000-00124	CBL PATCH 15FT	\$17.00	\$119.00	\$14.45	\$101.15
7	65000-00302	RM SAM HWIR KIT	\$2,476.00	\$17,332.00	\$2,102.30	\$14,714.10
14	830401-001010-15	CBL SAM JKEX 15FT	\$45.00	\$630.00	\$59.25	\$829.50
7	608800-25108	R4 IWS CPB	\$400.00	\$2,800.00	\$349.00	\$2,443.00
7	608800-25108	R4 IWS STG FEE	\$600.00	\$4,200.00	\$610.00	\$4,270.00
1	870998-07001	CPRSVSPREP IMAGING	\$500.00	\$500.00	\$425.00	\$425.00
		<b>VESTA 8-1-1 RW Module</b>			\$0.00	\$0.00
7	873000-03502	R4 IPR LIC/COC/MED	\$1,483.00	\$10,381.00	\$1,269.05	\$8,883.35
7	808600-35110	RM IPR SW SPT 1YR	\$299.00	\$2,093.00	\$227.80	\$1,594.60
		<b>VESTA 8-1-1 Admin Printer</b>			\$0.00	\$0.00
1	64040-60020	PRNTR USB/ETHERNET 8W LJ	\$480.00	\$480.00	\$418.20	\$418.20
		Note: LaserJet Black and White printer. Recommended monthly volume, 250 to 1,500 pages			\$0.00	\$0.00
1	65000-00133	CBL USB SHLD MM 10FT	\$12.00	\$12.00	\$10.20	\$10.20
		<b>Network Equipment</b>			\$0.00	\$0.00
		Note: Critical to provide Firewall			\$0.00	\$0.00
2	04000-29616	SWTCH 2960 + CBL 24-PORT	\$1,440.00	\$2,000.00	\$1,234.00	\$1,440.00
2	04000-02963	WAP 2960 24-P 2T 1YR 24X7	\$214.00	\$628.00	\$206.60	\$553.20
		<b>Peripherals &amp; Gateways</b>			\$0.00	\$0.00
2	04000-00129	MED 1500B CHASSIS BNDL	\$2,294.00	\$4,588.00	\$1,949.90	\$3,899.80
2	04000-00198	SW SPT M1000 GATEWAY 1YR	\$600.00	\$1,200.00	\$510.00	\$1,020.00
4	04000-00116	MED 1000 FXCLS BNDL	\$453.00	\$1,732.00	\$368.05	\$1,472.20
2	04000-00113	MED 1000 FNS BNDL	\$415.00	\$830.00	\$352.75	\$705.50
		<b>Rack &amp; Peripheral Equipment</b>			\$0.00	\$0.00
1	06500-03263	7FT EQUIPMENT RACK 19IN	\$442.00	\$442.00	\$375.70	\$375.70
1	83000-172805	MNTR NEC 17IN	\$274.00	\$274.00	\$232.00	\$232.00
		<b>UPS/INEAC Equipment</b>			\$0.00	\$0.00
2	06500-00501	ES111 1500VA UPS	\$2,000.00	\$4,000.00	\$1,702.55	\$3,405.10
		<b>Time Synchronization Equipment</b>			\$0.00	\$0.00

Niagara Falls PFD

	Note: customer to provide ATP compliant resources.				\$0.00	\$0.00
					\$0.00	\$0.00
VESTA 9-1-1 Subtotal						\$119,358.70

Managed Services						
Qty.	Part No.	Description	Unit List	Est List	Unit NYS	Est NYS
1	809800-14100	Monitoring & Response Activation Fee MAR ACT FEE SMALL SITE	\$2,210.00	\$2,210.00	\$0.00	\$0.00
					\$1,878.50	\$1,878.50
					\$0.00	\$0.00
2	871489-01208	Monitoring & Response License & Support Fees MAR 3.0 LIC SVR	\$487.00	\$974.00	\$0.00	\$0.00
		Note: Includes (2) DCS Server			\$413.21	\$827.80
3	809800-145E1	MAR 3.0 SVR SRVC 1YR	\$1,890.00	\$5,070.00	\$1,436.50	\$4,305.50
4	871489-01211	MAR 3.0 WKST LIC Note: Includes (7) Workstations, (1) Management Console	\$107.00	\$955.00	\$0.00	\$0.00
					\$80.00	\$727.00
8	809800-18161	MSH 3.0 WKST SRVC 1YR	\$468.00	\$3,744.00	\$0.00	\$0.00
					\$367.80	\$3,182.40
8	871489-01210	MAR 3.0 IP DEVICES LIC Note: Includes (2) MDS Servers, (2) Gateways, (2) Cisco Switches, (2) Virtual Machines	\$107.00	\$890.00	\$0.00	\$0.00
					\$80.00	\$727.00
8	809800-18166	MAR 3.0 IP DEV SRVC 1YR	\$488.00	\$3,744.00	\$0.00	\$0.00
					\$337.80	\$3,182.40
					\$0.00	\$0.00
11	809800-14152	Managed Services - Implementation Fee MSD SERV DEV & IMPL	\$28.00	\$1,078.00	\$0.00	\$0.00
					\$83.30	\$916.30
11	809800-14171	Anti-Virus Solution VIRUS PROTECT 3.0 SVC 1YR	\$141.00	\$1,581.00	\$0.00	\$0.00
					\$118.85	\$1,318.35
11	809800-18211	Patch Management Solution PATCH MGMT 3.2 SVC 1YR	\$333.00	\$3,863.00	\$0.00	\$0.00
					\$285.25	\$3,113.55
					\$0.00	\$0.00
Managed Services Subtotal						\$30,184.10

Extended Warranties						
Qty.	Part No.	Description	Unit List	Est List	Unit NYS	Est NYS
2	04000-01530	Server Extended Warranty WARR 24X7 ML350G5P8 5Y Note: Upgrade & split from 3 yrs warranty and NBD to 5 yrs. 24x7, 4 hour response time.	\$1,878.00	\$3,306.00	\$0.00	\$0.00
					\$1,426.30	\$2,852.60
8	04000-01580	Workstation Extended Warranty Note: Includes (7) Workstations, (1) Management Console WARR 24X7 Z320G30 5YR Note: Warranty upgrade from 3 yrs warranty and NBD to 5 yrs. 24x7, 4 hour response.	\$565.00	\$4,520.00	\$0.00	\$0.00
					\$480.25	\$3,842.00
					\$0.00	\$0.00
					\$0.00	\$0.00
Extended Warranties Subtotal						\$8,094.60

Airbus DS Communications Services						
Qty.	Part No.	Description	Unit List	Est List	Unit NYS	Est NYS
78	809800-17101	Field Engineering Services FIELD ENG-PRIMARY	\$120.00	\$9,360.00	\$0.00	\$0.00
					\$410.50	\$8,298.00
		Training Note: Training is provided at the customer site using the customer owned equipment. Prices are per student unless otherwise indicated. Minimum number of students is 6 and maximum number of students is 8 per class and 2 students per position.			\$0.00	\$0.00
4	000001-08701	VBENT 4.X AGENT TRNG	\$1,000.00	\$7,200.00	\$0.00	\$0.00
					\$1,530.00	\$6,120.00

### Niagara Falls PFD

		Note: VESTA Sentinel 4X Agent bundle includes (7) 1/2 day class of Agent training for up to 8 students. Includes trainer's daily training expenses and travel. VESTA Sentinel 4X Agent training does not include training on the SIP phones. SIP phone training is a separate class and can be quoted upon request.				\$0.00	\$0.00	
1	000001-06704	VBENT 4X ADMIN TRNG Note: VESTA Sentinel 4X Admin bundle includes (1) 1/2 day class of Admin training for up to 8 students. Includes trainer's daily training expenses and travel.	\$6,000.00	\$6,000.00	\$0.00	\$0.00	\$0.00	
<b>Airbus DS Communications Services Subtotal</b>							<b>\$19,618.00</b>	

#### Quote Summary

PRODUCT	TOTAL	TOTAL
VESTA 9-1-1		\$119,358.70
Managed Services		\$20,184.10
Extended Warranties		\$6,694.60
Airbus DS Communications Services		\$19,618.00
<b>SERVICE</b>		
Installation / Project Management / Design Engineering		\$91,000.00
Onsite Support Maintenance 24x7 (1 YEAR)		\$21,500.00
VESTA PALLAS SUPPORT (1 YEAR)		\$26,000.00
Carousel Discount Provided with Purchase of Vesta Pallas Support		-\$17,000.00
<b>GRAND TOTAL</b>		<b>\$226,665.40</b>

Agenda Item #4

*RE: Contribution to International Festival*

Council Members:

The Niagara Street Business Association is sponsoring the International Festival which will take place on June 20, 2015 at Gill Creek Park. The City is being asked to contribute the sum of \$2,500.00 toward the cost of this festival. Attached is a copy of a letter of request.

Funding is available through the Tourism fund balance.

Will the Council so approve and authorize the Mayor to execute a funding agreement satisfactory to the Corporation Counsel?



5/25

**Niagara Street Area Business & Professional Association**  
481 - 16th Street • Niagara Falls, NY 14303 • Phone: 946-1744

May 4, 2015

Chairman Andy Touma,  
745 Main Street  
Niagara Falls, NY 14302

Dear Chairman Touma;

On behalf of the Niagara Street Business Association and its board of directors, I am requesting the N.F. City Council to provide the funding for our entertainment for the 15<sup>th</sup> annual International Festival to be held on June 20, 2015 at Gill Creek Park. The Entertainment will consist of 2 bands to play at the gazebo on Saturday as well as other family entertainment for a total cost of \$2,500. The festival will again have a children's pageant, petting zoo, pony rides, fire dept. smoke house, food vendors and other entertainment. Our sole purpose is to celebrate ethnic nationalities of Niagara Falls with our festival.

Again, the total amount that we are requesting is \$2,500 to offset some of our expenses in running this community festival which benefits not only the Niagara Street area but the entire City of Niagara Falls.

Thank you for your consideration.

Sincerely,

Ron Anderluh  
Revitalization Coordinator  
Niagara Street Business Association

*Take Action and Create Change – A TEAM EFFORT*

Agenda Item #5

*RE: Recommendation of certain encroachments pertaining to development  
of 310 Rainbow Boulevard*

Council Members:

In order to accommodate the construction of its proposed hotel, the developer of 310 Rainbow Boulevard has requested certain encroachments into the City right-of-way. In particular, the developer wishes to reconstruct and align the sidewalk along Old Falls Street, allow installation of a sign on Rainbow Boulevard encroaching into the right-of-way above grade and construct a porte cochere off O'Laughlin Drive. The Planning Board has reviewed this request and has recommended that the City Council approve it. Attached hereto is the recommendation from the Planning Board.

Will the Council so approve these encroachment requests with the commissions attached to the Planning Board recommendation?



# City of Niagara Falls, New York

D.C. Box 09, Niagara Falls, NY 14302-0009

May 13, 2015

## NIAGARA FALLS PLANNING BOARD

**APPROVAL OF RECOMMENDATION TO CITY COUNCIL**  
**Encroachment in City Right-of-Way**

Pursuant to action taken by the Niagara Falls Planning Board on the 13<sup>th</sup> day of May 2015, your request is hereby granted.

**NAME OF OWNER:** HH 310 LLC (dba The Hamister Group)

**ADDRESS OF ACTION:** 310 Rainbow Blvd.

**PURPOSE:** To reconstruct and align sidewalk along Old Falls Street, allow installation of sign on Rainbow Blvd., and construct porte cochere off O'Laughlin Drive

This application is hereby granted with the following conditions:

Conditions attached

DATE: May 13, 2015

Richard D. Smith, Chairman  
Niagara Falls Planning Board

15 MAY 14 AM 10:25

OFFICE OF THE  
CITY CLERK

**Encroachment Conditions: 310 Rainbow Blvd**

- 1) The owner/applicant must obtain all applicable permits and inspections.
- 2) The owner/applicant will add the City of Niagara Falls as an additional insured on its liability insurance policy.
- 3) The owner/applicant will agree to defend and indemnify the City from liability related to the encroachment.
- 4) The City can revoke the license for the encroachment on sixty- (60) day's notice.
- 5) The owner/applicant must comply with any conditions imposed by the City Engineer with regard to sufficient space for pedestrian passage on the sidewalk right-of-way and to insure that no damage occurs to the City's right-of-way.
- 6) Sidewalk right-of-way and any reconstructed areas in the sidewalk right-of-way made by the owner/applicant shall be maintained by the owner/applicant. Improvements shall be implemented, with evidence of all such improvement provided to the Planning Office, prior to the issuance of any Certificate of Occupancy. All such improvements shall be undertaken by the owner/applicant at their own expense and maintained in accordance with all NYS DOT and City Engineering requirements and approvals.

**Project Area: Proposed Enrichment Requests**

City of Falls Church, Virginia  
 1001 Old Falls St  
 Falls Church, VA 22044  
 Phone: 703.241.1000  
 Website: www.fallschurchva.gov

This map is for informational purposes only. It is not intended to be used as a legal instrument. The City of Falls Church is not responsible for the accuracy, completeness, reliability, timeliness, or availability of any information presented. For information, write to the City's GIS Coordinator.



Approximate Location

Approximate Location

Mayne Michael O'Laughlin Dr

333 Prosper St

407 Prosper St

510 Rainbow Blvd

Rainbow Blvd

191 Rainbow Blvd

Old Falls St

Old Falls St

Agenda Item #6

**SUBJECT: Hyde Park Ice Pavilion Ice Rink & Dasher Board Replacement**  
**CHANGE ORDER #1 - Phase IV**

A contract for the above referenced project was awarded to Parise Mechanical Inc., 1106 Sheridan Drive, Tonawanda, NY, on March 9, 2015 in the amount of \$18,100.00.

After the extreme winter weather thaw in mid- March, it was discovered that ice and snow build-up had caused a collapse in the exterior mechanical ductwork and damaged the associated roof. The repair work is beyond the City's trades ability and is work that the above mechanical contractor has offered to do at a cost not to exceed \$5,000.00. This work was not related to the ongoing project that was bid.

The total cost of all the additional work is \$5,000.00 bringing the contract total to \$23,100.00

Therefore, it is the recommendation of the undersigned that **Change Order #1** in the amount of \$5,000.00 be approved. Sufficient funds were budgeted in a Bond resolution approved by Council, March 9, 2015.

Will the council vote to so approve?

Agenda Item #7

SUBJECT: Commissioner of Deeds

The following have requested City Council approval for Commissioner of Deeds for a term from July 1, 2015 to June 30, 2017

This is in accordance with provision of the Niagara Falls City Charter, Article II, Section 7, Subdivision 5.

Drake, Michael	NFPD
Gemuend, Victoria	Engineering Dept.
Rouley, Linda	Law Dept.
Trane, Micheal	NFPD
Walker, Charles	City Council

Aronne, Tina	609 22 <sup>nd</sup> St., Niagara Falls, NY 14301
Bass, Earl F.	2913 Michigan Ave., Niagara Falls, NY 14305
Benevento, Leo	1406 Hyde Park Blvd., Niagara Falls, NY 14305
Bodenstein, Christopher	9304 Cayuga Dr., Niagara Falls, NY 14304
Crea-Smith, Maria Dr.	5252 Lewiston Rd., Lewiston, NY 14092
Cutler, Thomas	1092 N. Military Rd., Niagara Falls, NY 14304
DeFazio, Derek	640 80 <sup>th</sup> St., Niagara Falls, NY 14304
Dobmeier, Kevin	1327 102 <sup>nd</sup> St., Niagara Falls, NY 14304
Dusher, Gregory	1060 100 <sup>th</sup> St., Niagara Falls, NY 14304
Furman, Scott	1382 Westwood Ave., North Tonawanda, NY 14120
Garrow, Ryan	750 Seymour Ave., Niagara Falls, NY 14305
Gonzalez, Barbara	2412 North Ave., Niagara Falls, NY 14305
Hilliard, Andrea	3924 Macklem Ave., Niagara Falls, NY 14305
Jankowiak, Erin R.	2427 Lake Mead Rd., Niagara Falls, NY 14304
Joyce, Cindy-Lou	2744 Thornwood Dr., Niagara Falls, NY 14304
Kimble, Renea	3302 Hyde Park Blvd., Niagara Falls, NY 14305
Mameli, Vincent M.	462 77 <sup>th</sup> St., Niagara Falls, NY 14304
Masur, Noah	928 90 <sup>th</sup> St., Niagara Falls, NY 14304
Ochal, Eugene	6117 Stephenson Ave., Niagara Falls, NY 14304
Pierini, Cara	4215 N. Ridge Rd., Lockport, NY 14094
Pucci, Frederick	2991 McKoon Ave., Niagara Falls, NY 14305
Sanabria, Risky	927 90 <sup>th</sup> St., Niagara Falls, NY 14304
Sillett, Michael	2658 Kenneth Ct., Niagara Falls, NY 14304
Soper, David P.	527 71 <sup>st</sup> St., Niagara Falls, NY 14304
Spurback, Nicholas J.	2234 Forest Ave., Niagara Falls, NY 14301
Steinman, Kathleen	2242 Grand Ave., Niagara Falls, NY 14305
Swartz, Robert	9513 Cayuga Dr., Niagara Falls, NY 14304
Zona, Jason A.	431 Vanderbilt Ave., Niagara Falls, NY 14305

Agenda Item #8

RE: Request for Approval to Settle and Pay Claim of Christopher Dennis  
3602 Ely Avenue, Niagara Falls, New York 14303

Council Members:

Date Claim Filed:	February 17, 2015
Date Action Commenced:	N/A
Date of Occurrence:	February 15, 2015
Location:	3600 block of Ely Avenue, Niagara Falls, NY
Nature of Claim:	Automobile damage sustained in an accident with City vehicle.
City Driver:	Anthony L. Hook
Status of Action:	Claim stage.
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$1,232.26
Make Check Payable to:	Christopher Dennis
Conditions:	General Release to City, approved by Corporation Counsel.

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

Agenda Item #9

**RELATIVE TO EXPRESSING SUPPORT FOR  
THE RAPE SURVIVOR CHILD CUSTODY ACT OF 2015**

BY:

Council Member Kristen Grandinetti

**WHEREAS**, a substantial number of women choose to raise their child conceived through rape and, as a result, may face custody battles with their rapists, and

**WHEREAS**, currently only 6 U.S. States have statutes allowing rape survivors to petition for the termination of parental rights of the rapist based on clear and convincing evidence that the child was conceived through rape, and

**WHEREAS**, a rapist pursuing parental or custody rights forces the survivor to have continued interaction with the rapist, which can have traumatic psychological effects on the survivor, making it more difficult for her to recover, and

**WHEREAS**, rapists may use the threat of pursuing custody or parental rights to coerce survivors into not prosecuting rape, or otherwise harass, intimidate, or manipulate them, and

**WHEREAS**, H.R.1257, the Rape Survivor Child Custody Act, was introduced in the U.S. House of Representatives on March 4, 2015, and

**WHEREAS**, the Rape Survivor Child Custody Act incentivizes state governments to have in place a law that allows the mother of any child that was conceived through rape to seek court-ordered termination of the parental rights of her rapist with regard to that child, which the court shall grant upon clear and convincing evidence of rape,

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Niagara Falls, New York hereby expresses its support for H.R. 1257, the Rape Survivor Child Custody Act, and strongly urges the U.S. House of Representatives, the U.S. Senate, and the President of the United States to move swiftly in passing this bill into law, and

**BE IT FURTHER RESOLVED**, that copies of this resolution shall be provided to Rep. Brian Higgins, U.S. Senator Charles Schumer, U.S. Senator Kirsten Gillibrand, and U.S. President Barack Obama.



Agenda Item #11

RELATIVE TO NIAGARA RIVER GREENWAY COMMISSION  
APPLICATION FOR Griffon Park Improvements

By: Council Chairman Andrew Touma

WHEREAS, the City of Niagara Falls has received Niagara River Greenway Commission consistency review for the above referenced project; and

WHEREAS, the Host Community Standing Committee for Power Authority Greenway funding has previously approved funding for the above referenced project in the amount of \$400,000; and

WHEREAS, funding is available from Power Authority Greenway funding for these expenses in the total amount of \$450,000; and

WHEREAS, there is no new commitment of City / Local funding; and

WHEREAS, the project will result in new public restrooms and related improvements for park patrons;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Niagara Falls, New York that it hereby approves this Power Authority Greenway funding request and authorizes the Mayor to act on behalf of the City in all matters related to this project and is further authorized to execute any and all documentation related to this project.

Agenda Item #12

RELATIVE TO NIAGARA RIVER GREENWAY COMMISSION  
APPLICATION FOR Hyde Park Stone Building Restoration

By: Council Chairman Andrew Touma

WHEREAS, the City of Niagara Falls has received Niagara River Greenway Commission consistency review for the above referenced project; and

WHEREAS, the Host Community Standing Committee for Power Authority Greenway funding has previously approved funding for earlier phases of improvements to the Hyde Park facility in the amount of \$200,000; and

WHEREAS, funding is available from Power Authority Greenway funding for this project in the amount of \$75,000; and

WHEREAS, funding is also available from a New York State Environmental Protection Fund Grant for this project in the amount \$250,000; and

WHEREAS, there is no new commitment of City / Local funding; and

WHEREAS, the project will result in new public restrooms and related improvements for park patrons;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Niagara Falls, New York that it hereby approves this Power Authority Greenway funding request and authorizes the Mayor to act on behalf of the City in all matters related to this project and is further authorized to execute any and all documentation related to this project.

Agenda Item #13

RELATIVE TO NIAGARA RIVER GREENWAY COMMISSION  
APPLICATION FOR Hyde Park Lake Shoreline and Upland Improvements Project

By: Council Chairman Andrew Touma

WHEREAS, the City of Niagara Falls has received Niagara River Greenway Commission consistency review for the above referenced project; and

WHEREAS, the project focuses on improving the water quality and aesthetics of Hyde Park Lake, to promote its use and enjoyment, and to enhance the park as a destination for the city and region; and

WHEREAS, funding is available from Power Authority Greenway funding for this project in the total amount of \$400,000; and

WHEREAS, the City of Niagara Falls is submitting a Consolidated Funding Application - Environmental Protection Fund for the above referenced project which seeks State assistance of up to \$500,000; and

WHEREAS, there is no commitment of City / Local funding;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Niagara Falls, New York that it hereby approves this Power Authority Greenway and Consolidated Funding Application funding requests and authorizes the Mayor to act on behalf of the City in all matters related to this project and is further authorized to execute any and all documentation related to this project.

Agenda Item #14

RELATIVE TO NIAGARA RIVER GREENWAY COMMISSION  
APPLICATION FOR Niagara Riverview Trail Improvements at 53<sup>rd</sup> Street

By: Council Chairman Andrew Touma

WHEREAS, the City of Niagara Falls has received Niagara River Greenway Commission consistency review for the above referenced project; and

WHEREAS, the project has been cited as a component of the City's waterfront redevelopment plans; and

WHEREAS these proposed improvements will provide users of the site with safer, cleaner and more pleasant conditions while promoting access to and enjoyment of the Niagara River through use of the trail; and

WHEREAS, funding is available from Power Authority Greenway funding for these expenses in the total amount of \$225,000; and

WHEREAS, there is no commitment of City / Local funding;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Niagara Falls, New York that it hereby approves this Power Authority Greenway funding request and authorizes the Mayor to act on behalf of the City in all matters related to this project and is further authorized to execute any and all documentation related to this project.