

## Agenda Item #1

A contract for the above referenced project was awarded to Mark Cerrone, Inc. on September 23, 2010 in the amount of \$4,215,484.73.

Since the start of the project, several small-scale tasks not originally included in the original scope were performed by the contractor at City direction. These tasks range from the removal of asbestos-containing conduit to the installation of new street lighting appurtenances within the right-of-way. Other scope changes are the result of CSX mandated shoring and bracing requirements not included in our project's specifications. The total dollar amount for the entire small-scale task completed to date is \$86,402.25. However, tasks not completed to date will allow this change order to be processed at this time for \$0.00.

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

Agenda Item #2

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

TO: Andre & Son, Inc. 2 Mill Street <u>Montrose, PA 18801</u>	
FOR: Items: 1 and 4 per the attached tally sheet.	\$1,133.00
TO: John Deere Landscapes 1301 East 9 <sup>th</sup> Street Suite 1300 <u>Cleveland, OH 44114-1849</u>	
FOR: Item: 8 alt. per the attached tally sheet.	\$351.00
TO: Professional Turf Surfaces, Inc. 8704 Brickhouse Drive <u>Corfu, NY 14036</u>	
FOR: Items: 5 and 6 per the attached tally sheet.	\$836.00
TO: Helena Chemical Co. 3367 Adams Road <u>Penn Yan, NY 14527</u>	
FOR: Items: 2, 3 and 7 per the attached tally sheet.	\$2,085.85
<b>TOTAL:</b>	<b>\$4,405.85</b>

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 bid requests were sent to Five (5) vendors. Five (5) bids were received. The above referenced companies submitted the lowest bids to meet our specifications for each respective item.

Funds for this expenditure are available in the Golf Course Fund code: GC7250.0200.0419.009.

Agenda Item #3

\$220,000.00 is available for habitat restoration in the Cayuga Creek watershed. U.S. Fish and Wildlife and City propose to enter into a cooperative agreement which will allow the City to utilize \$22,000.00 of these funds for the preparation of a habitat restoration plan.

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

#### Agenda Item #4

The City recently acquired the above referenced premises as part of the 2011 In-Rem proceeding. Attached hereto is an offer to purchase the above premises. The offer is from Nelson Fasciano Jr., the owner of the abutting premises. He is proposing to pay \$5,000.00 to the City for this lot. The Planning Department supports this sale and the Planning Board has recommended that the City Council approve the sale with conditions. Attached is the Planning Board recommendation with conditions with which Nelson Fasciano Jr. must comply.

Will the Council find that the best interest of the City will be subserved by dispensing with the sale at public auction and authorize the conveyance of the subject premises to Nelson Fasciano Jr. for the sum of \$5,000.00 and authorize the Mayor to execute appropriate documents/deeds to accomplish the conveyance in form satisfactory to the Corporation Counsel?

Agenda Item #5

The above claimant has incurred medical expenses for personal injuries suffered by her when she was being transported back to Niagara Falls High School in a police vehicle after serving as a volunteer at the City's recent Emergency Drill on November 16, 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>
Advanced Care Physical Therapy	1/31/11 – 2/21/2012	\$242.30

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

Will the Council so approve?

Agenda Item #6

Please be advised that Mayor Paul A. Dyster, on February 23, 2012, duly approved the following:

Resolution 2012-14, relative to Amending Chapter 1113 of the Codified Ordinances entitled "Electrician Licensing and Regulations."

Agenda Item #7

The following have requested City Council approval for Commissioner of Deeds for a term from April 1, 2012 to March 31, 2014.

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

Crawley, Donna	City Court
Kachurek, Michael	NFPD
Kinney, Dave	DPW
Lapp, Leonard	City Clerks Office
Ligammari, Nicholas	NFPD
Smith, William	NFPD
Vesci, Russ	Waterboard
Wills, Stanley R.	NFPD

Ivancic, Betty	1246 86 <sup>th</sup> St., NF NY 14304
Kensinger, Larry	1308 Cleveland Ave, NF, NY 14305
Pendola, Jaclyn	620 28 <sup>th</sup> St., NF, NY 14301
Suess, Marlene	5130 Dana Dr., Lewiston, NY 14092
Tyson, Charletta	1744 Tennessee Ave., NF NY 14305
Ward, Diane	1416 13 <sup>th</sup> St., NF NY 14305

RELATIVE TO CELEBRATING THE  
100<sup>TH</sup> ANNIVERSARY OF CERTO BROTHERS DISTRIBUTING COMPANY



BY:

Council Chair Sam Fruscione  
Council Member Robert A. Anderson, Jr.  
Council Member Glenn Choolokian  
Council Member Kristen Grandinetti  
Council Member Charles Walker

WHEREAS, The Certo family has been distributing beer since 1912; and

WHEREAS, Certo Brothers Distributing Company will celebrate their 100<sup>th</sup> Anniversary this year. When Peter Certo arrived in the United States from Sicily, he began to take notice of the popularity of soft drinks. Certo Bottling Works---a soft drink bottling plant---was born; and

WHEREAS, After the repeal of Prohibition, Certo applied for a license and became the first beer wholesaler in Niagara Falls in 1933. "To say we were the first beer wholesaler in the area is not completely true," Certo said as he smiled at his remark at the time. "We were just the first legal one!"; and

WHEREAS, During the 1930's, Certo's three sons and three daughters began to play major roles in the business, which they would maintain and be a part of throughout their adult lives. A fourth son, Anthony, became an attorney and then chief city court judge of Niagara Falls. Today, a third generation of Certos is guiding the family business as they continually update and modernize the company, contributing to its success, as its "state-of-the-art" facility improves; and

WHEREAS, Certo Brothers continues to be active in the community contributing to various colleges, hospitals and churches as well as charitable causes such as the American Cancer Society.

NOW THEREFORE BE IT RESOLVED, that the members of the Niagara Falls City Council congratulate Certo Brothers Distributing Company and wish it continued success.