

Agenda Item #1

SUBJECT: Bid#2015-09 Sodium Hypochlorite

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

TO: Riverside Chemical Co.

871 River Road

P.O. Box 197

North Tonawanda, NY 14120

FOR: Sodium Hypochlorite as described on the attached tally sheet.

The City Purchasing Division 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 six (6) companies. Three (3) bids and one (1) "No Bid" were received. After reviewing each bid, it was determined that Riverside Chemical was the lowest bid as shown on the attached tally sheet.

Funds are available in the DPW Pool Maintenance Miscellaneous Chemicals account code A.7146.0200.0419.009.

Will the Council so approve?

CITY OF NIAGARA FALLS, NY BID #2015-09 SODIUM HYPOCHLORITE	Bison Laboratories, Inc. 100 Leslie Street Buffalo, NY 14211	Chemical Distributors, Inc. 80 Metcalfe Street Buffalo, NY 14206	JCI Jones Chemicals Inc. 100 Sonny Sol Boulevard Caledonia, NY 14423	Riverside Chemical Co.¹ 871 River Road P.O. Box 197 North Tonawanda, NY 14120
Sodium Hypochlorite (15% Solution) 275 Gallon Totes Per Gallon	3.25	1.54	No Bid	1.43
Sodium Hypochlorite (15% Solution) 55 Gallon Drums Per Gallon	3.25 (\$ 50.00 Per drum deposit)	1.74	No Bid	1.59
Hydrochloric (Muriatic) Acid 500 Pound Drums Per Pound	No Bid	.24	No Bid	.22
Hydrochloric (Muriatic) Acid 140 Pound Drums Per Pound	.59 (\$ 25.00 Per drum deposit)	.31	No Bid	.285

¹All containers must be returned to Riverside Chemical—they will pick them up.

Agenda Item #2

SUBJECT: RFP#2015-11 Fireworks Display

We respectfully request you award a contract for a fireworks display as follows:

TO: Skylighters Fireworks

P.O. Box 1357

Orchard Park, NY 14127

FOR: Fireworks displays on July 4, 2015 at Hyde Park: \$25,000.00

The City Purchasing Division certifies that all bids were solicited in accordance with Section 103 of the General Municipal Law.

Notice that proposals were to be received was advertised in the Niagara Gazette and requests for proposals were sent to five (5) companies. One (1) proposal was received. After reviewing the proposal, it was determined that Skylighters Fireworks would fit the City's needs.

Funds are available in the Tourism Fund account code T.6410.0000.0449.599.

Will the Council so approve?

Agenda Item #3

SUBJECT: Bid #2015-10 Landscaping of Medians

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

TO: J.F. Krantz Nursery Inc.

9950 County Road

Clarence Center, NY 14032

FOR: Landscaping and maintenance of the medians along

Niagara Street, John B. Daly Boulevard, Rainbow Boulevard and the

Traffic Circle:

\$ 52,374.00

The City Purchasing Division 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 seventeen (17) vendors. Four (4) bids were received. The above referenced company submitted the lowest bid. Bids were also received from Gardenville Landscape & Nursery LLC (\$ 58,400.00,) Villani's Lawn & Landscape, LLC (\$ 69,175.00,) and Beau Enterprises, Inc. (\$ 71,400.00.)

Funds for this expenditure are available in H1313.2013.1313.0449.599.

Will the Council so approve?

Agenda Item #4

RE: DEPARTMENT OF CODE ENFORCEMENT – EXPENSES INCURRED IN REPAIR, DEMOLITION OR BOARD OF STRUCTURES WITHIN THE CITY FROM APRIL 1, 2014 TO MARCH 31, 2015

In accordance with Chapter 1133, Section 1133.08 of the City of Niagara Falls Codified Ordinances, we hereby submit a report relative to certain privately owned properties upon which the City has incurred expenses or Community Development funds have been expended for each property which remain unpaid and in accordance with the above noted Section (the) Council shall “order an assessment against said premises for several sums herein reported”.

We recommend that all the costs incurred by the City of Niagara Falls that remain unpaid upon certain privately owned properties be assessed against said properties in the manner as prescribed in the above City provisions of the City of Niagara Falls Codified Ordinances.

A list of all chargeable costs incurred is attached (on file in the City Clerk’s Office). A complete record of all costs incurred and included in this report shall remain permanently on file in the office of the Department of Code Enforcement.

Will the Council so order?

Agenda Item #5

RE: City Council Agenda Item:
Auction House Cleaning Contract
Good Guy's Landscaping, LLC
\$2,100.00

Council Members:

As the Community Development Department prepared for its home auction, it was discovered that some of the houses to be offered for sale were filled with decrepit furniture and debris. Proposals were solicited for the removal of all interior household furnishings and debris at 4300 Crescent Drive, 4377 Crescent Drive and 2723 LaSalle Avenue.

Proposals were received as follows:

Good Guys Landscaping, LLC, Amherst.....	\$2,100.00
All Trash Be Gone, Lancaster	\$3,078.00
Baggs Service, Lockport	\$3,740.00

It is recommended that the cleaning contract be awarded to Good Guys Landscaping, LLC. The contractor will provide standard City insurance for the work.

Funds are available to pay for this in budget line CD1.8677.0000.0450.500 (CIA-001). In addition, renovation funds from the property sale agreement, approved by City Council, with Wells Fargo Bank can be used to reimburse the budget line.

Will the Council vote to approve the award of the house cleaning contract as set forth herein, and authorize the Mayor to execute any documents necessary to effectuate the same?

Agenda Item #6

RE: Niagara Frontier Transportation Authority – Trolley Service

Council Members:

It is desirable to reinstitute again this year Trolley Service in the City in cooperation with the Niagara Frontier Transportation Authority. It is recommended that Trolley Service commence on May 15, 2015 and conclude October 31, 2015. During the month of May, 2015, from May 15, 2015 through May 31, 2015, the Trolley Service will operate on weekends only (Friday, Saturday and Sunday) plus May 25, 2015. Trolley service from June 1, 2015 through September 30, 2015 will be on a daily basis. From October 1, 2015 through October 31, 2015, trolley service will be on weekends only (Friday, Saturday, Sunday). From November 1, 2015 through December 31, 2015, NFTA validated passes may be utilized for all metro routes. The cost to the City for this service will be \$541,000. This will be subject to the terms and conditions contained in an agreement subject to approval by the Corporation Counsel which will also contain a route for service. Funding is available from the Tourism Fund balance.

Will the Council so approve?

Agenda Item #7

RE: Swimming Pool Filter Valves at 91st Street Pool

Council Members:

Repair work must be performed on filter valves at the 91st Street pool. The cost of this work is estimated to be \$22,000. Funding is available from Casino Revenues and should be transferred to H0912.

Will the Council so approve?

Agenda Item #8

RE: Road reconstruction/in-house paving program

Council Members:

The Director of the Department of Public Works (“DPW”) is requesting the sum of \$1,500,000.00 be made available for the 2015 in-house paving program. Funding is available as follows: \$1,078,252.00 from the 2013 local share of discretionary casino revenues and \$421,748.00 from the non-discretionary 2013 local share of casino revenues specifically designated for infrastructure and road improvement projects pursuant to Section 99h(4)(a)(iii) of the State Finance Law. These sums are to be transferred to Capital account code H0812.2008.0812.0449.599.

There will also be a \$1,000,000.00 match in CHIPS funding allocated to account code H0315.2015.0315.0419.006.

The total amount for the 2015 in-house program is \$2,500,000.00.

Will the Council so approve?

Agenda Item #9

RE: City Contribution to Centennial Circle Project

Council Members:

Some time ago the City applied for and received an allocation of Greenway Funds in the amount of \$335,000 for improvement to and the dedication of the Centennial Circle. While the project will involve improvements to the existing traffic roundabout and dedicate it to honor the 100th anniversary of the Boundary Waters Treaty of 1909, it will also include a public art component. As part of the grant application which was approved by the City Council on January 26, 2009, there was a component calling for a \$50,000 contribution from U.S.A. Niagara Development Corporation for design and construction oversight as well as a \$50,000 contribution from the City of Niagara Falls for the public artwork component involving regional/national announcements and management of the artist selection process. It is now desirable for this project to move forward and it is requested that the sum of \$50,000 be made available for this purpose.

Funding is available from casino revenues.

Will the Council so approve and authorize the Mayor to execute any agreements required to move this project forward, subject to the approval of the Corporation Council?

Agenda Item #10

RE: Funding for Niagara Military Affairs Council (“NIMAC”)

Council Members:

The City has been asked once again by the NIMAC to contribute the sum of \$40,000 to it in its efforts aimed at securing the future of the Niagara Falls Air Reserve Station. As you know, the Niagara Falls Air Reserve Station is Niagara County’s largest public employer. NIMAC is requesting the City to contribute this sum to retain this important asset and the 3,000 plus jobs it represents in Niagara.

Attached hereto is a letter from NIMAC in this regard.

Funding is available from Casino Revenues.

Will the Council so approve?



**NIAGARA MILITARY
AFFAIRS COUNCIL**
SUPPORTING NIAGARA'S MILITARY
PAST - PRESENT - FUTURE

Niagara Military Affairs Council
P.O. Box 231
Niagara Falls, NY 14304-0231
Phone & Fax 716.283.4008

February 11, 2015

Mayor Paul A. Dyster
City Hall
795 Main Street
Niagara Falls, NY 14303

Dear Mayor Dyster,

On behalf of the Niagara Military Affairs Council (NIMAC), we would like to thank you and the City of Niagara Falls for your support of the development and growth of the Niagara Falls Air Reserve Station (NFARS).

Through your support, NIMAC has been able to continue our mission of securing the future of the Niagara Falls Air Reserve Station and the jobs that make it Niagara County's largest employer. President Obama's 2014 budget has requested another round of Base Realignment and Closure (BRAC) for 2015-2017. We need to remain vigilant as a community to retain this important asset and the 3000+ jobs it represents in Niagara.

In the past, NIMAC has been an annual recipient of \$40,000 of the Seneca Gaming funds that the city receives for our efforts at NFARS and respectfully request like assistance for the upcoming fiscal year. Of course, any increase in this amount would also be welcome and used for our efforts.

Thank you for your support and time.

Sincerely,

John A. Cooper, Sr.
Chairman

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Col Walter Conner, USAF Ret.
Col/Ed Ryan Parnish, USAF Ret.
Hon. E. Hall, Duff Ret.



WWW.NIMAC.ORG

Agenda Item #11

RE: Request for Approval to Settle and Pay Claim of John Walaszek
2945 Grand Avenue, Niagara Falls, NY 14301

Council Members:

Date Claim Filed:	December 12, 2014
Date Action Commenced:	N/A
Date of Occurrence:	December 11, 2014
Location:	2945 Grand Avenue, Niagara Falls, NY
Nature of Claim:	Automobile damage sustained in an accident with City vehicle
City Driver:	Jeanine Harvey
Status of Action:	Claim stage.
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$855.94
Make Check Payable to:	John Walaszek
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 #12

*RE: Request for Approval to Settle and Pay Claim of Carlene S. Hamilton
And Malia S. Hamilton
2733 Pierce Avenue, Niagara Falls, New York 14301*

Council Members:

Date Claim Filed:	October 30, 2012
Date Action Commenced:	August 5, 2013
Date of Occurrence:	October 2, 2012
Location:	Playground at 561 Portage Road
Nature of Claim:	Injuries from fall at playground.
Status of Action:	Pretrial stage.
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$20,000.00
Make Check Payable to:	To be determined by NYS Supreme Court.
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?

Agenda Item #13

**RELATIVE TO HONORING FATHER SLAVOMIR SIOK ON THE OCCASION OF HIS 25TH
ANNIVERSARY OF ORDINATION TO THE PRIESTHOOD**

BY:

Council Chairman Andrew Touma
Council Member Robert Anderson, Jr.
Council Member Glenn Choolokian
Council Member Kristen Grandinetti
Council Member Charles Walker

WHEREAS, Rev. Slavomir Siok, SAC, was born in Myszyniec, Poland in 1963, attended the Minor Seminary of the Pallottines, and was ordained a priest in the Catholic Church on May 5th, 1990, and

WHEREAS, Father Siok's assignments brought him to the Church of the Annunciation in Szmonki, Poland, where he worked as the religion educator in the public elementary school system, to Edinburgh, Scotland to learn English and serve as the Chaplain for the Community of the Brothers of Charity, and

WHEREAS, Father Siok first came to Western New York in 1992, when he worked at St. Peter's Roman Catholic Church in Lewiston, New York until 1998, when he was then assigned to Brooklyn, New York until 2003, and

WHEREAS, he was assigned to Holy Trinity and St. Stanislaus Kostka Churches in Niagara Falls in 2003, in his first assignment as a pastor, and

WHEREAS, he then became pastor of St. John de LaSalle Parish in the City of Niagara Falls, following a number of parish mergers in the diocese, and

WHEREAS, Father Siok's years in the priesthood has helped to provide him with the tools and experience necessary to lead his parish and to shepherd countless individuals across Europe and the United States, helping them to grow in the theological virtues of faith, hope, and charity, now

THEREFORE, BE IT RESOLVED that the City Council of the City of Niagara Falls, New

York hereby honors Father Slavomir Siok, SAC on the occasion of the 25th Anniversary of his ordination to the priesthood, and wishes him many happy years of service to come.

Agenda Item #14

RELATIVE TO DECLARING APRIL 2015 “FAIR HOUSING MONTH”

IN THE CITY OF NIAGARA FALLS, NEW YORK

BY:

Council Chairman Andrew Touma
Council Member Robert Anderson, Jr.
Council Member Glenn Choolokian
Council Member Kristen Grandinetti
Council Member Charles Walker

WHEREAS, the City Council of the City of Niagara Falls, New York believes that securing decent and safe housing is part of the American dream and a goal of all Niagara Falls residents, and

WHEREAS, individuals in the City of Niagara Falls have the right to choose where to live without discrimination based on race, color, religion, age (40 and over), sex (including sexual harassment and pregnancy), familial status, marital status, national origin/ancestry, disability, sexual orientation, gender identity, military status, unfavorable military discharge, and order of protection status, and

WHEREAS, acts of housing discrimination and barriers to equal housing opportunity are directly opposed to the principles of justice and fairness, while economic stability, community health, and human relations in all communities are improved by diversity and integration, and

WHEREAS, stable, integrated, and balanced residential patterns are threatened by discriminatory acts and unlawful housing practices that result in segregation of residents and opportunities in our region, and

WHEREAS, the talents of grassroots and non-profit organizations, housing service providers, financial institutions, elected officials, state agencies, and others must be combined to promote and preserve integration, fair housing, and equal opportunity,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Niagara Falls does hereby declare the month of April 2015 to be “Fair Housing Month” in the City of Niagara Falls.

Agenda Item #15

RELATIVE TO PARKING RATES FOR RECREATIONAL VEHICLES AND BUSES

BY: Council Chairman Andrew Touma

WHEREAS, The City Council recently approved increases in the daily parking rates to take effect after Memorial Day, 2015; and

WHEREAS, It is desirable to specify additional daily parking fees for recreational vehicles and buses of any kind and description because those vehicles typically require multiple parking spaces.

NOW, THEREFORE, BE IT RESOLVED, that effective immediately, this City Council does hereby set the parking fees in all City owned lots as \$45.00 for recreational vehicles and buses of any kind and description; and

BE IT FURTHER RESOLVED, that this fee of \$45.00 is increased by \$15.00 for each additional parking space in excess of three parking spaces that the recreational vehicle and/or bus of any kind and description occupies.

Agenda Item #16

RELATIVE TO WAIVING PARKING FEES FOR “DAY OF APPRECIATION” EVENT

BY: Council Chairman Andrew Touma

WHEREAS, On May 6, 2015, the Niagara Tourism and Convention Corporation (“NTCC”) is hosting a free event at the Conference Center recognizing hospitality and tourism community employees who work in that industry in the City of Niagara Falls; and

WHEREAS, This event is called a “Day of Appreciation” and will take place on May 6, 2015 from 12:30 p.m. – 4:30 p.m.; and

WHEREAS, The NTCC has requested that this City Council waive parking fees for the hospitality and tourism community employees attending this event in further recognition of their value to the hospitality and tourism industry.

NOW, THEREFORE, BE IT RESOLVED, that this City Council does hereby waive parking fees on May 6, 2015 for hospitality and tourism community employees attending the “Day of Appreciation”; and

BE IT FURTHER RESOLVED, that this waiver of fees for parking will apply in the City owned lot at Rainbow and Third Street and the surface lot at Third Street and Niagara Street on May 6, 2015 from 12:30 p.m. – 4:30 p.m..

Agenda Item #17

RELATIVE TO REV. JAMES J. MAHER, C.M., D. MIN.

BY: Council Chairman Andrew Touma
Council Member Robert Anderson, Jr.
Council Member Glenn Choolokian
Council Member Kristen Grandinetti
Council Member Charles Walker

WHEREAS, Rev. James J. Maher, C.M., D. Min. (“Father Maher”), was appointed the 26th president of Niagara University on March 13, 2013, assumed office as of August 1, 2013 and was formally inaugurated on April 4, 2014; and

WHEREAS, on May 9, 2015 Father Maher will celebrate his twenty-fifth anniversary as a member of the Vincentian Community of Priests and Brothers; and

WHEREAS, this anniversary will be recognized by Niagara University and the University community in the form of a Eucharistic Liturgy and dinner to be held at the Castellani Art Museum on the Niagara University campus on May 9, 2015; and

WHEREAS, before coming to Niagara University, Father Maher served for 23 years at St. John’s University in New York City, acting in various executive capacities; and

WHEREAS, Father Maher earned his doctor of ministry degree from the Immaculate Conception Seminary and Graduate School of Theology as well as two master’s degrees in theology from the Mary Immaculate Seminary and a bachelor of arts in sociology from St. John’s University and has completed numerous professional leadership and management programs; and

WHEREAS, Father Maher has written and presented many scholarly papers and has received several honors and awards such as the Pietas Medal from St. John’s University (2009), Madison’s Who’s Who, Outstanding Leader in Education (2008), Student Affairs’ Outstanding Administrator Achievement Award from St. John’s University Student Government Inc. (2005), Epsilon Kappa, Sigma Delta Phi, The National Hispanic Honor Society (2005), Top 100 Irish-Americans in the U.S. by Irish America Magazine (2004), and New Yorker of the Week, New York 1 News (1995).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York that this City Council does hereby recognize and honor Father Maher on his twenty-fifth anniversary as a member of the Vincentian Community of Priests and Brothers.

**RELATIVE TO CALLING ON THE GOVERNOR, THE NEW YORK STATE ASSEMBLY,
AND THE NEW YORK STATE SENATE
TO ENACT THE “ABANDONED PROPERTY NEIGHBORHOOD RELIEF ACT OF 2015”.**

BY: Council Chairman Andrew Touma
Council Member Robert Anderson, Jr.
Council Member Glenn Choolokian
Council Member Kristen Grandinetti
Council Member Charles Walker

WHEREAS, in the wake of the financial crisis of 2008, there has been a marked increase in New York State in the incidence of vacant and abandoned residential properties securing delinquent mortgages, which properties frequently fall into disrepair, thus devaluing neighboring properties and harming the larger community; and

WHEREAS, these vacant and abandoned residential properties have become a blight in the City of Niagara Falls and in many similarly situated neighborhoods across New York State because the properties are often boarded up, dilapidated, unsafe, inhabited by squatters or used for criminal purposes; and

WHEREAS, an accumulation in a community of vacant and abandoned residential properties that are not properly secured or maintained for extended periods can cause a marked decline in that community’s real estate market and the state’s property tax base; and

WHEREAS, there are documented instances of such properties being used by criminals to manufacture and/or distribute illegal drugs, thus leading to an increased likelihood of crime in and around the property and neighboring community; and

WHEREAS, the City of Niagara Falls and similarly situated municipalities across New York State are often forced to expend taxpayer funds to prevent vacant and abandoned residential properties from becoming a public hazard, thereby depleting limited local resources; and

WHEREAS, the City of Niagara Falls and similarly situated municipalities across New York State are often forced to expend taxpayer funds to investigate and determine the ownership, occupancy and foreclosure status of vacant and abandoned residential properties in order to ensure that, where applicable, the mortgagee is complying with current obligations under Federal, State and/or local law to secure and maintain the property, thereby further depleting limited local resources; and

WHEREAS, relevant provisions of existing State law, enacted in 2009, governing the maintenance of abandoned residential properties impose a duty on plaintiff-mortgagees to maintain vacant residential properties only *after* a judgment of foreclosure and sale has been entered by a court; and

WHEREAS, this recent State law has in many instances proven inadequate to address the growing number of vacant and abandoned properties falling into disrepair in the City of Niagara Falls and in many similarly situated municipalities across New York State because many such properties are not subject to a pending foreclosure action, and many that are subject to a pending foreclosure have not proceeded, and will not in the foreseeable future proceed, to a court judgment of foreclosure and sale; and

WHEREAS, there is evidence showing that many current and former New York homeowners have been misled into believing they need to leave their homes earlier in the foreclosure process than the law actually requires, thus resulting in even more vacant and abandoned residential properties throughout our communities; and

WHEREAS, the “Abandoned Property Neighborhood Relief Act of 2015” (A. 06932, S.04781) would help the City of Niagara Falls and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by creating a statewide registry of such properties that can be electronically accessed by such municipalities; and

WHEREAS, the “Abandoned Property Neighborhood Relief Act of 2015” would help the City of Niagara Falls and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by imposing a duty on mortgagees and their loan servicing agents to promptly report these properties to the statewide registry and take earlier, *pre-foreclosure*, action to identify, secure and maintain such vacant and abandoned properties; and

WHEREAS, the “Abandoned Property Neighborhood Relief Act of 2015” would help the City of Niagara Falls and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by providing a much needed and readily available source of information on vacant and abandoned residential properties to local officials throughout the State; and

WHEREAS, the “Abandoned Property Neighborhood Relief Act of 2015” would help the City of Niagara Falls and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by establishing an “Abandoned Property Neighborhood Relief Fund,” comprised of civil penalties collected by the Attorney General in enforcement actions under the Act, which Neighborhood Relief Fund monies would be expended by the Attorney General in the form of Enforcement Assistance Grants to counties, cities, towns and villages to assist localities across the State in their own enforcement efforts under the Act; and

WHEREAS, the “Abandoned Property Neighborhood Relief Act of 2015” would help the City of Niagara Falls and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by also establishing a statewide toll-free hotline that community residents can use to report suspected vacant and abandoned properties to the Attorney General and receive information regarding the status of registered properties, including the identity of the mortgagee or agent responsible for maintaining them; and

WHEREAS, the “Abandoned Property Neighborhood Relief Act of 2015” would help the City of Niagara Falls and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by ensuring that homeowners are provided with clear and early notice that they are legally entitled to remain in their homes until ordered to leave by a court.

NOW, THEREFORE, BE IT RESOLVED, that this City Council, by this Resolution, hereby calls on the Governor, the New York State Assembly and the New York State Senate to promptly enact the “Abandoned Property Neighborhood Relief Act of 2015;” and

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to transmit copies of this Resolution to State Senator Robert Ort, Assemblyman John Ceretto, and Governor Andrew Cuomo.

Agenda Item #19

RELATIVE TO APPOINTMENT OF CITY COUNCIL SECRETARY

BY: Council Chairman Andrew Touma

Council Member Charles Walker

WHEREAS, Section 3.2(e) of the City Charter gives the City Council the authority to appoint its own confidential secretary by the majority vote of the City Council members; and

WHEREAS, the most recent appointee to the office of the City Council confidential secretary has resigned to take another position; and

WHEREAS, this City Council wishes to fill this position.

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby appoint _____ to serve as its confidential secretary.

Agenda Item #20

**RELATIVE TO AUTHORIZING THE IMPLEMENTATION AND FUNDING
IN THE FIRST INSTANCE 100% OF THE FEDERAL AID ELIGIBLE COSTS
OF A TRANSPORTATION FEDERAL AID PROJECT, TO FULLY FUND
THE LOCAL SHARE OF FEDERAL AID ELIGIBLE AND INELIGIBLE
PROJECT COST AND APPROPRIATING FUNDS THEREFOR.**

BY: Council Chairman Andrew Touma

WHEREAS, the Project to Paint the Porter Avenue Bridge over the CSX Railroad, BIN 2039560, in the City of Niagara Falls, Niagara County, PIN 5760.18 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds; and

WHEREAS, the City of Niagara Falls desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Preliminary Engineering (Design I-VI) and Construction & Construction Inspection phases of the project PIN 5760.18 .

NOW, THEREFORE, the Council of the City of Niagara Falls, duly convened does hereby

RESOLVE, that the Council of the City of Niagara Falls hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Council of the City of Niagara Falls hereby authorizes the City of Niagara Falls to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Preliminary Engineering (Design I-VI) and Construction & Construction Inspection phases of the Project or portions thereof; and it is further

RESOLVED, that the sum of \$2,400 is hereby appropriated (in addition to \$46,000 previously appropriated via City Resolution No. 2013-31 adopted on July 8th, 2013, \$15,000 previously appropriated for the project's Preliminary Engineering (Design I-VI) phase, via City Resolution No. 2011-34 adopted on May 2nd, 2011 and \$ 67,000 previously appropriated for the project's Construction & Construction Inspection phase, via City Resolution No. 2012-91 adopted on November 13th, 2012) and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the project's Preliminary Engineering (Design I-VI) and Construction & Construction Inspection phases exceeds the amount appropriated, \$130,400 and/or 100% of the full Federal and Non-Federal shares of the cost of the project's Preliminary Engineering (Design I-VI) and Construction & Construction Inspection phases exceeds \$652000, the project's current Total Cost, the City of Niagara Falls shall convene its Council as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the City of Niagara Falls be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the City of Niagara Falls with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid Eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and it is further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.