

Manzi, James M. 3244 Niagara Ave.	Automobile damages sustained from hitting a pot hole.
Kindzia, Richard 9115-9119 Buffalo Ave	Property damages sustained from a water main break.
Campbell, Corey 8233 Krull Parkway	Automobile damages sustained from hitting a pot hole.
Paonessa, Nanette M. 1531 100 th St	Automobile damages sustained from hitting a pot hole.
Ferraro, Mary 8165 West Rivershore Dr	Automobile damages sustained from hitting a pot hole.
Terreberry, James 625 66 th St	Property damages sustained from frozen water pipes.
Bensch, Christopher 108 Council St.	Property damages sustained from City tree roots.
DeFilippo, Deanna 8215 Cherry Lane	Automobile damages sustained from hitting a pot hole
Eodice, John 2787 Livingston Ave.	Automobile damages sustained from hitting a pot hole.
Capone, Ronald M. 4230 Lewiston Rd.	Property damages sustained from a City tree.
Smith, Jonathan 503 Hyde Park Blvd Upper	Automobile damages sustained from hitting a pot hole.
Kennedy, Christopher 4600 Hyde Park Blvd Apt. 162	Automobile damages sustained from hitting a pot hole.

Howes, Robert

Property damages sustained from a City tree.

512 75th St.

NOTICE OF THIRD PARTY SUMMONS

Gregory, Tommie

Index#14980913

c/o Kenney Shelton Liptak Nowak LLP

Gulley, Christine

Index#149809/3

c/o Martyn, Toher, Martyn & Rossi

NOTICE OF SUMMONS

Skurka, Jeffrey

Index#152711

c/o Joseph A. Greco, Esq.

Agenda Item #2

**RE: City Council Agenda Item:
Downtown Police Substation Lease
304 Third Street (Sheraton)**

Council Members:

The Sheraton at the Falls has agreed to provide one of its storefronts for use by the City as a police substation. The street address is 304 Third Street. Occupancy will be month to month. No rent will be charged or paid; the space is available to the City rent free. The City will pay for all utilities used by it.

Occupancy will commence as of May 15, 2014. Either party can terminate the occupancy by giving one full calendar month's notice.

Funds are available in the Community Development budget to pay for the utilities under budget line CD1.8676.0000.0450.500.

Will the Council vote to approve the month to month lease for the police substation at 304 Third Street as set forth herein, and authorize the Mayor to execute any documents necessary to effectuate the same?

Agenda Item #3

RE: 2014 Tree Planting Program

Council Members:

The Department of Public Works (“DPW”) Director is requesting that the sum of \$100,000.00 be made available for the 2014 Tree Planting Program. It is anticipated that City crews will plant approximately one hundred trees at an estimated cost of \$33,000.00 inclusive of trees, labor, FICA and related materials. The balance will be used to solicit bids for contracted tree plantings.

This is pursuant to the 2014 DPW Capital Plan. Funding is from Casino revenues.

Will the Council so approve?

Agenda Item#4

RE: Extension of Agreement with Niagara Tourism and Convention Corporation
("NTCC")

Council Members:

The City's Agreement with the NTCC expires on June 18, 2014. The NTCC's Agreement with County of Niagara expires on or about that same date. It has been reported in the news media that the County of Niagara is in the process of extending its Agreement with the NTCC for an additional three (3) years. The NTCC must have an agreement with Niagara County in order for it to enter into an agreement with the City. In the event that the Niagara County legislature does in fact adopt a resolution extending Niagara County's Agreement with the NTCC and such a written extension does in fact occur, will the City Council approve a three (3) year extension of the City's Agreement with the NTCC and authorize the Mayor to execute such an Extension Agreement in form and content satisfactory to the Corporation Counsel?

Agenda Item #5

RE: Financial Restructuring Board

Council Members:

In correspondence to the City Administrator dated October 9, 2013 the State of New York Financial Restructuring Board for local governments notified the City that the City of Niagara Falls is a municipality that is fiscally eligible to participate in this new program. Attached is a copy of that correspondence and an explanation of the program. Upon request by the City, the Board may undertake a comprehensive review of the City's finances and operations and recommend ways to improve its fiscal stability and the delivery of public services. The Board also has the ability to offer grants and/or loans of up to \$5 million dollars in this regard. If the City agrees to undertake the Board's recommendations, it would be contractually bound to fulfill those terms in order to receive the aforementioned aid.

Will the Council so approve and authorize the Mayor to execute any pertinent agreements in order to obtain the assistance of the Board?

New York State  State Agencies  Search all of NY.gov



Financial Restructuring Board

for Local Governments

The Financial Restructuring Board for Local Governments is a ten-member panel available year round to offer assistance to eligible municipalities. The Board is chaired by the Budget Director and includes the State Comptroller, the Attorney General, the Secretary of State, and six other members appointed by the Governor. Of these six appointees, one is recommended by the Temporary President of the Senate, and one is recommended by the Speaker of the Assembly. At least one of the Governor's appointees is required to have significant municipal financial and restructuring experience.

Any county, city (except New York City), town, or village deemed a Fiscally Eligible Municipality by the Board may request, by resolution of its governing board with the concurrence of its chief executive, a Comprehensive Review from the Board. If the Board decides to undertake a Comprehensive Review of a municipality, it can request any information necessary to understand the municipality's finances and operations. Based on this information, the Board would make recommendations to that municipality on improving its fiscal stability, management, and the delivery of public services. In addition, the Board could offer grants and/or loans of up to \$5 million through the Local Government Performance and Efficiency Program for undertaking certain recommendations. If the municipality agrees to undertake the Board's recommendations, it would be contractually bound to fulfill those terms in order to receive the aid.

The Board also serves as an alternative arbitration panel for binding arbitration. If a municipality is a Fiscally Eligible Municipality and eligible for binding arbitration with a municipal union (e.g. police, fire, or deputy sheriff unions), the municipality, by resolution of its governing board with the concurrence of its chief executive, and the municipal union may jointly agree to have the Board serve as its binding arbitration panel. The Board would make a just and reasonable determination of the matters in dispute by majority vote. The determination would be final and binding on the municipality and municipal union.

LATEST NEWS

- The Financial Restructuring Board will hold its [second Board meeting](#) on Tuesday, November 19, 2013 at 11:30 a.m. in Room 250 of the State Capitol
- The Financial Restructuring Board held its [first Board meeting](#) on Monday Sept 23, 2013 at 1:00 p.m. in Room 250 of the State Capitol
- September 12, 2013: [Governor Cuomo Announces Appointments to Financial Restructuring Board and Launch of FRB.NY.GOV.](#)
- June 2013: [Agreement reached to create Financial](#)



Robert L. Megna
Chair

STATE OF NEW YORK
FINANCIAL RESTRUCTURING BOARD
for LOCAL GOVERNMENTS
STATE CAPITOL, ROOM 135
ALBANY, NEW YORK 12224

October 9, 2013

Ms. Donna Owens
City Administrator
PO Box 69
Niagara Falls, NY 14302

Dear City Administrator Owens:

As you may know, the Financial Restructuring Board for Local Governments was recently established and held its first meeting on September 23rd. The Board is a ten-member panel available year round to offer assistance to eligible municipalities.

Upon request, the Board may undertake a comprehensive review of the municipality's finances and operations and recommend ways to improve its fiscal stability and the delivery of public services. If recommendations made by the Board are accepted, up to \$5 million per municipality may also be made available. The Board may also serve, upon joint request of an eligible local government and municipal union, as an alternative binding arbitration panel.

Based upon information previously submitted to the Office of the State Comptroller and the criteria set forth in the Board's governing statute, your local government has been determined to be a fiscally eligible municipality. If you would like to request assistance from the Board, please visit its website at <https://frb.ny.gov/>. There you will find detailed information about the Board, including an online application. In addition, please feel free to e-mail the Board at info@frb.ny.gov, or contact my office at (518) 474-2300.

Sincerely,

A handwritten signature in cursive script that reads "Robert L. Megna".

Robert L. Megna
Chair, Financial Restructuring Board

New York State  State Agencies  Search all of NY.gov



Financial Restructuring Board

for Local Governments

Fiscally Eligible Municipalities

A "fiscally eligible municipality" shall mean any county, city, excluding a city with a population greater than one million, town, or village that the board, on a case by case basis, determines would benefit from the services and assistance which the board has legal authority to offer. In evaluating whether a municipality is a fiscally eligible municipality, the board shall consider the average full value property tax rate of such public employer and the average fund balance percentage of such public employer and such other criteria as the board deems relevant.

Local Finance Law §160.05 (2)

A Fiscally Eligible Municipality is any county, city (except New York City), town, or village that the Board determines would benefit from its services and assistance. In evaluating whether a municipality is a Fiscally Eligible Municipality, the Board is to consider the average full value property tax rate, the average fund balance percentage, and any other criteria that the Board deems relevant.

If a municipality has an average full value property tax rate greater than the average full value property tax rate of 75 percent of the other municipalities or if a municipality has an average fund balance percentage below five percent, it is automatically considered a Fiscally Eligible Municipality. A list of all municipalities (PDF), their average full value property tax rate, their average fund balance percentage, and whether they are automatically considered a Fiscally Eligible Municipality is available.

If a municipality has not reported to the State Comptroller the information necessary to calculate its average full value property tax rate or its average fund balance percentage, the municipality cannot be deemed a Fiscally Eligible Municipality. A list of municipalities that have not reported this information (PDF) is available. These municipalities cannot be deemed a Fiscally Eligible Municipality.

Average Full Value Property Tax Rate

The average full value property tax rate measures how high property taxes are in a given municipality relative to the municipality's taxable property value. This is an indicator of the property tax burden facing a municipality's taxpayers – the higher the rate, the higher the burden.

It is calculated for each municipality by dividing the amount of property taxes levied by the full value of taxable real estate for each of the last five years. These five full value property tax rates are then averaged to determine the average full value property tax rate.

Average Full Value Property Tax Rate Calculation Example

2012 Full Value Property Tax Rate	= 2012 Property Taxes Levied ÷ 2012 Full Value of Taxable Real Estate
	= \$1,061,208 ÷ \$112,550,881
	= .0094287 or \$9.4287 per \$1,000

2011 Full Value Property Tax Rate	= 2011 Property Taxes Levied ÷ 2011 Full Value of Taxable Real Estate = \$1,040,400 ÷ \$109,272,700 = .0095211 or \$9.5211 per \$1,000
2010 Full Value Property Tax Rate	= 2010 Property Taxes Levied ÷ 2010 Full Value of Taxable Real Estate = \$1,040,400 ÷ \$106,090,000 = .0098068 or \$9.8068 per \$1,000
2009 Full Value Property Tax Rate	= 2009 Property Taxes Levied ÷ 2009 Full Value of Taxable Real Estate = \$1,020,000 ÷ \$103,000,000 = .0099029 or \$9.9029 per \$1,000
2008 Full Value Property Tax Rate	= 2008 Property Taxes Levied ÷ 2008 Full Value of Taxable Real Estate = \$1,000,000 ÷ \$100,000,000 = .0100000 or \$10.0000 per \$1,000
Average Full Value Property Tax Rate	= (2012 Full Value Property Tax Rate + 2011 Full Value Property Tax Rate + 2010 Full Value Property Tax Rate + 2009 Full Value Property Tax Rate + 2008 Full Value Property Tax Rate) ÷ 5 = (.0094287 + .0095211 + .0098068 + .0099029 + .0100000) ÷ 5 = .0097319 or \$9.7319 per \$1,000

If the average full value property tax rate is greater than the average full value property tax rate of 75 percent of the other municipalities, the Board must find that the municipality is a Fiscally Eligible Municipality.

If a municipality has not reported to the State Comptroller the information necessary to calculate the average full value property tax rate, the municipality cannot be deemed a Fiscally Eligible Municipality.

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Average Fund Balance Percentage

The average fund balance percentage measures how much a municipality has remaining in its General Fund relative to how much it spends from its General Fund over the past five years. This is an indicator of a municipality's ability to pay for unexpected costs or pay for increased costs without raising taxes.

It is calculated for each municipality by dividing the total fund balance in the General Fund by the total expenditures from the General Fund for each of the last five years. These five fund balance percentages are then averaged to determine the average fund balance percentage.

Average Fund Balance Percentage Calculation Example:

2012 Fund Balance Percentage	= 2012 General Fund Fund Balance ÷ 2012 General Fund Expenditures = \$865,000 ÷ \$22,510,176 = 3.84%
2011 Fund Balance Percentage	= 2011 General Fund Fund Balance ÷ 2011 General Fund Expenditures = \$800,000 ÷ \$21,854,540 = 3.66%
2010 Fund Balance Percentage	= 2010 General Fund Fund Balance ÷ 2010 General Fund Expenditures = \$850,000 ÷ \$21,218,000 = 4.01%
2009 Fund Balance Percentage	= 2009 General Fund Fund Balance ÷ 2009 General Fund Expenditures = \$800,000 ÷ \$20,600,000 = 3.88%
2008 Fund Balance Percentage	= 2008 General Fund Fund Balance ÷ 2008 General Fund Expenditures = \$1,000,000 ÷ \$20,000,000 = 5.00%
Average Fund Balance Percentage	= (2012 Fund Balance Percentage + 2011 Fund Balance Percentage + 2010 Fund Balance Percentage + 2009 Fund Balance Percentage + 2008 Fund Balance Percentage) ÷ 5 = (3.84% + 3.66% + 4.01% + 3.88% + 5.00%) ÷ 5 = 4.08%

If the average fund balance percentage is less than five percent, the Board must find that the municipality is a Fiscally Eligible Municipality.

If a municipality has not reported to the State Comptroller the information necessary to calculate the average fund balance percentage, the municipality cannot be deemed a Fiscally Eligible Municipality.

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Municipalities Not Automatically Fiscally Eligible

In addition to municipalities that are automatically Fiscally Eligible because of their average full value property tax rate or their average fund balance percentage, the Board may find additional municipalities to be Fiscally Eligible if it determines that they would benefit from its services and assistance. This determination will be on a case by case basis using available information.

If a municipality is not automatically Fiscally Eligible but would like to be considered one for a Comprehensive Review or a Binding Arbitration Determination by the Board, the municipality should make a [request for a Comprehensive Review](#) or [Binding Arbitration Determination](#) and include documentation on why it should be considered Fiscally Eligible.

Agenda Item #6

RE: Contingent Disposition of 2201 Whirlpool Street

Council Members:

As part of the Train Station Project the Niagara Falls Bridge Commission property, which is used for their storage of salt for the Whirlpool Bridge, is being acquired.

The Bridge Commission has negotiated a five year arrangement with NYS Parks to use State Parks property for the salt storage. They are also attempting to acquire the property in full as part of their expansion of the Whirlpool Bridge Plaza.

In the event they are unable to reach a long-term agreement to acquire the property, the City has been asked to agree to transfer 2201 Whirlpool Street, which is located at the corner of Ontario and Whirlpool, to the Bridge Commission for long-term salt storage.

This has been reviewed by the Niagara Falls Planning Board which recommends its approval (copy attached). --In the event the Bridge Commission does reach a long-term agreement with State Parks, this transfer will not take place.

City Charter Section 59 requires that real property be sold at public auction to the highest bidder. Approval of a negotiated sale requires that Council determine that the best interest of the City be sub-served by dispensing with a sale at public auction.

Will the Council vote:

- a. To determine that the best interest of the City shall be subserved by dispensing with a sale at public auction.
- b. To approve the contingent transfer of 2201 Whirlpool Street as set forth herein.
- c. To authorize the Mayor to execute any documents necessary to effectuate same?



City of Niagara Falls, New York

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

April 23, 2014

NIAGARA FALLS PLANNING BOARD

APPROVAL OF RECOMMENDATION TO CITY COUNCIL
Disposition of Property – Real Property Conveyance

Pursuant to action taken by the Niagara Falls Planning Board on the 23rd day of April 2014 your request is hereby granted.

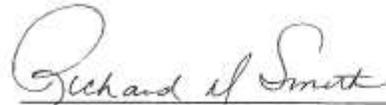
NAME OF OWNER: City of Niagara Falls

ADDRESS OF ACTION: 2201 Whirlpool Street

PURPOSE: To convey, as may be required in the future, to Niagara Falls Bridge Commission to facilitate the NF-IRS/ITC Project and indirectly facilitate the expansion of the Whirlpool Bridge USA Plaza and the relocation of NYS Office of Parks, Recreation & Historic Preservation maintenance garages away from the Niagara Gorge

The application is hereby granted.

DATE: April 23, 2014


Richard D. Smith, Chairman
Niagara Falls Planning Board

14 APR 24 PM 1:43
NIAGARA FALLS
CITY CLERK

Agenda Item #7

RE: AGENDA ITEM: Federal Budget Finalization - 2014 Department of Housing and Urban Development - Community Development Block Grant, HOME and Emergency Solutions Grant Programs

The City Council approved the Fiscal Year 2014 Consolidated Annual Plan in November 2013. The Consolidated Annual Plan included the Community Development Block Grant (CDBG) Program, HOME, and Emergency Solutions Program (ESG); all funded through annual Department of Housing and Urban Development (HUD) allocations. These budgets were presented to the City Council based on estimate, to accommodate the city and federal governments' differing fiscal year budget schedules. HUD's final Fiscal Year 2014 allocations were recently approved. The city's final CDBG, HOME and ESG Budget is \$65,909 higher than the \$2,711,439 budget previously approved by the City Council. The individual programs are affected as follows:

Source	DRAFT ACTION PLAN	HUD 2014 FINAL ALLOCATION	\$ Increase	% Increase
CDBG	\$2,199,439	\$2,236,738	\$37,299	1.70%
HOME	\$357,000	\$359,489	\$2,489	0.70%
ESG	\$155,000	\$181,121	\$26,121	16.85%
TOTAL	\$2,711,439	\$2,777,348	\$65,909	2.43%

The Community Development Department proposes the following revisions to the 2014 Community Development Action Plan, to bring the budget estimate in line with the final allocations.

CDBG BUDGET REVISIONS

City of Niagara Falls - Public Works Clean-up Campaigns

Estimate	\$70,000
Actual	\$85,390
Increase	\$15,390

Highland Avenue Revitalization Committee targeted housing renovation and city-wide fair housing program

Estimate	\$50,000
Actual	\$65,000
Increase	\$15,000

CDBG Administration

Estimate \$440,439

Actual \$447,348

Increase \$6,909

HOME BUDGET REVISIONS

Center City Neighborhood Development Corporation

Estimate \$119,000

Actual \$119,830

Increase \$830

Niagara Falls Neighborhood Housing Services, Inc.

Estimate \$119,000

Actual \$119,830

Increase \$830

City of Niagara Falls Community Development Department

Estimate \$119,000

Actual \$119,829

Increase \$829

ESG BUDGET REVISIONS

Rapid Re-Housing: YWCA Carolyn's House and Community Missions of the Niagara Frontier, Inc.

Estimate \$50,375

Actual \$58,862

Increase \$8,487

YWCA Carolyn's House-Emergency Shelter and Street Outreach

Estimate \$18,600

Actual \$21,735

Increase \$3,135

Community Missions of Niagara Frontier, Inc.-Emergency Shelter and Street Outreach

Estimate \$18,600

Actual \$21,735

Increase \$3,135

Niagara Community Action Program-Homeless Prevention

Estimate \$18,600

Actual \$21,735

Increase \$3,135

YMCA-Essential Services

Estimate \$18,600

Actual \$21,735

Increase \$3,135

Family and Children's Services-Essential Services

Estimate \$18,600

Actual \$21,735

Increase \$3,135

ESG Administration

Estimate \$11,625

Actual \$13,584

Increase \$1,959

Per HUD and City of Niagara Falls Citizen Participation Plan Guidelines, the city will adjust programmatic budgets to meet the final allocation without deviating from the project scopes or objectives already approved by the City Council.

Will Council vote to so approve and authorize the Community Development Director to make the necessary budget adjustments?

Agenda Item #8

RE: City Council Agenda Item:
Reprogrammed Funding - D'Amelio Park Improvements
Community Development Block Grant Funding

Council Members:

The Community Development Department has identified \$27,300 in FFY 2013 United States Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funding that is eligible for D'Amelio Park improvements. Replacement of D'Amelio Park playground equipment is eligible to receive reprogrammed funds, as it was included in the 2013 CDBG Action Plan. These additional funds will supplement that effort and further park improvements.

Funding is being re-programmed from the following source:

2013 Un-programmed Funding (As a Result of 1212 Niagara Street – Year 2000) – \$27,300

The proposed CDBG funds must be allocated and expended on CDBG eligible projects to meet HUD timeliness requirements. Public service programs are not eligible for these re-programmed funds because the City is currently at its 2014 public services cap of 15 percent of the total CDBG allocation.

Reallocation will ensure that these funds are dedicated to a project that meets the CDBG national objectives and delivers a community benefit in 2014.

Will the Council vote to allow the reallocation of \$27,300 in FFY 2013 CDBG funding to replace D'Amelio Park Playground Equipment?

Agenda Item #9

RE: City Council Agenda Item:
Housing Visions Consultants Inc.
Walnut Avenue Homes Development
Tax Production Agreement

The Community Development Department is presenting an agreement that will allow positive city, school district, and county tax production on long vacant, government owned properties. Ownership and occupancy will also prevent government funded demolitions and help stabilize the surrounding neighborhood.

For the City Council's consideration, Housing Visions Consultants, Inc. – Walnut Avenue Homes Housing Development presents an agreement to the Niagara Falls City Council to pay 6 percent of net rents received through the Walnut Avenue Homes Agreement, including the following properties:

607 Walnut Avenue (School District Property)

543 6th Street (School District Property)

533 5th Street (School District Property)

617 Walnut Avenue (City of Niagara Falls Property)

524 7th Street (City of Niagara Falls Property)

530 7th Street (City of Niagara Falls Property)

527 7th Street (City of Niagara Falls Property)

531 7th Street (City of Niagara Falls Property)

All properties have been approved for sale by both the City of Niagara Falls and the Niagara Falls City School District. Sale of each city owned property was previously approved by the Niagara Falls City Council and the Niagara Falls Planning Board. The City School District has negotiated sale prices for its parcels, and property purchase was overwhelmingly approved by the public in a December 2013 referendum vote (Over a six to one margin in favor).

On April 16, 2014, Governor Andrew Cuomo announced that the Walnut Avenue Homes project was awarded \$2.9 million in New York State Department of Housing and Community Renewal tax credits, as a shovel ready project. It was a highly competitive application process.

Currently, none of city and school district owned properties produce any tax revenue. The proposed 15 year tax payment plan is based on net rents accelerates year over year, subject to allowable and scheduled rent increases. A total of \$16,119 will be collected in year one. In year 15, a total of \$21,269 will be collected. A detailed spreadsheet is included as part of this agenda item. The project has received site plan approval from the Niagara Falls Planning Board and is scheduled to start construction during the 2014.

Will the Council approve the proposed tax schedule?

NO ATTACHMENTS PROVIDED

Agenda Item #10

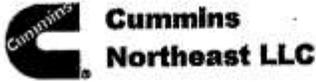
RE: Emergency Generator Repair at Firehouse 8 – Hyde Park and Royal Avenue

Council Members:

The Fire Chief advises that the generator at Firehouse 8 at Hyde Park and Royal Avenue is not working properly. The Chief arranged for a specialist to review the situation and it is believed that snow from this past winter entered the discharge pipes and caused damage to the super charger system. Attached is a repair estimate from Cummins Northeast LLC in the amount of \$2,783.64. This also includes the installation of a heater which will prevent the recurrence of this problem.

Funding is available from Casino revenues set aside for the Firehouses.

Will the Council so approve?



This invoice is due 30 days from date of invoice. A service charge will be applied for unpaid balances.

BUFFALO 7104038 RS
700 AERO DRIVE
BUFFALO, NY 14225-
(716)829-1700

INVOICE NO
ESTIMATE
Remit to: Cummins Northeast LLC
PO Box 849328 Boston, MA 02284

BILL TO
CITY OF NIAGARA FALLS
PURCHASING DEPARTMENT
P.O. BOX 69
PO# 12-0002019-000
NIAGARA FALLS, NY 14302-0069-

OWNER
CITY OF NIAGARA FALLS
PURCHASING DEPARTMENT
P.O. BOX 69
NIAGARA FALLS, NY 14302-0069-
CLIFFORD MAYES - 716 288-4730

PAGE 1 OF 2
*** CHARGE ***

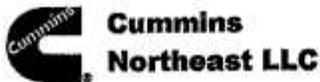
DATE	CUSTOMER ORDER NO.	DATE IN SERVICE	ENGINE MODEL	PUMP NO.	EQUIPMENT MAKE
01-MAY-2014 01:51PM			100 GGH/55858349		ONAN
SUBSTORER NO.	SHIP VIA	FAIL DATE	ENGINE SERIAL NO.	DPL NO.	EQUIPMENT MODEL
57018		01-MAY-2014	D070048416		100 GGH/55858349
REF. NO.	SALES PERSON	PARTS DISP.	MILEAGE/HOURS	PUMP CODE	UNIT NO.
148924					HYDE PARK

QUANTITY ORDERED	BACK ORDER NO.	QUANTITY SHIPPED	PART NUMBER	DESCRIPTION	PRODUCT CODE	UNIT PRICE	AMOUNT
			D070048416	COMPLAINT			
				ESTIMATE:			
				RECOMMEND REPLACING TURBO, BREATHER CANNISTER, AND PVC VALVE.			
				ALSO RECOMMEND INSTALLING A HEATER ON THE BREATHER AND HOSE.			
				REF: SERVICE CALL 4/30/2014			
				IF ACCEPTED PLEASE RETURN SIGNED ESTIMATE WITH ANY APPLICABLE PO# VIA FAX, MAIL, OR E-MAIL.			
				CUMMINS NORTHEAST FAX 716-832-0840			
				PM CUSTOMER DISCOUNTS HAVE BEEN APPLIED.			
				THANK YOU, TOM 716-829-1741			
1		0	145-0795	TURBOCHARGER	ONAN	981.69	981.69
1		0	808-1158	GROMMET	ONAN	3.88	3.88
1		0	123-2248	SEPARATOR-OIL/AIR (ASSY)	ONAN	204.28	204.28
1		0	39397	VALVE, PCV	OTHER	6.91	6.91
1		0	A0282505	KIT,HEATER	ONAN	848.40	848.40
				PARTS:			2,043.71
				PARTS COVERAGE CREDIT:			0.00C
				TOTAL PARTS:		2,043.71	
				SURCHARGE TOTAL:			6.00
				LABOR:			862.00

Completion date : 01-Jun-2014 07:55AM. Estimate expires : 31-May-2014 07:55AM.

Material returned for credit or exchange must show this invoice number. All material returned for credit subject to 15% handling charge. Appropriate core must be received within 15 days. Any claims for erroneous charges must be made within 30 days after receipt of goods. No credit for electrical assemblies without prior approval from branch parts manager. Terms Net 30 pending credit approval. Orders/Service cannot be processed without credit approval and/or a deposit.

AUTHORIZED BY (print name) _____ SIGNATURE _____ DATE _____



This invoice is due 30 days from date of invoice. A service charge will be applied for unpaid balances.

BUFFALO 7104038 RS
700 AERO DRIVE
BUFFALO, NY 14225-
(716)829-1700

INVOICE NO
ESTIMATE
Route to: Cummins Northeast LLC PO Box 245326 Boston, MA 02224

BILL TO

CITY OF NIAGARA FALLS
PURCHASING DEPARTMENT
P.O. BOX 69
PO# 12-0002019-000
NIAGARA FALLS, NY 14302-0069-

OWNER

CITY OF NIAGARA FALLS
PURCHASING DEPARTMENT
P.O. BOX 69
NIAGARA FALLS, NY 14302-0069-
CLIFFORD MAYES - 716 286-4730

PAGE 2 OF 2
*** CHARGE ***

DATE	CUSTOMER ORDER NO.	DATE IN SERVICE	ENGINE MODEL	PUMP NO.	EQUIPMENT MAKE
01-MAY-2014 01:51PM			100 GGHV8868934G		ONAN
CUSTOMER NO.	SHIP VIA	FAIL DATE	ENGINE SERIAL NO.	SPL NO.	EQUIPMENT MODEL
57016		01-MAY-2014	D070048416		100 GGHV8868934G
REP. NO.	SALESPERSON	PARTS DISP.	INSTALL/OWNER	PUMP CODE	UNIT NO.
145924					HYDE PARK

QUANTITY ORDERED	QTY MODIFIED	QUANTITY SHIPPED	PART NUMBER	DESCRIPTION	PRODUCT CODE	UNIT PRICE	AMOUNT
			OSN1M3N1VIN	D070048416			
				LABOR COVERAGE CREDIT:			0.00 C
				TOTAL LABOR:		952.00	
				MISC.:			212.07
				MISC. COVERAGE CREDIT:			0.00 C
				TOTAL MISC.:		212.07	
				ROAD MILE - TAXABLE MOB PG			87.50
				PARTS DISC/POWER MASTERS			204.37
				SERVICE DISC/PM			96.20
				TAX EXEMPT NUMBERS: NY	ON FILE	TAXES:	
						STATE	0.00

Completion date : 01-Jun-2014 07:55AM. Estimate expires : 31-May-2014 07:55AM.

Material returned for credit or exchange must show this invoice number. All material returned for credit subject to 15% handling charge. Appropriate core must be received within 15 days. Any claims for erroneous charges must be made within 30 days after receipt of goods. No credit for electrical assemblies without prior approval from branch parts manager. Terms Net 30 pending credit approval. Orders/Service cannot be processed without credit approval and/or a deposit.

SUB TOTAL: 2,783.84
TOTAL TAX: 0.00
TOTAL AMOUNT: US \$ 2,783.84

AUTHORIZED BY (print name) _____ SIGNATURE _____ DATE _____

Agenda Item#11

RE: Emergency Repair to Fire House Garage Doors

Council Members:

The Fire Chief advises that it is necessary to perform emergency repairs to two different garage doors located at two different fire houses. One is Firehouse 9 on Boiler Avenue and the other is at Firehouse 8 at the corner of Hyde Park and Royal Avenue. It is necessary to replace two damaged openers and one door. The attached estimate from Rich's "Expert" Door is in the amount of \$6,890.00 for both repairs. Funding is available from Casino revenues set aside for the Firehouses.

Will the Council so approve?



RICH'S "EXPERT" DOOR
 519 26th Street
 NIAGARA FALLS, NY 14301

(716) 282-0513
 (716) 284-8308

4348

TO CITY OF NIAGARA FALLS
FIRE DEPT.
1 NF NY 14302

DATE	5-1-14
CUSTOMER ORDER NO.	
SALESPERSON	
WA	

QUANTITY	DESCRIPTION	PRICE	AMOUNT
1	Engin #8 Replace middle door on Hyde Park side	\$ 3150.00	
2	Replace opener on middle door on Hyde Park side with FH2 SAFETY EQUIPMENT.	\$ 1870.00	
3	Replace opener on Eng # on RH side FAREMS CADUARD FH2 SAFETY	\$ 1870.00	
Are You Satisfied With Service? Yes <input type="checkbox"/> No <input type="checkbox"/>			
NOT RESPONSIBLE FOR MISALIGNED SAFETY EYES			
If Satisfied With Service Sign Here _____			
Please Send Yellow Copy With Payment.			
		\$ 6,890.00	

Thank You!

Agenda Item #12

RE: Creation of Greenskeeper Position in Parks Division of Department of Public Works ("DPW")

Council Members:

The Director of DPW is requesting the creation of a Greenskeeper position. It is requested that this position be designated a grade 21B. The salary range for this position is from \$44,569.72 to \$56,195.99 inclusive of longevity increments.

In the event that a current City employee meeting the requirements of the position chooses to apply and is selected, it is requested that this salary be set at \$54,185.38 at a Step 1.5. In the event that it is necessary to hire a new employee, the starting salary will be \$44,569.72. Funding for this new position is available in three codes as follows: \$22,924.00 from GC7250.0200.0110.000, \$22,250.00 from A7110.3450.0110.000 and \$22,250.00 from A8560.0000.0100. Related FICA and benefits must also be included.

In order to fund this position, it is requested that the existing Horticulturist/Arborist position in the 2014 budget be eliminated.

Will the Council so approve?

Agenda Item #13

RE: City Concert Event

Council Members:

In prior years, the City has sponsored live music concert events on Old Falls Street. These live concert events attracted many people to Old Falls Street and, by most accounts, were successful events. The City is interested in scheduling a concert event this year to take place in the month of August on a date yet to be determined. It is likely that Hard Rock Café (“HRC”) will be participating in this event by providing marketing services, security and staffing. It is requested that the sum of \$40,000.00 be made available for this purpose. The City’s funds will be utilized for talent fees and staging and related costs. Funding is available from Tourism Funds.

Will the Council so approve and authorize the Mayor to execute a participation agreement with HRC as well as any required talent agreements and related documents that may be required, all in form and substance satisfactory to the Corporation Counsel?

Agenda Item #14

RE: Capital Improvements to benefit Whirlpool Little League

Council Members:

The City has been requested by Whirlpool Little League to assist the Little League in making various capital improvements to the facility the Little League operates in Deveaux Woods State Park. The City is able to make \$10,000.00 available from Casino revenues for these capital improvements. The improvements and the allocation of responsibility for making them will be contained in an agreement subject to the approval of the Corporation Counsel.

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

Agenda Item #15

RE: Furniture for Purchasing Department

Council Members:

The City is in the process of interviewing for the position of Purchasing Agent. That process is expected to be concluded in the very near future. In an effort to prepare an office for the new Purchasing Agent, it is requested that certain pieces of furniture be acquired as itemized on the attached request. The total amount requested for this purpose is \$2,473.69. Funding is available from Casino interest.

Will the Council so approve?

PURCHASING DIVISION	FURNITURE REQUE
Description	Amount
Desk, Return, Stack On Storage, Chairs, Task Lighting, General Storage, Handles, Grommets, and Floor Mats.	\$2,473.69

Agenda Item #16

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on April 30, 2014 the Commission recommended APPROVAL of the following item:

INSTALL A 5' HANDICAPPED ACCESS SPACE
IN FRONT OF 1724 WHITNEY AVENUE

[Physician verification of wheelchair dependency and/or severe restriction of movement, has been received]

Submitted By: Mary Gage, 1724 Whitney Avenue

It is requested that City Council approve this recommendation.

Agenda Item #17

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on April 30, 2014 the Commission recommended APPROVAL of the following item:

INSTALL A 5' HANDICAPPED ACCESS SPACE
IN FRONT OF 2250 WOODLAWN AVENUE

[Physician verification of wheelchair dependency and/or severe restriction of movement, has been received]

Submitted By: Anna Watroba, 2250 Woodlawn Avenue

It is requested that City Council approve this recommendation.

Agenda Item #18

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on April 30, 2014 the Commission recommended APPROVAL of the following item:

INSTALL A 5' HANDICAPPED ACCESS SPACE
IN FRONT OF 1918 WALNUT AVENUE

[Physician verification of wheelchair dependency and/or severe restriction of movement, has been received]

Submitted By: Roberta Floyd, 1918 Walnut Avenue

It is requested that City Council approve this recommendation.

Agenda item #19

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on April 30, 2014 the Commission recommended APPROVAL of the following item:

INSTALL A 5' HANDICAPPED ACCESS SPACE
IN FRONT OF 2418 WHITNEY AVENUE

[Physician verification of wheelchair dependency and/or severe restriction of movement, has been received]

Submitted By: Josephine Latine, 2418 Whitney Avenue

It is requested that City Council approve this recommendation.

Agenda Item #20

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on April 30, 2014 the Commission recommended APPROVAL of the following item:

INSTALL A 5' HANDICAPPED ACCESS SPACE
IN FRONT OF 611/613 – 6TH STREET

[Physician verification of wheelchair dependency and/or severe restriction of movement, has been received]

Submitted By: Samuel Hamilton, 613 – 6th Street, Apt. 2

It is requested that City Council approve this recommendation.

Agenda #21

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on April 30, 2014 the Commission recommended APPROVAL of the following item:

INSTALL A 5' HANDICAPPED ACCESS SPACE
IN FRONT OF 1520 WHITNEY AVENUE

[Physician verification of wheelchair dependency and/or severe restriction of movement, has been received]

Submitted By: Ernest Robinson, 1520 Whitney Avenue

It is requested that City Council approve this recommendation.

Agenda Item #22

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on April 30, 2014 the Commission recommended APPROVAL of the following item:

INSTALL A 5' HANDICAPPED ACCESS SPACE
IN FRONT OF 618 - 20TH STREET

[Physician verification of wheelchair dependency and/or severe restriction of movement, has been received]

Submitted By: Bonnie Abel, 618 – 20th Street

It is requested that City Council approve this recommendation.

Agenda item #23

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on April 30, 2014 the Commission recommended APPROVAL of the following item:

ADD THREE PARKING SPACES ADJACENT TO THE NEW PEDESTRIAN TRAFFIC SIGNAL AT 2220 PINE AVENUE (TWO IN FRONT OF FAMILY CHIROPRACTIC, 2230 PINE AVENUE AND ONE AT THE EAST END OF THE COMO RESTAURANT, 2220 PINE AVENUE)

The request was made to ease the hardship created by the elimination of a large area of parking when the pedestrian signal was installed. Adding these spaces will still leave "No Standing Anytime" for 40' east of the crosswalk which will maintain a safety factor by allowing for adequate sight distance of crossing pedestrians by motorists while adhering to the minimum distances required in New York State Vehicle and Traffic Law.

Submitted By: Dom Colucci, President, The Como Restaurant, 2220 Pine Avenue

It is requested that City Council approve this recommendation.

Agenda Item #24

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on April 30, 2014 the Commission recommended APPROVAL of the following item:

INSTALL "NO STANDING ANYTIME RESTRICTION" ON 82ND STREET, EAST SIDE, ADJACENT TO PINE PLAZA (FROM THE REAR PLAZA ALLEYWAY, NORTH TO NIAGARA FALLS BOULEVARD)

The request was made because residents of the trailer park on the west side of 82nd Street are having difficulty getting in and out of their narrow driveways due to cars/large vehicles from Pine Plaza and Seven Eleven parking here. In addition, this will also ease congestion for deliveries and garbage trucks trying to access the rear of Pine Plaza.

Submitted By: Elizabeth Woods, 8119 Niagara Falls Boulevard, #4

It is requested that City Council approve this recommendation.

Agenda Item #25

RE: Request for Approval to Settle and Pay Claim of Rollo Lutz

2482 Independence Avenue, Niagara Falls, NY 14301

Council Members:

Date Claim Filed: March 17, 2014

Date Action Commenced: N/A

Date of Occurrence: March 13, 2014

Location: 2450 Independence 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: \$1,389.64

Make Check Payable to: Rollo Lutz

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 #26

RE: Request for Approval to Settle and Pay Claim of Joseph D. Barto

3322 Church Avenue, Niagara Falls, NY 14303

Council Members:

Date Claim Filed: March 19, 2014

Date Action Commenced: N/A

Date of Occurrence: February 23, 2014

Location: 3321 Church Avenue, Niagara Falls, NY

Nature of Claim: Automobile damage sustained in an accident with City vehicle

City Driver: Joseph Bongiovanni

Status of Action: Claim stage.

Recommendation/Reason: Best interests of City to pay claim.

Amount to be Paid: \$1,325.90

Make Check Payable to: Joseph D. Barto

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 #27

RE: Request for Approval to Settle and Pay Claim of Sara E. Schupp

3002 Livingston Avenue, Niagara Falls, NY 14303

Council Members:

Date Claim Filed: February 18, 2014

Date Action Commenced: N/A

Date of Occurrence: February 6, 2014

Location: 3002 Livingston Avenue, Niagara Falls, NY

Nature of Claim: Automobile damage sustained in an accident with City vehicle.

City Driver: Thaddeus M. Buchalski

Status of Action: Claim stage.

Recommendation/Reason: Best interests of City to pay claim.

Amount to be Paid: \$2,139.40

Make Check Payable to: Sara E. Schupp

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 #28

RE: Request for Approval to Settle and Pay Claim of Jennie Lee Gaeta-Packer
2211 Grand Avenue, Niagara Falls, NY 14301

Council Members:

Date Claim Filed: July 16, 2012
Date Action Commenced: February 7, 2013
Date of Occurrence: Various
Nature of Claim: Employment; lost wages
Status of Action: Action stage.
Recommendation/Reason: Best interests of City to pay.
Amount to be Paid: \$5,000.00
Make Check Payable to : Jennie Lee Gaeta-Packer
Conditions: General Release to City, approved by Corporation Counsel.

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

Agenda item #29

RE: Request for Approval to Settle and Pay Claim of Eric L. Johns

2172 Jerauld Avenue, Niagara Falls, NY 14305

Council Members:

Date Claim Filed: July 16, 2012

Date Action Commenced: February 7, 2013

Date of Occurrence: Various

Nature of Claim: Employment; lost wages

Status of Action: Action stage.

Recommendation/Reason: Best interests of City to pay.

Amount to be Paid: \$5,000.00

Make Check Payable to: Eric L. Johns

Conditions: General Release to City, approved by Corporation Counsel.

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

Agenda Item #30

RE: Request for Approval to Settle and Pay Claim of Paul M. Hansen

237 76th Street, Niagara Falls, NY 14304

Council Members:

Date Claim Filed: December 18, 2007

Date Action Commenced: December 22, 2008

Date of Occurrence: October 6, 2007

Location: 237 76th Street, Niagara Falls, New York

Nature of Claim: Injuries and damages sustained incident to arrest.

Status of Action: Pre-trial stage.

Recommendation/Reason: Best interests of City to pay claim.

Amount to be Paid: \$12,000.00

Make Check Payable to: Matthew P. Pynn, Esq. as Attorney for Paul M. Hansen.

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 #31

RELATIVE TO HOME RULE REQUEST, REDUCTION OF SPEED LIMIT IN DOWNTOWN NIAGARA FALLS

BY:

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

WHEREAS, Section 1634 of the New York State Vehicle and Traffic Law, concerning speed limits on highways in cities and villages, provides that no such speed limit applicable throughout such city or village or within designated areas of such city or village shall be established at less than 30 miles per hour; and

WHEREAS, Senator George Maziarz introduced Senate Bill No. S4673 and Assemblyman John Ceretto introduced Assembly Bill A06611, which would authorize and empower the City of Niagara Falls to lower the speed limit to not less than 25 miles per hour in its downtown area in furtherance of projects to attract new investment in said downtown area; and

WHEREAS, the Senate Bill was amended to be Bill No. S4673-A, and the assembly was amended to be Bill No. A6611A, a copy of which is annexed hereto; and

WHEREAS, in order for the legislative process to continue, this Council is asked to adopt the annexed Home Rule Request.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Niagara Falls, New York does hereby recognize, acknowledge and support the enactment by the New York State Legislature of Senate Bill No. S4673-A and Assembly Bill A6611A, entitled "An Act Relating to Authorizing the City of Niagara Falls, County of Niagara, to Reduce the Speed Limit in Downtown Niagara Falls", and this Council declares that a necessity exists for the enactment of such legislation; and

BE IT FURTHER RESOLVED, that the Clerk of this Council is directed to complete and certify the Home Rule Requests and forward copies of the New York State Legislature as required.

STATE OF NEW YORK

4673--A

Cal. No. 42

2013-2014 Regular Sessions

IN SENATE

April 17, 2013

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommended to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT relating to authorizing the city of Niagara Falls, county of Niagara, to reduce the speed limit in downtown Niagara Falls

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Notwithstanding any general, special or local law or code
 2 to the contrary, the city of Niagara Falls, Niagara county is hereby
 3 authorized and empowered to lower the speed limit to not less than twenty-five miles per hour in downtown Niagara Falls, Niagara county. For
 4 the purposes of this section, the term "downtown Niagara Falls, Niagara
 5 County" shall mean the land area described as follows:
 6 COMMENCING in the city of Niagara Falls, Niagara County, New York:
 7 The TRUE POINT OF BEGINNING is the point of intersection of the
 8 westerly right of way of John B. Daly Boulevard and the southerly right
 9 of way of Buffalo Avenue;
 10 THENCE, leaving westerly along the southerly right of way of Buffalo
 11 Avenue, proceeding until its intersection with the easterly edge of
 12 Riverside Drive;
 13 THENCE, leaving southerly and westerly along the boundary of Riverside
 14 Drive until its intersection with the westerly boundary of Holly Place;
 15 THENCE, leaving westerly along the line of land appropriated by and
 16 for the People of the State of New York in 1885, now known as Niagara
 17 Falls State Park, then following said property boundary westerly and
 18 northerly, proceeding until its intersection with the northerly right of
 19 way of Niagara Street;
 20

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets
 [-] is old law to be omitted.

LBD02351-02-4

S. 4673--A

2

1 THENCE, leaving easterly along the right of way of Niagara Street,
2 proceeding until its intersection with the Westerly right of way of
3 Rainbow Boulevard;
4 THENCE, leaving northerly along the Westerly right of way of Rainbow
5 Boulevard, proceeding until its intersection with the Northerly right of
6 way of Main Street;
7 THENCE, leaving northeasterly along the Northerly right of way of Main
8 Street, proceeding until its intersection with the Westerly right of way
9 of Whirlpool Street;
10 THENCE, leaving northerly along the Westerly right of way of Whirlpool
11 Street, also abutting along the line of land appropriated by and for the
12 People of the State of New York, proceeding until its intersection with
13 the Easterly right of way of Third Street;
14 THENCE, leaving southerly along the Easterly right of way of Third
15 Street, proceeding until its intersection with the Northerly right of
16 way of Pine Avenue;
17 THENCE, leaving easterly along the Northerly right of way of Pine
18 Avenue, proceeding until its intersection with the Easterly right of way
19 of Main Street;
20 THENCE, leaving southwesterly along the Easterly right of way of Main
21 Street, proceeding until its intersection with the Easterly right of way
22 of Fourth Street;
23 THENCE, leaving southerly along the Easterly right of way of Fourth
24 Street, proceeding until its intersection with the Northerly right of
25 way of Niagara Street;
26 THENCE, leaving easterly along the Northerly right of way of Niagara
27 Street, proceeding until its intersection with the Westerly right of way
28 of John B. Daly Boulevard;
29 THENCE, leaving southerly along the Westerly right of way of John B.
30 Daly Boulevard, proceeding until its intersection with the Southerly
31 right of way of Buffalo Avenue, being also the POINT OF BEGINNING.
32 § 2. This act shall take effect immediately.

STATE OF NEW YORK

6611--A
2013-2014 Regular Sessions

IN ASSEMBLY

April 12, 2013

Introduced by M. of A. CERETTO -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT relating to authorizing the city of Niagara Falls, county of Niagara, to reduce the speed limit in downtown Niagara Falls

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Notwithstanding any general, special or local law or code
2 to the contrary, the city of Niagara Falls, Niagara county is hereby
3 authorized and empowered to lower the speed limit to not less than twenty-five miles per hour in downtown Niagara Falls, Niagara county. For
4 the purposes of this section, the term "downtown Niagara Falls, Niagara
5 County" shall mean the land area described as follows:
6 COMMENCING in the city of Niagara Falls, Niagara County, New York;
7 The TRUE POINT OF BEGINNING is the point of intersection of the
8 Westerly right of way of John B. Daly Boulevard and the Southerly right
9 of way of Buffalo Avenue;
10 THENCE, leaving westerly along the Southerly right of way of Buffalo
11 Avenue, proceeding until its intersection with the easterly edge of
12 Riverside Drive;
13 THENCE, leaving southerly and westerly along the Boundary of Riverside
14 Drive until its intersection with the Westerly boundary of Holly Place;
15 THENCE, leaving westerly along the line of land appropriated by and
16 for the People of the State of New York in 1885, now known as Niagara
17 Falls State Park, then following said property boundary westerly and
18 northerly, proceeding until its intersection with the Northerly right of
19 way of Niagara Street;
20

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD02351-03-4

A. 6611--A

2

1 THENCE, leaving easterly along the right of way of Niagara Street,
2 proceeding until its intersection with the Westerly right of way of
3 Rainbow Boulevard;
4 THENCE, leaving northerly along the Westerly right of way of Rainbow
5 Boulevard, proceeding until its intersection with the Northerly right of
6 way of Main Street;
7 THENCE, leaving northeasterly along the Northerly right of way of Main
8 Street, proceeding until its intersection with the Westerly right of way
9 of Whirlpool Street;
10 THENCE, leaving northerly along the Westerly right of way of Whirlpool
11 Street, also abutting along the line of land appropriated by and for the
12 People of the State of New York, proceeding until its intersection with
13 the Easterly right of way of Third Street;
14 THENCE, leaving southerly along the Easterly right of way of Third
15 Street, proceeding until its intersection with the Northerly right of
16 way of Pine Avenue;
17 THENCE, leaving easterly along the Northerly right of way of Pine
18 Avenue, proceeding until its intersection with the Easterly right of way
19 of Main Street;
20 THENCE, leaving southwesterly along the Easterly right of way of Main
21 Street, proceeding until its intersection with the Easterly right of way
22 of Fourth Street;
23 THENCE, leaving southerly along the Easterly right of way of Fourth
24 Street, proceeding until its intersection with the Northerly right of
25 way of Niagara Street;
26 THENCE, leaving easterly along the Northerly right of way of Niagara
27 Street, proceeding until its intersection with the Westerly right of way
28 of John B. Daly Boulevard;
29 THENCE, leaving southerly along the Westerly right of way of John B.
30 Daly Boulevard, proceeding until its intersection with the Southerly
31 right of way of Buffalo Avenue, being also the POINT OF BEGINNING.
32 § 2. This act shall take effect immediately.

Agenda Item #32

RELATIVE TO

OPPOSING THE CONSTRUCTION OF A NUCLEAR WASTE REPOSITORY IN THE GREAT LAKES BASIN

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

WHEREAS, Ontario Power Generation is proposing to construct an underground long-term burial facility for all of Ontario's low and intermediate-level radioactive nuclear waste at the Bruce Nuclear Generating Station, some of which is highly radioactive and will remain toxic for over 100,000 years, less than one mile inland from the shore of Lake Huron and less than 1500 feet below the lake level, and

WHEREAS, the Great Lakes are an irreplaceable natural resource, containing 21% of the world's, and 95% of North America's, fresh water, which is vital to human and environmental health, and

WHEREAS, the Great Lakes are vital to the economic and agricultural well-being to both the United States of America and Canada, and

WHEREAS, Lake Huron and the connecting waters, including Lake St. Clair, are a source of drinking water for millions of people downstream in Canada, the United States of America and First Nations, and

WHEREAS, concern has been expressed by individuals, citizen and environmental groups and municipalities and counties in both Canada and the United States, and

WHEREAS, under the 2012 Protocol Amending the Agreement Between Canada and the United States of America on Great Lakes Water Quality, the governments of the United States and Canada acknowledge the importance of anticipating, preventing and responding to threats to the waters of the Great Lakes, and

WHEREAS, the Governments of the United States and Canada share a responsibility and an obligation to protect the Great Lakes from contamination from various sources of pollution, including the leakage of nuclear waste from an underground nuclear waste repository, and

WHEREAS, placing a permanent nuclear waste burial facility so close to the Great Lakes creates a potential for damage to the Great Lakes from leaks or breaches of radioactivity that far outweighs any suggested economic benefit that might be derived from burying radioactive nuclear waste at this site, as the ecology of the Great Lakes is valuable beyond measure to the health and economic well-being of the entire region, and should not be placed at risk by storing radioactive nuclear waste underground so close to the shoreline, and

NOW, THEREFORE BE IT RESOLVED, that the City of Niagara Falls, NY, in order to protect the Great Lakes and its tributaries, urges that neither this proposed nuclear waste repository at the Bruce Nuclear Generating Station nor any other underground nuclear waste repository be constructed in the Great Lakes Basin, in the United States, Canada, or any First Nation property.

Agenda Item #33

RELATIVE TO RECOMMENDING CERTAIN CHANGES TO
THE CITY OF NIAGARA FALLS FREEDOM OF
INFORMATION LAW (F.O.I.L.) REQUEST FORM

BY:

Council Member Andrew Touma

WHEREAS, Section 84 of New York State Public Officers Law, Article 6, also known as the Freedom of Information Law, states "...a free society is maintained when government is responsive and responsible to the public, and when the public is aware of governmental actions," and that "...the more open a government is with its citizenry, the greater the understanding and participation of the public in government," and

WHEREAS, that section further states, "...government is the public's business and that the public, individually and collectively and represented by a free press, should have access to the records of government..." and

WHEREAS, the Freedom of Information Law allows citizens to request government documents in an electronic format, and requires the agency being solicited for information to provide that information in an electronic format if that agency is reasonably able, and

WHEREAS, the provision of electronic records often provides a cost-savings to the applicant over physical records, and

WHEREAS, the Council finds that it is in the best interest of the City of Niagara Falls to make the provision of government records to the public as simple and convenient as possible,

NOW, THEREFORE, BE IT RESOLVED, that the Niagara Falls City Council requests that the City of Niagara Falls provide a checkable box on all City of Niagara Falls FOIL Request forms to indicate the applicant's preference for electronic versions of the requested records.

Presentations

Seth Piccirillo – May 15 Commercial Space Marketing Event in partnership with

National Grid and Niagara County Center for Economic Development

– Walnut Avenue Homes Development, Tax Production Agreement

– Final Revisions to 2014 HUD Community Development Action Plan

– Presentation of 2015 Community Development Budget workshop dates
and process

ADMINISTRATIVE UPDATE: