

Monday, May 16, 2016

PRESENTATIONS:

1. Downtown Landscaping
Johnny Destino, Purchasing Agent

 2. 2016 Community Development Youth/Park Projects
Seth Piccirillo, Community Development Director
-

ADMINISTRATIVE UPDATE:

None

Agenda Item #1

RE:		Informational Item: City Clerk's Report							
DATE:		May 6, 2016							
Council Members:									
The following is a report of licenses issued and collections made in the Office of the City Clerk during the month of April 2016									
								CONTROLLER	TOTAL
A1255-001 A012		Vital Statistics						\$ 4,412.00	\$ 4,412.00
A1255-004 A013		Copies of Records						\$ 689.25	\$ 689.25
A1255-004 A013		Certificates of Marriage						\$ 480.00	\$ 480.00
A2501-006 A042		Tour Agency						\$ 1,400.00	\$ 1,400.00
A2501-006 A042		Tour Agency Additional Site						\$ 700.00	\$ 700.00
A2501-006 A042		Tour Attendant						\$ 350.00	\$ 350.00
A2501-006 A042		Tour Driver/Guide						\$ 1,200.00	\$ 1,200.00
A2501-014 A046		Electrician - Active						\$ 85.00	\$ 85.00
A2501-016 A047		Stationary Engineers						\$ 90.00	\$ 90.00
A2501-016-A047		BOILERS						\$ 500.00	\$ 500.00
A2501-016 A047		Stationary Engineers Test Fee						\$ 40.00	\$ 40.00
A2542-000 A053		Dogs/NYS Agr.& Mkts	\$ 222.00						\$ 222.00
A2542-000 A053		Additional Dogs						\$ 2,233.00	\$ 2,233.00
A2545-001 A054		Marriage License/NYSHD	\$ 1,080.00					\$ 360.00	\$ 1,440.00
A1255-002 A123		Commissioners of Deeds						\$ 25.00	\$ 25.00
A2545-010 A128		Petroleum - Retail						\$ 70.00	\$ 70.00
A2545-010 A128		Petroleum - Storage						\$ 60.00	\$ 60.00
A2545-023 A318		Hunters/NYS DEC RAU	\$ 61.13						\$ 61.13
A1255-003 A499		Notary Fee						\$ 4.00	\$ 4.00
A1255-005 A528		Dog Release						\$ 200.00	\$ 200.00
TA63008 A597		Marriage Performance						\$ 300.00	\$ 300.00
A1255-006-A696		Photos/passport-license						\$ 9.00	\$ 9.00
TOTAL:			<u>\$ 1,363.13</u>					<u>\$ 13,207.25</u>	<u>\$ 14,570.38</u>
Check #	<u>19255</u>	NYS Dept.of Arg. & Mkts						\$ 222.00	
Check #	<u>19238</u>	NYS Health Department						\$1,080.00	
Check #	<u>ET</u>	NYS DEC RAU						\$ 61.13	

Agenda Item #2

The following claims have been filed in the Office of the City Clerk during the month of April 2016. The claims were subsequently referred to the Office of the Corporation Counsel.

NOTICE OF CLAIM

Hoffman, Virginia and Steven
2510 Falls Street
c/o Lipsitz Green Scime Cambria LLP

In reference to personal injuries.

Huang, Jun
Ama Washington Square Inc.
1240 Pine Avenue

In reference to property damage.

Jimenez, Shirley
520 27th Street

In reference to vehicle damage.

Sheley, Kenneth
3317 D Street

In reference to property damage.

Petrosian, Michael G.
456 Fuller Place
Lewiston, NY 14092

In reference to vehicle damage caused by a City truck.

Beaudry, Bonnie
2232 Welch Avenue

In reference to vehicle damage caused by a pothole.

Mims, Shantell
1416 Ferry Avenue

In reference to vehicle damage.

Waters & Kraus LLP
Leslie MacLean, Esq.

In reference to Personal Injury and/or Damage to Property or Loss of Property For the individuals included on the attached list.

Conklin, Latreall
317 Portage Road

In reference to personal injury.

Gornicki Jr., Douglas
5450 Lockport Road

In reference to vehicle damage.

NOTICE OF PETITION

Niagara Mohawk Power Corporation
D/B/A National Grid

Index No.: E158420/2016

AMENDED NOTICE OF PETITION

Niagara Mohawk Power Corporation
D/B/A National Grid

SUMMONS

JPMorgan Chase Bank, National Association

Index # 158353/2016

Agenda Item #3

RE: Memorandum of Understanding between the City Of Niagara Falls and the Niagara Falls Police Captains and Lieutenants Association

Council Members:

As you know, between November 2010 and November 2015, the City of Niagara Falls was a party to a Stipulated Order of Consent with the New York State Office of the Attorney General which required the City to undertake the review and reform of its Police Department policies and procedures. Overall, this process has been a success in that the Police Department has significantly strengthened its policies in the areas of diversity, community policing and use of force and have made a positive impact both in the department and with the general public. These benefits were noted by the office of the Attorney General at the conclusion of the Consent Order.

Unfortunately, in order to implement the departmental changes within the time period required by the Office of the Attorney General, there was no opportunity to negotiate those changes with the City's two Police Unions as required by the Taylor Law. Conflicts arose with the unions in areas where the new departmental practices conflicted with terms contained in their Collective Bargaining Agreements with the City. As a result, the New York State Public Employment Relations Board recently ruled that the City committed an improper practice in a proceeding brought by the Niagara Falls Police Club and supported by the Niagara Falls Police Captains and Lieutenants Association. PERB directed the City to rescind a number of the policy changes made pursuant to the Consent Order; however, doing so would put the City back into the same position that it was in prior to the Consent Order in 2010.

Instead of taking a step backwards, the City met with both the Police Captains and Lieutenants Association and the Police Club to discuss the impact of the PERB decision on the new departmental policies. With encouragement from the Office of the Attorney General, I am pleased to announce that these discussions have been fruitful and that, with cooperation from the unions, the City will be able to continue to utilize the positive policy changes brought about through the Consent Order.

The Agreement that has been attached for your consideration is a product of the desire of both the City and the Police Captains and Lieutenants Association to continue the advancement of the Police Department has made in the last five years while maintaining a continuing commitment for agreements reached through collective bargaining. The attached Memorandum of Understanding will accomplish the following:

1. To adequately compensate each member of the PCLA for their role in implementing the Consent Order;
2. To reaffirm the commitment of both parties to the spirit of collective bargaining by allowing the parties to mutually develop departmental policies as required by PERB, and;
3. Allow the City to keep in place the departmental reforms brought about over the last five years without interruption.

While the proposed Agreement will result in a modest financial impact, the provisions of the same allow for a deferral of payments to allow the City financial flexibility over a period of years. However, this financial impact is more than offset by the City's commitment to protect the constitutional rights of our citizens and the promotion of safe and efficient police practices.

Will the Council so approve?

MEMORANDUM OF UNDERSTANDING

Between

CITY OF NIAGARA FALLS, NEW YORK

And

**NIAGARA FALLS POLICE CAPTAINS
AND LIEUTENANTS ASSOCIATION**

The **CITY OF NIAGARA FALLS, NEW YORK** (hereinafter, "CITY"), a municipal corporation organized and existing pursuant to the laws of the State of New York, and the **NIAGARA FALLS POLICE CAPTAINS AND LIEUTENANTS ASSOCIATION** (hereinafter, "PCLA"), the bargaining unit designated as the exclusive representative for collective negotiations and the settlement of grievances for all supervisory police officers employed by the City represented by said unit, have negotiated the following agreement to further their employment relationship and to promote the continued efficiency of the Niagara Falls Police Department.

The personnel listed as "Active" below are members of the PCLA during the period between December 3, 2010 and November 30, 2015.

1. **Wages:** All active personnel shall receive the following increase to base salary: 2.5% increase, effective January 1, 2017; 2.5% increase effective, January 1, 2018.
2. **Compensatory Time:** Active personnel covered under this agreement will receive four hundred (400) hours of compensatory time, to be credited during the employee's final year of service, as compensation for additional, non-negotiated work that was done by PCLA members during the above period. Compensatory time shall be credited to the employee in 8 hour increments in each of the last 50 weeks of their service. The employee shall notify the City at least one (1) month prior to the commencement of the final year of employment. Should an employee retire on short notice, the employee shall be credited the entire amount of compensatory time two weeks prior to retirement.

Personnel listed below as "Retired" (individuals that were members of the Captains and Lieutenants Association but retired between December 3, 2010 and November 30, 2015) will be receive one hundred (100) hours of compensatory time which will be paid at the retiree's final hourly rate.

3. **Amendment of Departmental Orders:** Within sixty (60) days of the ratification of this agreement by the Niagara Falls City Council, the City and the PCLA agree to mutually review and refine certain departmental orders and rules in order to bring the same into compliance with the requirements of the Taylor Law. Specifically, the parties will amend departmental orders and rules which address employee discipline, use of force and personnel files.

All other existing departmental policies, rules and orders not otherwise modified or amended by the parties will remain in full force and effect.

Dated: April 26, 2016

On Behalf of:

City Of Niagara Falls, New York

Police Captains and Lieutenants Assn.

Paul A. Dyster
Mayor

Lt. Michael Drake
President

ATTEST:

Carol Antonucci
City Clerk

ATTACHMENT

Active

Munn, Angela
Paonessa, Nicholas
Casale, Joseph
Weed, Theodore
Lepine, Ronald
Dalporto, E. Bryan
Rizzo, Kelly
Trane, Michael
Kok, David
Freeman, Roger
Sykes, Jason
Cudahy, David
Corcoran, Michael
Jones, Daniel
Cirrito, Ronald
Fisher, Jay
Dallavia, Scott
Demarco, Robert
Licata, Thomas
Nichols, Walter
Tedesco, James
Catalano, Anthony
Ewing, Thomas
Drake, Michael
Ferchen, Timothy
Petrishin, John
Ligamarri, Nicholas
Granto, Vincent
Conti, John

Retired

Kachurek, Michael
Demarco, John
Kachurek, Leslie
Tedesco, Frank
Augustyniak, David
Bancroft-Billings, Jeffery
Rosati, Robert
Wills, Stanley
Legault, David
Pino, Salvatore
Shamrock, Morris
Thomson, William
Paonessa, Salvatore
Mazikowski, Richard

**CITY OF NIAGARA FALLS
NEW YORK**

DATE: May 16, 2016
TO: The City Council
FROM: Mayor Paul Dyster
Chief Executive Officer
James R. Bird
City Assessor
SUBJ: AGENDA ITEM – Certification of Base Percentages, Current Percentages and Current Base Proportions for Homestead & Non-Homestead Assessment Roll

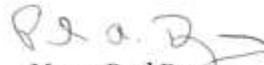
In accordance with Section 1903 of the Real Property Tax Law, the City Council must certify the attached referenced percentages and proportions.

Assessing units using Article 19 Homestead option must certify percentages and proportions when final class equalization rates are established by the Office of Real Property Services.

The certification is now due and the attached represents the necessary certifications.

Will Council certify the attached percentages and proportions?

Respectfully,



Mayor Paul Dyster
Chief Executive Officer



James R. Bird
City Assessor

Grandinetti _____ Scott _____ Tompkins _____ Walker _____ Touma _____

CERTIFICATE OF BASE PERCENTAGES, CURRENT PERCENTAGES AND
 CURRENT BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPTL, FOR THE
 LEVY OF TAXES ON THE 2016 ASSESSMENT ROLL

Approved Assessing Unit City of Niagara Falls, 291100
 Name of Portion City of Niagara Falls, 291100

CERTIFICATION

DETERMINATION OF BASE PERCENTAGES

Section I	(A) 1989 Taxable Assessed Value	(B) 1989 Class Equalization Rate	(C) Estimated Market Value A/(B*100)	(D) Base Percentages (C/sum of C)
Class				
Homestead	527,758,662	89.89	587,116,100	57.88167
Nonhomestead	379,459,055	88.82	427,222,534	42.11833
Total	907,217,717		1,014,338,634	100.00000

DETERMINATION OF CURRENT PERCENTAGES

Section II	(E) Prior Year Taxable Assessed Value Including Special Franchise	(F) Prior Year Class Equalization Rate	(G) Estimated Market Value E/(F*100)	(H) Current Percentages (G/sum of G)
Class				
Homestead	876,492,885	90.05	973,340,239	59.48966
Nonhomestead	398,415,051	60.11	662,809,933	40.51034
Total	1,274,907,936		1,636,150,172	100.00000

I, the clerk of the legislative body of the approved assessing unit identified above, hereby certify that the legislative body determined on _____ base percentages, current percentages, and current base proportions as set forth herein for the assessment roll and portion as identified above.

DETERMINATION OF CURRENT BASE PROPORTIONS

Section III	(I) Local Base Proportion for the 1990 Assessment Roll	(J) Updated Local Base Proportion	(K) Prospective Current Base Proportion Part (J) Prorated to 100.00	(L) Adjusted Base Proportion used for Prior Tax Levy	(M) % difference between prior Adjusted Base Proportion and Prospective Current Base Proportion ((K/L)-1)*100	(N) Maximum Current Base Proportion (L*1.05)	(O) Current Base Proportions
Class		I*(H/D)	(J/sum of J)				
Homestead	40.12162	41.23623	41.72501	54.86008	-23.94		52.60308
Nonhomestead	59.87838	57.59234	58.27499	45.13992	29.10	47.39692	47.39692
Total	100.00000	98.82857	100.00000	100.00000			100.00000

signature

title

date

Agenda Item #5

SUBJECT: Consultant Services Agreement for Replacement of Control and Power Systems for the Refrigeration Plant at Hyde Park Ice Rinks

In 2010 the City of Niagara Falls hired DiDonato Associates, P.C. for the first phase of major renovations at the Hyde Park Ice Pavilion. Since then we have completed four phases. The last phase of construction addressed the rinks and piping systems, but not our original 1970's refrigeration plant Power and Controls Systems. The City has been maintaining the current plant, but the age of the equipment has led to continuous man hours of maintenance and repairs, to the point that the current system has failed leading to disruption of ice for our tenant.

We have the opportunity once again to phase in work during the slow time of summer and with very long lead times anticipated for equipment deliveries. We respectfully ask to bring aboard DiDonato Associates to design, bid and award, and provide Construction Services throughout this project.

Based on their previous experience, knowledge of the facility and reasonable fee scale, it is the recommendation of the undersigned that this project be awarded to DiDonato Associates at its Proposal Price of \$20,800.00. Funding is available through a Bond Resolution approved by Council for the previous Phase of Ice Rink work.

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

Agenda Item #6

LETTER OF AWARD – NIAGARA FALLS SKATE PARK CONSTRUCTION

The following table is the result of construction bids received on April 20, 2016 for the above referenced project. An advertisement for bid was published in the Niagara Gazette on March 23, 2016.

Contractor	Bid
Pinto Construction Services, Inc.	\$517,138.96
Sicoli & Massaro Inc.	\$727,700
Walter S. Johnson Building Co., Inc.	\$557,700

It is the administration's recommendation that the construction contract be awarded to the lowest bidder, Pinto Construction Services, Inc., at the negotiated price of **\$494,000**. Without any major scope change, the low bidder agreed to reduce the total project cost by **\$23,138.96**. It is important to note that **the Niagara Falls Skate Park Construction Project will not require any municipal, general fund or casino capital fund revenue**. The entire project will be funded by United States Department of Housing and Urban Development Community Development Block Grant (CDBG) funds and Tony Hawk Foundation (THF) grant funds.

The concrete skate park will be located within Hyde Park, off of Hyde Park Blvd., south of the John Duke Senior Center parking lot. The location is consistent with Crime Prevention through Environmental Design (CPTED) principles, and is centrally located as to be easily accessible to all Niagara Falls neighborhoods. The project was planned in strong partnership with the Niagara Falls Youth Bureau, and also sought input from the Niagara Falls Police Department and the Department of Public Works. The Niagara Falls Community Development Department (CD) began a public participation process to plan a Niagara Falls Skate Park in August 2014, after approximately 20 years of community discussion and advocacy for such a facility. Over 600 (428 electronic/180 written) individuals signed a petition in support of the project between August 2014 and July 2015, CD hosted three community planning meetings, and the public has also had the opportunity to comment on the project's CDBG funding at the 2015 Community Development public hearing and/or the 30 day written comment period. The Niagara Falls City Council approved the Niagara Falls Skate Project as part of the 2015 CDBG Action Plan in November 2014, and approved a design contract in March 2015. In August 2015, CD was also awarded a \$10,000 THF grant for the construction of the skate park, as a result of a competitive application submitted to the foundation in June 2015.

Project Planning Timeline

- **August 12, 2014 - Skate Park Planning Meeting #1**
- **August 18, 2014 - Skate Park included in draft 2015 CDBG Budget**
- **October 24, 2014 - Skate Park Planning Meeting #2**
- **November 10, 2014 - City Council approves 2015 CDBG Budget**
- **March 3, 2015 - Niagara Falls City Council approves Spohn Ranch design contract**
- **April 16, 2015 - Spohn Ranch Community Design Meeting**
- **December 18, 2015 - City receives authorization to spend CDBG funds**
- **March 2016 - Final design and bid documents completed**
- **March 23, 2016 - Construction advertised for bid**
- **April 20, 2016 - Construction bids opened**

In accordance with HUD guidance, the City of Niagara Falls is able to access unprogrammed CDBG funds to assist the completion of an approved CDBG project. During final design, the city anticipated high bids due to New York State prevailing rate requirements. In preparation of these higher costs, CD has arranged for the use of unprogrammed CDBG funds, and remaining funds from projects completed under budget, to complete the skate park project without adversely impacting our total program of projects.

The Niagara Falls Skate Park is part of CD and the City of Niagara Falls' continuing effort to increase and improve youth facilities and services in our community. In 2016, the CDBG Program will improve the Hyde Park Playground, the Hyde Park Little League baseball diamonds, 70th Street Park, Gill Creek Park and Jerauld Avenue Park. In addition, the Niagara Falls Engineering Department is planning playground improvements at Center Court Park.

Will the Council vote to so approve and authorize the Mayor to execute a contract with Pinto Construction Services, Inc., in a form acceptable to the Corporation Counsel?

Agenda Item #7

PURCHASE OF HYDE PARK PLAYGROUND EQUIPMENT AND PURCHASE AND INSTALLATION OF SAFETY SURFACING

It is the administration's recommendation that the purchase of Hyde Park Playground equipment and the purchase and installation of Hyde Park Playground safety surfacing should be purchased via the New York State Office of General Services Playground Equipment, and Related Products Statewide Contract. GAMETIME Playground Equipment is a qualified vendor as part of the statewide contract **(NYS CONTRACT PC 66669)**. The total amount that the Niagara Falls City Council is being asked to authorize is **\$190,580.76** as detailed below.

Item	Cost
Equipment Purchase	\$94,618.76
Safety Surfacing and Installation	\$95,962
Total	\$190,580.76

The Hyde Park Playground Project will not require any municipal general fund or casino capital fund revenue. The entire project, including the purchase of equipment and installation, will be funded by United States Department of Housing and Urban Development Community Development Block Grant (CDBG) grant funds, Niagara River Greenway grant funds **(\$47,000)** and Dr. Pepper/Snapple - KaBOOM! Let's Play Community Construction grant funds **(\$15,000)**.

The Hyde Park Playground will replace the existing, outdated facility, and will be located within Hyde Park, off of Robbins Drive, approximately 50 yards from the Robbins Drive parking lot. The location is consistent with Crime Prevention through Environmental Design (CPTED) principles, and is centrally located, so as to be easily accessible to all Niagara Falls neighborhoods. The project was planned in strong partnership with the Niagara Falls Youth Bureau, and input was also sought from the Niagara Falls Police Department and the Department of Public Works. The playground consists of five separate pods, organized by age groups, each including safety surfacing and surrounding bench seating. The playground is easily visible from both the Robbins Drive parking lot, Robbins Drive itself, and surrounding park shelters. The current isolated location makes it harder to monitor and to reach, as there are no connecting sidewalks.

The Niagara Falls Community Development Department (CD) partnered with the Niagara Falls Youth Bureau Board to plan this playground over the past two years, and CD and the public have had the opportunity to comment on the project's CDBG funding at the 2015 Community Development public hearing and/or the 30 day written comment period. The Niagara Falls City Council approved the Niagara Hyde Park Playground as part of the 2015 CDBG Action Plan in November 2015. In Spring 2015, the City of Niagara Falls was awarded a \$47,000 Niagara River Greenway grant for playground construction as part of a comprehensive Hyde Park improvement application. In August 2015, the City of Niagara Falls was also awarded a \$15,000 grant for the construction of the

Hyde Park Playground, as a result of a competitive application submitted to the Dr. Pepper/Snapple - KaBOOM! Let's Play Community Construction Grant Program. Beyond the aforementioned purchase of equipment and purchase installation of safety surfacing, final equipment installation will be bid, per municipal procurement law, and funded with CDBG funds.

The Hyde Park Playground Project is part of CD and the City of Niagara Falls' continuing effort to increase and improve youth facilities and services in our community. An improved playground at Hyde Park is consistent with the adopted Niagara Falls Parks Master Plan. In 2016 alone, the CDBG Program will improve the Hyde Park Playground, the Hyde Park Little League baseball diamonds, create a Niagara Falls Skate Park, improve 70th Street Park, Gill Creek Park and Jerauld Avenue Park. In addition, the Niagara Falls Engineering Department is planning playground improvements at Center Court Park.

Hyde Park is the city's signature public green space and the second largest municipal park in New York State, second only to Central Park. It is centrally located, and accessible to children and parents from throughout Niagara Falls. A modern playground, as well as the other capital projects happening within the Hyde Park, will enhance the public space and provide our young people with constructive activities.

Will the Council vote to so approve and authorize the Mayor to execute a contract for the purchase and limited installation of this equipment, in a form acceptable to the Corporation Counsel?

Agenda Item #8

SUBJECT: Bid #2016-04 Landscaping of Medians

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

TO: Villani's Lawn & Landscape, LLC

6405 Packard Road

Niagara Falls, NY 14304

FOR: Landscaping and maintenance of the medians along

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

Traffic Circle:

\$ 48,520.00

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 Four (4) vendors. Four (4) bids were received. The above referenced company submitted the lowest bid. Bids were also received from Gardenville Landscape & Nursery LLC (\$ 49,321.00,) Beau Enterprises, Inc. (\$ 67,374.00) and J.F. Krantz Nursery, Inc. (\$ 68,750.00.)

Funds for this expenditure are available in H1313.2013.1313.0449.599.

Will the Council so approve?

Agenda Item #9

SUBJECT: Bid #2016-08 Meals for Prisoners

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

TO: PSNF Inc. d/b/a McDonald's

1726 Pine Avenue

Niagara Falls, NY 14301

FOR: Meals for prisoners at the Municipal Services Building:

Breakfast (est. 3,000)	\$1.00
Lunch (est. 6,700)	\$1.65
Supper (est. 2,200)	\$1.65
Diabetic Request (est. 10)	\$.50

(unit price for diabetic request is added to the unit price of meal when purchased)

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 four (4) vendors. Two (2) bids were received. Frankie's Donuts submitted a bid of \$ 1.00 for breakfast, \$ 1.75 for lunch, \$ 1.75 for supper and \$1.75 for diabetic request. The above referenced company submitted the lowest bid. This contract will be in effect for one year from date of award and has the ability to renew for two (2) additional years upon availability of funds and City Council approval.

Funds for this expenditure are available in Prisoner Meals A.3120.0001.0449.010.

Will the Council so approve?

Agenda Item #10

RE: Funding for 2016 In-House Paving Program

Council Members:

Funds are available for the 2016 In-House Paving Program from the 2014 Casino Revenue local share in the amount of \$382,554.00 and also from 2014 non-discretionary portion pursuant to 99-H of the State Finance Law in the amount of \$781,181.00 for a total of \$1,163,735.00. These dollars will be transferred to Code H0812.2008.0812.0449.599 in the amount of \$203,000.00 and an additional transfer to Code H0812.2008.0812.0419.006 in the amount of \$960,735.00.

There will be an additional amount of CHIPS funding available in the amount of \$962,689.00. Those dollars will be transferred to the following codes: H0316.2016.0316.0449.599 in the amount of \$175,000.00 and Code H0316.2016.0316.0419.006 in the amount of \$787,689.00.

Funding is available as described above. Will the Council so approve?

Agenda Item #11

RE: City Council Agenda Item:

N.F.C Development Corp. Operating Budget

Council Members:

Attached is the 2016 administrative budget for N.F.C. Development Corp. approved by the NFC board of directors. As you can see, the budget requires a transfer of \$95,000.00 of casino revenues from the City Council in order to meet the budgeted expenses.

Will the Council vote to approve transfer of \$95,000.00 of casino revenues to N.F.C. Development Corp. for the 2016 NFC administrative budget as set forth herein, and authorize the Mayor to execute any documents necessary to effectuate the same?

NFC DEVELOPMENT CORPORATION
Administrative Budget
2016-2015

ACCOUNT	REVENUES	2016	2015	Increase/(Decrease)
		Adopted Budget	Adopted Budget	
NFC.0000.0985.000	Interest Income from Loans Issued	\$ 10,000.00	\$ 10,000.00	\$ -
NFC.0000.0985.001	Interest Income-M&T Payroll Account	100.00	100.00	-
NFC.0000.0985.003	Interest Income-1st Niagara Money Mkt.	-	-	-
NFC.0000.0985.004	Administration Fees	400.00	400.00	-
NFC.0000.0985.005	Credit report fees (\$25 each)	50.00	50.00	-
NFC.0000.0985.006	Casino Funds - Trf from City of NF	95,000.00	98,678.00	(3,678.00)
NFC.0000.0985.009	Interest Income-M&T Checking	10.00	10.00	-
NFC.0000.0985.010	Interest Income-M&T Money Market	800.00	800.00	-
NFC.0000.4999.000	Undesignated Fund Balance for 2013	-	-	-
	Total Revenues	\$ 106,360.00	\$ 110,038.00	\$ (3,678.00)

ACCOUNT	EXPENSES	Increase/(decrease)		
		2016	2015	
NFC.1315.0001.0130.000	Temporary Personnel	\$ 12,000.00	\$ 12,000.00	\$ -
NFC.1315.0001.0411.000	Office Supplies	300.00	300.00	-
NFC.1315.0001.0419.599	Undesignated Supplies	190.00	190.00	-
NFC.1315.0001.0433.000	Liability Insurance	550.00	550.00	-
NFC.1315.0001.0446.007	Software	11,000.00	-	11,000.00
NFC.1315.0001.0446.008	Software Maintenance/License	20.00	20.00	-
NFC.1315.0001.0449.597	Management fees-(credit bureau-est. 10@\$25)	250.00	250.00	-
NFC.1315.0001.0449.599	Undesignated Services	922.00	550.00	372.00
NFC.1315.0001.0451.000	Consultants-Development Services	65,000.00	72,000.00	(7,000.00)
NFC.1315.0001.0451.007	Computer Services-Payroll Tax Service	1,000.00	12,000.00	(11,000.00)
NFC.1315.0001.0459.000	Independent Auditor's Fee	8,000.00	8,000.00	-
NFC.1315.0001.0461.000	Postage	450.00	450.00	-
NFC.1315.0001.0463.000	Travel/Training Expense	3,000.00	-	3,000.00
NFC.1315.0001.0464.000	Local Meetings & Mileage Reimbursement	1,000.00	1,000.00	-
NFC.1315.0001.0466.000	Books/magazines	320.00	320.00	-
NFC.1315.0001.0467.000	Advertising/Marketing	800.00	800.00	-
NFC.1315.0001.0820.000	Worker's Compensation	300.00	400.00	(100.00)
NFC.1315.0001.0840.000	Unemployment	340.00	290.00	50.00
NFC.1315.0001.0810.000	FICA	918.00	918.00	-
	Total Expenses	\$ 106,360.00	\$ 110,038.00	\$ (3,678.00)

Difference Revenues less expenses \$ - \$ - \$ -

Notes to budget:

- 1) Temporary Expense: Attorney, Controller, Clerk & Secretary who provide services for NFC.
- 2) Meetings includes NFC member lunch meeting for average of 20 people.

APPROVED BY NFC BOARD ON 12/15/2014

RESOLUTION No. 2016 –

**RELATIVE TO THE REIMBURSEMENT TO THE TOWN OF SOMMERSET
FOR EXPENSES RELATED TO THE GREATER NIAGARA ORLEANS
COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM STUDY**

BY:

Council Chairman Andrew Touma
Council Member Ezra P. Scott, Jr.
Council Member Kenny Tompkins

WHEREAS, the Greater Niagara Orleans County Municipal Health Insurance Consortium Study currently consists of twenty-six municipal entities throughout Niagara and Orleans Counties; and

WHEREAS, the Consortium's goal is to reduce overall health care costs to municipalities through purchasing health insurance jointly; and

WHEREAS, an initial comprehensive review was completed by Arthur J. Gallagher & Co. showing that significant savings could accompany the joint purchasing of health insurance through the Consortium, thereby potentially reducing the overall operating costs to municipalities; and

WHEREAS, the Consortium, if adopted, could provide relief to taxpayers through efficiency and leverage provided by the Consortium; and

WHEREAS, by a consensus vote of the Consortium's Ad Hoc Committee comprised of participating municipalities, it was directed that the Town of Somerset, as lead agency for the participating members, apply for a \$250,000.00 grant from the New York State Department of State to further study the Consortium; and

WHEREAS, the twelve towns in Niagara County, who are all participating members in this project, each contributed \$417.00 to date towards the cost of the grant writer to pursue the state grant; and

WHEREAS, the Consortium was successful in that the state grant was awarded and the Town of Somerset was designated as the lead agency for administering the grant; and

WHEREAS, as a condition to the Department of State's \$250,000.00 grant, the recipient must provide matching funds equal to 10% of the overall grant total; and

WHEREAS, the Town of Somerset, as the lead agency, is responsible for providing the \$25,000.00 in matching funds as required by the New York State Department of State; and

WHEREAS, by consensus vote of the Consortium's Ad Hoc Committee, it was agreed that participating municipalities would equally reimburse the Town of Somerset for the matching funds required to be paid by the Town of Somerset for this grant; and

WHEREAS, at this time and during the grant process, there is no obligation of any municipality to join the Consortium upon its final implementation; and

WHEREAS, in order to completely evaluate the full costs and benefits of a Consortium, it is essential that the grant project continue until its conclusion; and

WHEREAS, the Town of Somerset will seek reimbursement, on a quarterly basis, from the State for services and expenses rendered under this Grant, in which the State will deduct the matching grant portion; and

WHEREAS, the Town of Somerset will then submit quarterly to each participating municipality a voucher for its portion of the matching grant share; and

WHEREAS, this municipality is one of the entities participating in this project and may benefit from the Consortium study and potential implementation; and

NOW THEREFORE BE IT RESOLVED, that in the spirit of cooperation, the City of Niagara Falls agrees that the cost of the matching amount borne by the Town of Somerset shall be allocated amongst the current twenty-six participating municipalities in equal shares, with each Niagara County town who contributed towards the cost of the initial grant writer receiving a \$417.00 deduction from this equal share in order to ensure that each entity contributes an identical amount towards this project; and be it further

RESOLVED, the City of Niagara Falls does hereby authorize payment to reimburse the Town of Somerset in an amount not to exceed a total of \$1,154.00 over a two-year period, in quarterly reimbursements, not to exceed \$288.50 for the City's share of the grant matching funds for this project; and be it further

RESOLVED, that if any additional municipal entity joins this Consortium study, then the City of Niagara Falls recognizes that the aforementioned reimbursements will be adjusted downward accordingly.

RESOLUTION No. 2016 –

**RELATIVE TO PARTICIPATION IN THE GREATER
NIAGARA ORLEANS COUNTY MUNICIPAL
HEALTH INSURANCE CONSORTIUM STUDY**

BY:

Council Chairman Andrew Touma
Council Member Ezra P. Scott, Jr.
Council Member Kenny Tompkins

WHEREAS, the Greater Niagara Orleans County Municipal Health Insurance Consortium Study currently consists of twenty-six municipal entities throughout Niagara and Orleans Counties; and

WHEREAS, the Consortium's goal is to reduce overall health care costs to municipalities through purchasing health insurance jointly; and

WHEREAS, an initial comprehensive review was completed showing that significant savings could accompany the joint purchasing of health insurance through the Consortium, thereby potentially reducing the overall operating costs to municipalities; and

WHEREAS, the Consortium, if adopted, could provide relief to taxpayers through efficiency and leverage provided by the Consortium; and

WHEREAS, that based on the information given to this Council on May 3, 2016, the City of Niagara Falls may benefit from the Consortium study and potential implementation; and

NOW THEREFORE BE IT RESOLVED, that the City of Niagara Falls commits to participate with other government and municipal entities to study the feasibility of forming a Greater Niagara Orleans County Municipal Health Insurance Consortium.

Agenda Item #14

RESOLUTION No. 2016 -

**RELATIVE TO RECOGNITION OF
FIRST DEPUTY CORPORATION COUNSEL
THOMAS M. O'DONNELL**

BY:

COUNCIL CHAIRMAN ANDREW TOUMA
COUNCIL MEMBER KRISTEN GRANDINETTI
COUNCIL MEMBER EZRA SCOTT, JR.
COUNCIL MEMBER KENNY TOMPKINS
COUNCIL MEMBER CHARLES WALKER

WHEREAS, the Honorable Jacqueline Koshian served with particular distinction as the first female member of the Corporation Counsel's office and the first female City Court Judge in the City of Niagara Falls; and

WHEREAS, in addition to her exceptional level of skill as both an attorney and a jurist, Judge Koshian was also well known for her efforts to promote the legal profession and her work with numerous charitable and not-for-profit organizations; and

WHEREAS, the Niagara County Bar Association annually awards The Hon. Jacqueline Koshian Service Award to an attorney who embodies Judge Koshian's legacy by promoting the legal profession and performing charitable work; and

WHEREAS, First Deputy Corporation Counsel Thomas M. O'Donnell has provided over twenty-five years of service in the Corporation Counsel's office and has also donated significant amounts of his time to charitable and not-for-profit organizations, including the Ancient Order of Hibernians, the Boy Scouts of America and the Old Fort Niagara Association amongst others; and

WHEREAS, on May 6, 2016, the Niagara County Bar Association presented The Hon. Jacqueline Koshian Service Award to Thomas M. O'Donnell in recognition of his service to both the legal profession and charitable entities.

NOW THEREFORE BE IT RESOLVED, that First Deputy Corporation Counsel Thomas M. O'Donnell be recognized for receiving this prestigious award and for his outstanding service to the City and the community.

Agenda Item #15

RESOLUTION No. 2016

TOURISM ADVISORY BOARD APPOINTMENT

BY:

COUNCIL CHAIRMAN ANDREW TOUMA

COUNCIL MEMBER KRISTEN GRANDINETTI

COUNCIL MEMBER EZRA SCOTT, JR.

COUNCIL MEMBER KENNY TOMPKINS

COUNCIL MEMBER CHARLES WALKER

WHEREAS, there is currently a vacant seat on the Niagara Falls Tourism Advisory Board, due to the resignation of Mr. Mark Mistriner.

NOW THEREFORE, BE IT RESOLVED, that the following individual is hereby appointed to the City of Niagara Falls Tourism Advisory Board, effective immediately.

APPOINTMENT

TERM EXPIRES:

Anas A. Mangla
6961 Plaza Drive
Niagara Falls, NY 14304

12/31/2016