

Agenda Item #1

The Bridge Commission has been parking in the Rainbow Ramp under a 30-year agreement dating from 1997 and a 3-year agreement dating from 2010 for additional spaces. As you know, the renovation of the ramp is complete. A new parking agreement has been negotiated for the remaining 15 years on the original agreement. This new agreement consolidates the parking requirements of the two agreements, and provides for parking on the third floor of the ramp. A diagram of the new proposed parking configuration is attached.

The new configuration provides for secure fenced parking for up to 80 vehicles. The parking fee will be \$2,500.00 per month for 5 years, with 3% escalators at five and ten years. Payment would be \$2,575.00 after five years and \$2,600.00 after ten years. The Bridge Commission will maintain the fencing and the parking area.

This new configuration frees up the former "captive" stairwell that the Commission was using. The new configuration creates the minimum of interference with other ramp users, while maintaining the security necessary for government employees working at the Rainbow Bridge. The 1,650+ space parking capacity of the ramp will be sufficient to service the demands of the Culinary Institute, along with the hoped for additional demand for parking in the renovated ramp.

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

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

TO: NOCO Energy Corporation  
2440 Sheridan Drive  
Tonawanda, NY 14150

FOR: Items: 4, 10 and 11 per the attached tally sheet.

TO: Superior Lubricants Co., Inc.  
32 Ward Road  
North Tonawanda, NY 14120

FOR: Items: 3, 5, 6, 7, 8 and 9 per the attached tally sheet.

TO: Emerson Oil, Inc.  
545 Lyell Avenue  
Rochester, NY 14606

FOR: Items: 1 and 2 per the attached tally sheet.

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

Notice that bids were to be received was advertised in the Niagara Gazette and bids were sent to Four (4) vendors. Four (4) bids were received. The above referenced companies submitted the lowest bids for each respective item.

Funds for these expenditures are available in the Central Garage code: MV0055.0000.0414.000.

### Agenda Item #3

A contract for the above referenced project was awarded to Scott Lawn Yard on March 19, 2012 in the amount of \$35,016.80.

Due to the unknowns involved with coordination between multiple owners and contractors and the uncertain condition of the existing lighting system, it was the City's intent prior to bidding to compensate the contractor for furnishing temporary lighting on a "per light unit per day" basis. Since the project's temporary lighting phase has finished, a final dollar amount can now be determined. At the unit cost per day that the City established, the total cost for this bid item is \$22,940.00. Funding is available under Code H1115.2011.1115.0449.599.

It is the recommendation that Change Order #1 be approved on the amount of \$22,940.00 establishing the new contract amount to \$57,956.80.

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

Agenda Item #4

The following was the result of bids received on April 5, 2012, for the above referenced project:

<b><u>CONTRACTOR</u></b>	<b><u>BASE BID</u></b>
Dandrow's Painting, Inc. 103 Oak St. Plattsburgh, NY 12901	\$ 70,122.00
Acme Powerwashing, Inc.	\$124,540.00
Paul J. Gallo Contracting, Inc.	\$164,242.15
Yarussi Construction, Inc.	\$294,699.00
Hunting Valley Construction, Inc.	\$499,000.00

It is the recommendation of the undersigned that this project be awarded to Dandrow's Painting, Inc. at its Base Bid of \$ 70,122.00. Funding is available under Code H1112.2011.1112.0449.599.

Our design consultant Greenman-Pederson, Inc. has reviewed and recommended award of this project to the above-referenced contractor. Similarly, the New York State Department of Transportation has reviewed the proposal package and granted permission to award. Please note that this award is 80% reimbursable through the State of New York.

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

Agenda Item #5

The following was the result of bids received on April 5, 2012, for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>
Yarussi Construction, Inc. 5650 Simmons Ave. Niagara Falls NY 14304	\$ 223,579.00
Hunting Valley Construction, Inc.	\$ 224,343.75
Nichol's Long & Moore Construction	\$ 246,305.00
Paul J. Gallo Contracting, Inc.	\$ 263,070.00

It is the recommendation of the undersigned that this project be awarded to Yarussi Construction, Inc. at its Base Bid of \$ 223,579.00 Funding is available under Code H1111.2011.0449.599.

Our design consultant Greenman-Pederson, Inc. has reviewed and recommended award of this project to the above-referenced contractor. Similarly, the New York State Department of Transportation has reviewed the proposal package and granted permission to award. Please note that this award is 80% reimbursable through the State of New York.

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

## Agenda Item #6

The Niagara Festival & Entertainment Group has once again asked the City to contribute funding to help pay expenses for it to plan and undertake its 5<sup>th</sup> Annual Blues Festival scheduled to take place on September 7, September 8 and September 9, 2012 on Old Falls Street. The sum of \$2,500.00 is available from Tourism Fund Balance.

Will the Council so approve and authorize the Mayor to sign a Funding Agreement approved by the Corporation Counsel?

Agenda Item #7

The Pine Avenue Business Association will be planning and undertaking its Annual Italian Festival on Pine Avenue between Portage Road and 15<sup>th</sup> Street on Saturday, August 4, 2012 and Sunday, August 5, 2012. The City has been requested to contribute to the expense of this festival. The sum of \$2,500.00 is available from the Tourism Fund Balance.

Will the Council approve this contribution and authorize the Mayor to execute a Funding Agreement to be approved by the Corporation Counsel?

## Agenda Item #8

The City has been requested once again to contribute to the expenses of planning, undertaking and carrying out the Good News Gospel Fest/Health Fair planned for July 21, 2012 at Legends Park. The sum of \$2,500.00 is available from the Tourism Fund Balance.

Will the Council so approve and authorize the Mayor to execute a Funding Agreement acceptable to the Corporation Counsel?

## Agenda Item #9

The City has received a request from the owners of the property at 421 Third Street for a sign encroachment and a sidewalk patio encroachment. These have been reviewed by the appropriate City departments which recommend approval subject to the following conditions for both encroachments:

1. The owner will add the City of Niagara Falls as an additional insured on its liability insurance policy.
2. The owner will defend and indemnify the City from liability related to both encroachments.
3. The City can revoke the license for the encroachments on sixty (60) days' written notice.
4. The owner will receive all applicable permits and inspections.

In addition, the patio encroachment must comply with any conditions imposed by the City Engineer with regard to sufficient space for pedestrian passage on the sidewalk and to ensure that no damage occurs to the City's right-of-way.

In addition, these are subject to a positive recommendation being granted by the Planning Board (these are on the agenda for the Planning Board's meeting on May 23, 2012).

Will the Council so approve?

Agenda Item #10

The above claimant has incurred medical expenses for personal injuries suffered by her when she was being transported back to Niagara Falls High School in a police vehicle after serving as a volunteer at the City's recent Emergency Drill on November 16, 2011.

Under the New York State No-Fault Law, the City of Niagara Falls, as a self-insured entity, is obligated to pay the claimant's medical expenses arising out of this incident. If the same meets with your approval, please vote to direct the City Clerk to draw a warrant on the City Controller directing her to issue the following checks:

<u>Provider</u>	<u>Date of Service</u>	<u>Amount</u>
Niagara Falls Memorial Medical	4/03/2012	\$162.96

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

Will the Council so approve?

Agenda Item #11

The above claimant has incurred medical expenses for personal injuries suffered by her when she was a passenger in a City police vehicle which was involved in a motor vehicle accident on November 12, 2011.

Under the New York State No-Fault Law, the City of Niagara Falls, as a self-insured entity, is obligated to pay the claimant's medical expenses arising out of this incident. If the same meets with your approval, please vote to direct the City Clerk to draw a warrant on the City Controller directing her to issue the following checks:

<u>Provider</u>	<u>Date of Service</u>	<u>Amount</u>
Cardamone Chiropractic	4/11 - 5/14/2012	\$390.72
Cameron B Huckell MD	5/4/2012	\$320.70

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

Will the Council so approve?

Agenda Item #12

Please be advised that Mayor Paul A. Dyster, on May 15, 2012, duly approved the following:

1. Resolution 2012-41, relative to Amending Chapter 366 of the Codified Ordinances entitled "Pedicab and Pedicab Drivers".

Agenda Item #13

Please be advised that Mayor Paul A. Dyster, on May 18, 2012, duly approved the Following:

1. Resolution 2012-42, relative to Amending Chapter 341 of the Codified Ordinances entitled "Vendors and Peddlers".

Agenda Item #14

The following have requested City Council approval for Commissioner of Deeds for a term from July 1, 2012 to June 30, 2014.

Dobrasz Jr., Daniel	NFPD
Freeman, Roger	NFPD
Jaroszewski, Mark	NFPD
Kunecki, Julie	Dept. of Inspections
Stack, Patrick	NFPD
Zona, Anita	Human Resources
Archie, Samuel	2133 North Ave., Niagara Falls, NY 14305
Choolokian, Pamela	1141 Garrett Ave., Niagara Falls, NY 14305
Churakos, Stephanie	564 Oak Run Dr., Lewiston, NY 14092
Corsaro, Candace	1826 North Ave., Niagara Falls, NY 14305
Curcione, Frances	3302 Walnut Ave., Niagara Falls, NY 14301
D'Aloise Jr., Nicholas	621 4 <sup>th</sup> St., Niagara Falls, NY 14301
Emassar, Marcia	626 69 <sup>th</sup> St., Niagara Falls, NY 14304
Fiorentini, Virgil	2236 Grand Ave., Niagara Falls, NY 14301
Kennedy, Jean	1423 Wyoming Ave., Niagara Falls, NY 14305
Mariano, Kelly	2253 Michigan Ave., Niagara Falls, NY 14305
Parenti, Gary	955 Harrison Ave., Niagara Falls, NY 14305
Peploe, Kevin	669 78 <sup>th</sup> St., Niagara Falls, NY 14304
Raybon, Jemellie	1716 Ferry Ave., Niagara Falls, NY 14301
Sirianni, Juanita	3351 Ely Ave., Niagara Falls, NY 14303
Stopa, Todd	527 Hyde Park Blvd., Niagara Falls, NY 14301
Smith, Laura	650 4 <sup>th</sup> St., Niagara Falls, NY 14301
Smith, Angela	1723 Caravelle Dr.A#6, Niagara Falls, NY 14304
Smith, Margaret	410 74 <sup>th</sup> St., Niagara Falls, NY 14304
Walker, Linda	1821 16 <sup>th</sup> St., Niagara Falls, NY 14305
Zito, Peter	3351 Ely Ave., Niagara Falls, NY 14303

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

## Agenda Item #15

**WHEREAS**, The Girl Scouts of WNY will “Rock Out” at one of the worlds greatest wonders. Thousands of Girl Scouts and Canadian Girl Guides of all ages will join in for this inaugural and unprecedented sing-a-long of traditional and historical Girl Scout Songs to celebrate the 100<sup>th</sup> Anniversary of the Girl Scouts of America. The event will take place on Saturday, June 23<sup>rd</sup> on Goat Island overlooking the Niagara River. On Sunday, June 24<sup>th</sup>, 100 Girl Scouts and Girl Guides will span the rainbow bridge to commemorate this momentous occasion; and

**WHEREAS**, in 1912, Juliette Gordon Low assembled 18 girls in Savannah, Georgia for the first local Girl Scout Meeting. Almost immediately, Juliette Gordon Low’s dream for a girl-centered organization was realized. Today, Girl Scouts of the USA has a membership of over 3.2 million girls and adults in every residential zip code and in 90 countries. Nearly 60 million living women in the U.S. today are Girl Scout alumnae. With their willingness to address important issues, to their commitment to diversity and inclusiveness, Girl Scouts is dedicated to every girl, everywhere; and

**WHEREAS**, Girl Scout Troops are organized at six different grade levels: Girl Scout Daisies (Grades K-1); Girl Scout Brownies (Grades 2-3); Girl Scout Juniors (Grades 4-5); Girl Scout Cadettes (Grades 6-8); Girl Scout Seniors (Grades 9-10); and Girl Scout Ambassadors (Grades 11-12). The Girl Scouts of WNY currently serves approximately 9,000 adult volunteers and 20,000 girls. They service nine counties in WNY and have day and overnight camp programs as well as the Girl Scout Leadership Experience Program; and

**WHEREAS**, the Girl Scout Mission is to build girls of courage, confidence and character, who make the world a better place to be.

***The Girl Scout Promise:***  
***On my honor, I will try***  
***to serve God and my country,***  
***to help people at all times,***  
***and to live by the Girl Scout Law***

**NOW THEREFORE BE IT RESOLVED**, that the members of the Niagara Falls City Council congratulates the Girl Scouts of Western New York and the Girls Scouts of America in celebrating their 100<sup>th</sup> Anniversary.

## Agenda Item #16

**WHEREAS**, the City of Niagara Falls strives to create an environment of business opportunity that nurtures businesses and supports employment opportunities; and

**WHEREAS**, stable and healthy local businesses are critical to maintaining a strong, varied, and diverse local economy that provides economic growth and enhances the livability of the community; and

**WHEREAS**, stable and healthy local businesses strengthen the local economy by creating healthy competition for goods and services, retaining existing businesses and jobs in the City, and attracting new businesses and employment opportunities to the City; and

**WHEREAS**, stable and healthy local businesses benefit the community by supporting local schools, charities, youth organizations and contribute to community social services and events often staffed by volunteers; and

**WHEREAS**, stable and healthy local businesses benefit the City of Niagara Falls by paying property taxes, business license fees, development permit fees, and utility charges; and

**WHEREAS**, the goals of the City of Niagara Falls can be achieved by purchasing goods and services from local businesses that pay taxes, fees and other charges that help keep Niagara Falls a livable community.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Niagara Falls, New York that the City shall seek to promote economic growth and enhance the livability of the community through the purchase of goods and services from local businesses and hereby creates the City's Purchasing Opportunities for Local Business Program as follow:

The City of Niagara Falls will proactively notify local businesses of how to find contract opportunities with the City by:

1. Attending meetings of the Niagara Falls/Niagara County Area Chamber of Commerce and other organizations that assist local businesses.
2. Providing information to persons with a Niagara Falls business license.
3. Regular publications of the information in the Niagara Falls Gazette, Niagara Falls Reporter or other local Niagara Falls newspaper regarding how to do business with the City of Niagara Falls.
4. Publication in local Niagara Falls newspaper of Invitations to Bid and Requests for Proposals for goods, services, and public improvements.

For any purchases, the City shall first determine if there are businesses located within the City of Niagara Falls who can supply the goods and services and shall include such local businesses when soliciting price quotations and informal proposals.

The City shall not make on-line purchases until first determining whether local businesses are qualified for the work and offer a price and quality that are comparable to those offered by non-local businesses.

**BE IT FURTHER RESOLVED**, as used in this resolution "local business" means a business that uses real property within the City of Niagara Falls for a commercially useful function, pays city taxes, fees and utility charges and has a current Niagara Falls business license.

**BE IT FURTHER RESOLVED**, nothing in this resolution is intended to apply to a local business that does not comply with all public contracting requirements or that charges substantially more than non-local businesses for comparable products and services.

**BE IT FURTHER RESOLVED**, that the City of Niagara Falls, acting as a market participant, encourages local companies and other public agencies to purchase from and use businesses located within the City of Niagara Falls.