

Monday – June 22, 2015 Council Meeting

PRESENTATIONS:

1. Niagara Tourism & Convention Corporation – John Percy
2. Oakwood Cemetery Associates – Trudy Christman
3. Bishop Euriah Colvin – (Council will present resolution to family)
4. JB Aaron – (Council will present resolution)
5. Desmond Associates – Gregory Shumate RE: Parking Meters

ADMINISTRATIVE UPDATE:

None

Agenda Item #1

The following is a report of the licenses issued and collections made in the Office of the City Clerk during the month of May 2015.						
					<u>CONTROLLER</u>	<u>TOTAL</u>
A1255-001 A012		Vital Statistics			\$ 3,800.00	\$ 3,800.00
A1255-004 A013		Copies of Records			\$ 435.00	\$ 435.00
A1255-004 A013		Certificates of Marriage			\$ 720.00	\$ 720.00
A2501-006 A042		Tour Agency			\$ 250.00	\$ 250.00
A2501-006 A042		Tour Agency Additional Site			\$ 100.00	\$ 100.00
A2501-006 A042		Tour Attendant			\$ 205.00	\$ 205.00
A2501-006 A042		Tour Driver/Guide			\$ 900.00	\$ 900.00
A2501-011 A044		Peddler			\$ 1,125.00	\$ 1,125.00
A2501-014 A046		Electrician - Active			\$ 80.00	\$ 80.00
A2501-016 A047		Stationary Engineers			\$ 150.00	\$ 150.00
A2501-016-A047		BOILERS			\$ 100.00	\$ 100.00
A2542-000 A053		Dogs/NYS Agr. & Mkts	\$ 284.00		\$ -	\$ 284.00
A2542-000 A053		Additional Dogs			\$ 2,915.00	\$ 2,915.00
A2545-001 A054		Marriage License/NYSHD	\$ 1,620.00		\$ 540.00	\$ 2,160.00
A1255-002 A123		Commissioners of Deeds			\$ 110.00	\$ 110.00
A2545-010 A128		Petroleum - Retail			\$ 560.00	\$ 560.00
A2501-599 A130		Horse Drawn Carriages			\$ 150.00	\$ 150.00
A2545-023 A318		Hunters/NYS DEC RAU	\$ 998.62		\$ -	\$ 998.62
A2545-023 A318		Hunters Fees			\$ 58.38	\$ 58.38
A1255-003 A499		Notary Fee			\$ 4.00	\$ 4.00
A1255-005 A528		Dog Release			\$ 550.00	\$ 550.00
TA63008 A597		Marriage Performance			\$ 775.00	\$ 775.00
TOTAL:			<u>\$ 2,902.62</u>		<u>\$ 13,527.38</u>	<u>\$ 16,430.00</u>
Check #	<u>14111</u>	NYS Dept.of Arg. & Mkts		\$ 284.00		
Check #	<u>14093</u>	NYS Health Department		\$1,620.00		
Check #	<u>ET</u>	NYS DEC RAU		\$ 998.62		

Agenda Item #2

SUBJECT: ADA COMPLIANCE PROJECT – CHANGE ORDER #1 \$170,000.00

CONSTRUCTION INSPECTION AND CONTRACT ADMINISTRATION

A contract for the above referenced Consultant Services Agreement was awarded to Foit Albert Associates in the amount of \$280,000.00 on September 9, 2009.

In keeping with our agreed settlement, the City would like to engage the services of our consultant, Foit Albert Associates, to provide the administration and inspection services needed to complete this project. Additionally, at the request of counsel, we have included design tasks which will allow the City to deal with recently encountered deficiencies, not originally included in this project's scope. The cost of the added design, inspection and administration is \$170,000.00, bringing the new contract total to \$450,000.00. Funding is available from H0919.2009.0919.0449.599 in the amount of \$77,600.00 and the balance of \$92,400.00 is from Casino funds for a total of \$170,000.00.

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

Agenda Item #3

RE: City Council Agenda Item:
Gill Creek Park Sign Contract
K.J. Smith Enterprises, Inc. for \$10,700.00

Council Members:

On April 13, the City Council awarded the contract for a masonry monument sign at Gill Creek Park to Cooper Sign. The contractor had not included the required Davis-Bacon wage rates. Community Development solicited new proposals. The following proposals were received:

K.J. Smith Enterprises, Inc,	\$10,700.00
Fontanarosa Construction	10,986.00
Cooper Sign Co., Inc.	11,644.80

It is recommended that the sign contract be awarded to K.J. Smith Enterprises, Inc., the firm which submitted the lowest proposal. Funds are available to pay for the sign in the Gill Creek Park public improvement budget in budget line CD1.8662.0000.0450.500 (CPW-078)

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

Agenda Item #4

RE: Electrical Repair Work – Old Falls Street

Council Members:

A project was commenced in April of this year to repair electrical service on Old Falls Street. The original estimate was in the amount of \$5,260.00 but because of unforeseen difficulties encountered during the project, an additional \$1,562.00 in work became necessary. See the attached invoice for specifics. Funding is available in Account Code H1013.2010.1013.0449.599.

Will the Council so approve?



O'Connell Electric Company, Inc.
 830 Phillips Road
 Victor, NY 14564-8747

02:35:41 p.m. 06-10-2015 2/3
 Invoice ID: 66545908
 Invoice Date: 06-09-2015
 Draw ID: 2
 Customer ID: 55310
 Purchase Order:
 Work Order: 360894
 Job Number: 74762

To:
 CITY OF NIAGARA FALLS
 745 MAIN ST., ROOM 303
 NIAGARA FALLS, NY 14302

Job Location:
 Falls Street Lighting Repairs
 Falls Street
 Niagara Falls, NY

Ship Via: None

on hold

Item	Description	Units	Unit of Measure	Unit Price	Amount
1	Billing for electrical service work completed on 5/28/15 at Falls Street for temporary power distribution re-feed existing 200 amp service and relocate 200 amp 480 volt feeder disconnect as per SWO #360894				
2	General Foreman ST SWO #360894	1.50	Hours	94.13	141.20
3	General Foreman OT SWO #360894	1.00	Hours	120.18	120.18
4	Foreman ST SWO 360894	5.00	Hours	88.60	443.00
5	Foreman OT SWO # 360894	2.00	Hours	119.88	239.76
6	Apprentice ST SWO #360894	5.00	Hours	70.31	351.55
7	Apprentice OT SWO #360894	2.00	Hours	92.44	184.88
8	Service Vehicle #555	8.00	Hours	9.10	72.80

EXEMPT EXEMPT TAX

Amount Billed \$1,561.37
 Total Tax

Retainage Held

DATE DUE: 07-09-2015

Amount Due \$1,561.37

Agenda Item #5

*RE: Mutual Aid Agreement between the City and Niagara Falls ARS Fire
Emergency Services*

Council Members:

The City's Mutual Aid Agreement with the Niagara Falls ARS Fire Emergency Services is up for renewal. The term of this agreement will be for a period of five (5) years upon signing and will remain in effect for five (5) years. This agreement will automatically renew annually for a term of twenty (20) years. Either party may unilaterally terminate the agreement on 180 days prior written notice.

Fire Chief Thomas Colangelo has recommended renewal of this agreement. Will the Council so approve and authorize the Mayor to execute an agreement in form and substance satisfactory to the Corporation Counsel?

Agenda Item #6

RE: Request from City of Niagara Falls School District (the "District")

to assist in funding of 2015 Summer Youth Camp

Council Members:

The 2015 Summer Youth Camp is planned to take place once again this year on premises owned by the District. This camp has been an annual event each year since 2006. It will commence July 6, 2015 and run each day, exclusive of weekends, through the first part of August, 2015. The camp is administered by the Niagara Falls Housing Authority and is a day camp providing structured activities for approximately 800 City children. Bowling and ice hockey are additional activities offered off site. Lunch is included each day the camp is in session.

The District is requesting that the City contribute the sum of \$100,000 to the cost of this summer youth camp. It is requested that \$50,000 be contributed immediately and that an additional \$50,000 be contributed on or about August 1, 2015.

Funding is available from Tourism Fund Balance (Account Code T.0000.4999.000). No property tax revenues or casino revenues are involved.

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

Agenda Item #7

RE: 2015 Annual Niagara Falls Blues Festival

Council Members:

The Niagara Festival & Entertainment Group is planning to promote and undertake its Annual Blues Festival scheduled to take place on September 11, September 12, and September 13, 2015 on Old Falls Street. The City has been asked to contribute the sum of \$3,500.00 to the cost of this festival. Attached is a copy of the letter of request. Funds will be dispersed pursuant to a funding agreement prepared by the Corporation Counsel. Funding 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?



NIAGARA FESTIVAL & ENTERTAINMENT GROUP
(a 501c3 non-profit corporation)
PO Box 921
Niagara Falls, New York 14302
716-417-4364
www.niagarafallsbluesfest.org
info@niagarafallsbluesfest.org

May 18, 2015

Members of Niagara Falls City Council
City Hall Room 202
745 Main Street PO Box 69
Niagara Falls, NY 14302

Dear Council Members:

Niagara Festival & Entertainment Group seeks funding in the amount of \$3,500 from the City of Niagara Falls for support of our 8th Annual Niagara Falls Blues Festival, to be held September 11, 12, & 13 on Old Falls Street. We are grateful for the City support we received in the past as it helped us to establish the Niagara Falls Blues Festival as one of the country's premier blues festivals. When the City faced financial crisis and was unable to monetarily contribute to our event, we felt a loyalty to keep the Festival in Niagara Falls based on the past support we received. Backing from the City for the 2015 Festival will allow us to further enhance our entertainment lineup and attract even more people to Niagara Falls. We think our event is a great asset for the City as it aligns with the goals of bringing crowds to downtown Niagara Falls and keeping them here overnight, spending money on hotels, restaurants and entertainment after the end of the traditional "tourist season".

Niagara Festival & Entertainment Group was established in 2009 as a 501c3 non-profit corporation to operate the Niagara Falls Blues Festival. Our stated goal is to preserve the Blues, a true American art form, through community education and free music festivals. We are truly honored by recognition we've received from throughout the country for doing our best to meet and exceed those goals. We operate on an all-volunteer basis, we have no paid employees. All money we receive goes directly into production of the Blues Festival.

Thank you for your consideration of our request.

Sincerely,

Toby Rotella, President/Artistic Director
Sherry Kushner, Financial Director/Assistant Artistic Director
Mary Jo Zacher, Public Relations/ Vendor Director

Agenda Item #8

HONORING THE MEMORY OF BISHOP EURIAH COLVIN

BY:

Council Member Charles Walker

WHEREAS, Bishop Euriah Colvin was born in Crenshaw County, Alabama on June 16, 1927, married Laura M. Moore in 1947 and moved his young family to Niagara Falls, NY in 1951, and

WHEREAS, Bishop Euriah Colvin served the Niagara Falls Community and all of Western New York for 55 years, and

WHEREAS, Bishop Euriah Colvin was consecrated to the office of Bishop in July of 1964 and served as the Presiding Prelate of The Independent Church of God In Christ, Inc. until his death in March of 2013, and

WHEREAS, Bishop Euriah Colvin dutifully served God and his community through the local church and established such outreaches as the Buffalo Food Pantry and On-Site Feeding Ministry, Senior Citizens Transportation and Visitation Ministry, Project T.Y.P.E. (Training Young People for Excellence), Complete Deliverance Ministry for Substance Abuse, Youth and Children's Summer Camp and an alternative to incarceration program called New Jerusalem of Niagara Falls Life Transformation Reporting Center for Boys, and

WHEREAS, Bishop Euriah Colvin served as President of the Niagara Falls Ministerial Council, Board Member of the following groups and/or agencies; Niagara Falls Faith Based Initiative, Niagara County Community Action Program, Citizens Advisory Committee for Niagara County Department of Social Services and also on the Board of Directors of the United Way of Niagara County.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York, that the City Council hereby honor the memory of Bishop Euriah Colvin and his many contributions to the City of Niagara Falls and Western New York, and

BE IT FURTHER RESOLVED, that signs saying "Bishop Euriah Colvin Way" be placed underneath the street signs at 20th Street & Center Avenue and 20th Street & Calumet Avenue, in honor of Bishop Euriah Colvin.

Agenda Item #9

**HONORING JOE CALATO, INNOVATIVE MUSICIAN & INVENTOR OF THE REGAL TIP
DRUMSTICK**

BY:

Council Chairman Andrew Touma

WHEREAS, born in 1921 in Niagara Falls, New York, Joe D. Calato began playing drums in his teenage years. His clever and innovative drive led him to invent one of the most radical changes to the musician's world, the regal tip drumstick. He attended the University of Buffalo after graduation from high school and later, joined the Air Force in 1942, serving as a lieutenant and navigator on a B-17 bomber. Stationed mainly in England during World War II, Calato found many opportunities to play drums in military jazz groups and dance bands. He went on to marry his beautiful wife, Katherine Laurri; and

WHEREAS, after much experimenting, Joe perfected the idea: a drumstick with a nylon tip that stayed on, didn't shatter and produced a sound pleasing to the ear. He called his invention "Regal Tip." The sound was so pleasing it helped define the musical styles of the day with its signature clarity on drumheads and ride cymbals. His contribution to the percussion industry was recognized by the Percussive Arts Society when he was inducted into its Hall of Fame; and

WHEREAS, Joe Calato's invention signaled a revolution in drumstick manufacturing and design. Joe took it as his mission to upgrade drumsticks, beginning with the quality of the wood, the drying of the wood, the famous Regal Tip finish, and inspection for straightness of grain, weight, knots, and warp, finally, he was the first to match and pair sticks. To this day, the drum world credits Joe with establishing modern standards in drumstick design and crafting; and

WHEREAS, the invention of the nylon tip drumstick was but the beginning of a long history master craftsmanship. Joe set the standards for quality and innovation when he introduced his line of best-selling brushes. To this day, Regal Tip brushes continue to be the best-selling around the world; and

WHEREAS, Joe Calato's dedication to manufacturing only quality percussion products for drummers was ingrained in his children and grandchildren, as the next generations began to assume responsibility for the day to day operations. A long list of innovations includes the Thai Sticks, Conga Stick, Danny Reyes Multi-Percussion Stick, and most recently the E-Tip drumstick. The company is still owned and operated by the Calato family, which continues to take its commitment to produce quality products for drummers and percussionists very seriously. The invention of the nylon tip drumstick was but the beginning of a long history of master craftsmanship. Joe set the standards for quality and innovation when he introduced his line of best-selling brushes. To this day, Regal Tip brushes continue to be the best-selling around the world; and

WHEREAS, Joe kept his family and business in Niagara Falls where he could enjoy the beauty of the area and his long-time friends and close family. Over 57 years, Calato Mfg. has employed hundreds of people from this area. And today, drummers on tour continue to visit the manufacturing facility on Hyde Park Blvd to witness the manufacture of their favorite sticks and brushes. In the universal world of drummers, Niagara Falls is not only known for its beautiful cascades, it's also known to be the home of Regal Tip drumsticks and Joe Calato.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York, that the City Council recognizes Joe Calato for his great success and accomplishment.

Agenda Item #10

FEE RENTALS FOR NIAGARA FALLS CITY POOLS

BY:

Council Chairman Andrew Touma

WHEREAS, the Acting Director of the Department of Public Works (DPW) has reviewed the fee schedules relative to fee rentals for all three (3) City pools; and

WHEREAS, the cost currently is \$80.00 per hour; and

WHEREAS, it is difficult to schedule a lifeguard to come to work for only one (1) hour;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Niagara Falls, New York that the fee to be paid to book any of the three (3) City pools is \$80.00 for a three (3) hour period of time;.

AND BE IT FURTHER RESOLVED THAT when there are ten (10) or more people present at such a pool event it is necessary to bring on a second lifeguard which will require an additional fee of \$35.00 to book any pool for a three (3) hour period of time;

AND BE IT FURTHER RESOLVED that any requested time over and above three (3) hours will result in an additional \$25.00 per hour fee.