

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 2011.

			<u>CONTROLLER</u>	<u>TOTAL</u>
A1255-001				\$
A012	Vital Statistics		\$ 4,384.00	4,384.00
A1255-004				\$
A013	Copies of Records		\$ 594.75	594.75
A1255-004				\$
A013	Certificates of Marriage		\$ 740.00	740.00
A2501-006				\$
A042	Tour Agency		\$ 350.00	350.00
A2501-006				\$
A042	Tour Agency Additional Site		\$ 400.00	400.00
A2501-006				\$
A042	Tour Attendant		\$ 450.00	450.00
A2501-006				\$
A042	Tour Driver/Guide		\$ 1,250.00	1,250.00
A2501-011				\$
A044	Peddler		\$ 25.00	25.00
A2501-014				\$
A046	Electrician - Exam Fee		\$ 80.00	80.00
				\$
A2501-016-A047	BOILERS		\$ 350.00	350.00
A2542-000		\$		\$
A053	Dogs/NYS Agr. & Mkts	331.00		331.00
A2542-000				\$
A053	Additional Dogs		\$ 3,191.00	3,191.00
A2545-001		\$		\$
A054	Marriage License/NYSHD	1,665.00	\$ 555.00	2,220.00
A1255-002				\$
A123	Commissioners of Deeds		\$ 5.00	5.00
A2545-010				\$
A128	Petroleum - Retail		\$ 70.00	70.00
A2545-010				\$
A128	Petroleum - Storage		\$ 60.00	60.00
A2545-021	Vending		\$ 135.00	\$

A316				135.00
A2545-023			\$	\$
A318	Hunters/NYS DEC RAU	678.33	\$	-
A2545-023				\$
A318	Hunters Fees		\$	39.67
A1255-003				\$
A499	Notary Fee		\$	4.00
A1255-005				\$
A528	Dog Release		\$	250.00
TA63008				\$
A597	Marriage Performance		\$	550.00
A1255-006-				\$
A696	Photos/passport-license		\$	27.00
<b>TOTAL:</b>		\$	2,674.33	\$
				\$ 13,510.42
				\$ 16,184.75

Check #	<u>          #053231          </u>	NYS Dept.of Arg. & Mkts	\$	331.00
Check #	<u>          #053192          </u>	NYS Health Department	\$	1,665.00
Check #	<u>          ET          </u>	NYS DEC RAU	\$	678.33

Agenda Item #2

A contract for the above referenced project was awarded to Man O'Trees, Inc. on June 29, 2009 in the amount of \$ 7,713,000.00.

As the project was developed, underground utility work has been found which required either repair or relocation. The costs associated with this utility work totals \$20,965.07. However, funding currently exists for contractual items not currently installed which allows for a \$0.00 change to the contract at this time.

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

### Agenda Item #3

A contract for the above referenced project was awarded to Man O'Trees, Inc. on June 29, 2009 in the amount of \$ 7,713,000.00.

Subsequent to the start of the project, additional existing water lines found to be in conflict with the proposed New Road construction were abandoned and replaced. The costs associated with the water line replacement and abandonment is \$71,710.00 and \$22,022.00, respectively.

Also addressed at this time are contractually obligated reimbursements compensating the contractor for asphalt and fuel cost adjustments and related expenses as dictated by NYSDOT specifications these contractual cost equal \$ 177,485.20, bringing the total of this change order to \$271,217.20\* (see below).

It is important to note that the dollars noted above are available elsewhere in this contract at this time, making the total net change to the contract \$0.00.

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

\* All of which is eligible for 95% reimbursement via State Agreements.

## Agenda Item #4

On October 18, 2010, City Council approved the FY' 2011 Consolidated Annual Plan which includes the budgets for the Community Development, HOME, and Emergency Shelter Grant programs. These budgets were prepared based on anticipated revenue from the U.S. Department of HUD. Listed below are the actual 2011 grants:

- CDBG funding was estimated at \$2,500,000 - the actual 2011 grant is \$2,287,090
- HOME funding was estimated at \$640,000 - the actual 2011 grant is \$566,925
- ESG funding was estimated at \$110,000 - the actual 2011 grant is \$110,985

The reduction in CDBG funding from 2010 to 2011 was 16.5%. However, anticipated revenue was conservatively estimated, therefore, reductions to the budget adopted by Council are not quite as severe as they could have been. It is our recommendation that the following budget line items be revised to reflect the actual HUD grants awarded to the City:

<b>Activity</b>	<b>Original Allocation</b>	<b>Revised Allocation</b>
City (CD) Housing Rehabilitation	306,750	250,000
NHS Housing Rehabilitation	281,750	200,000
Center City Housing Rehabilitation	231,750	200,000
HCRC Housing Rehabilitation	91,750	75,000
Fire/Life Safety Coordinator	50,000	41,000
Clean Neighborhood Demolition	25,000 600,000	10,000 598,090
City (HOME)	150,000	283,463
Center City (HOME)	245,000	283,462
NHS (HOME)	245,000	0
Carolyn's House (ESG)	20,000	20,985

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

## Agenda Item #5

The Department of Community Development is proposing the following staff reorganization plan to more effectively manage the federal grant programs funded through the U.S. Department of Housing and Urban Development. The department currently has a vacant Principal Clerk position (Grade 12). We are recommending that this position be eliminated. The department also has a Leased Housing Intake position (Grade 4) that is funded 50% with HPRP funding. HPRP is a 2009 ARRA grant with funding set to expire within the next few months. When funding does expire, we would be forced to use Casino Revenues previously appropriated to continue the position. In lieu of that plan, we recommend that the Leased Housing Intake position also be eliminated and a Community Development/Section 8 Office Assistant be created at Grade (5). The Office Assistant would be funded 50% with CDBG funds and 50% with Section 8 funding, the latter commencing once HPRP funds have been exhausted.

This realignment will provide a seamless transition of duties in the office. The CD Administrative Assistant will assume certain duties formerly provided by the Principal Clerk, and the remaining duties will be assumed by the Office Assistant. The realignment will also provide a significant cost savings to the CDBG and Section 8 grants at a time when HUD funding has been reduced.

Will the Council vote to so approve the staff realignment as outlined above?

## Agenda Item #6

On September 7, 2010, the Council approved additional parking in the Rainbow Centre ramp for the Bridge Commission for Rainbow Bridge employees (Bridge Commission, Customs, Immigration and other Rainbow Bridge employees). The new parking is to be located on the third floor, directly below the secure fourth floor area used by the Commission. The agreement is for three years, at a cost of \$1,600.00 per month (40 spaces at \$40 per month), and was to commence September 15, 2010.

Due to discussions concerning the renovation of the ramp, the agreement was never signed. We are now on the verge of starting the ramp renovations. A new start date is proposed for the three year agreement. The parking will start as soon as the agreement can be signed (it takes a while for Bridge Commission signature, as GSA must also sign off on the agreement). This modification also will make explicit the fact that all the spaces (the new and old spaces) will have to be relocated temporarily in connection with the ramp renovations going on this summer. The new spaces will not be secured until after the renovations are complete.

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

## Agenda Item #7

The City Council approved an agenda item during its meeting on March 7, 2011 which, among other things, approved the budget for the 2011 Community Intervention Initiative in the amount of \$30,000.00. It has now been determined that an error was made in computing the line item for Referees. That line item should have been \$10,000.00 rather than \$5,000.00. Accordingly, the budget for the entire program should have been \$35,000.00 rather than \$30,000.00. Attached hereto is an amended budget which shows the corrected line item. Funding for this additional \$5,000.00 cost is available from A.1990.7650.0449.000.

In addition, as part of the 2011 Community Intervention Initiative there will be "Beat the Streets" basketball program to take place on Friday, July 8, Saturday, July 9 and Sunday, July 10, 2011 presented by the Niagara Christian Basketball Program. Motivational speakers will be present each day to put on programs for participants in the program. The Corporation Counsel is in the process of preparing a Memorandum of Understanding between the City and the Niagara Christian Basketball Program. There will be no additional City funding required for this basketball program.

Will the City Council approve the amendment to the budget for 2011 Community Intervention Initiative as requested and authorize the Mayor to execute a Memorandum of Understanding with the Niagara Christian Basketball Program subject to approval of the Corporation Counsel?

## Agenda Item #8

It is requested that the City again sponsor a "Fall Fest" at the John Duke Center. The "Fall Fest" held in 2010 was extremely successful as it hosted 494 seniors. Attached hereto is a copy of the proposed budget for the 2011 event. The event will be scheduled and coordinated by the Senior Services Program Coordinator. The City has been requested to contribute the sum of \$2,500.00 to this event. Funding is available from A.1990.7650.0449.000.

Will the Council so approve?

## Agenda Item #9

A contract for the above referenced project was awarded to Man O'Trees, Inc. on June 29, 2009 in the amount of \$7,713,000.00.

Subsequent to the start of the project, the Contractor has encountered two substantial issues which constitute a change in conditions that were not included in the initial scope of this contract. Additional quantities of radioactive material, requiring both specialized handling and disposal, have forced the contractor to incur additional costs. The total quantity-based reimbursement, as determined by the City's consultant, as well as the anticipated costs going forward for radioactive materials encountered as the project continues, would add an additional \$295,695.90 to the existing contract.

The second issue constituting a changed condition involves a post-award request by the New York State Department of Environmental Conservation to provide air quality monitoring on a continuous basis for all excavation activities - regardless of the presence of radioactive materials - throughout the project. The costs for the additional air monitoring have been estimated to reach a NTE amount of \$8,000.00 for a 200 day interval.

In all, the additional costs via this change order for the issues noted above are **\$303,695.90.**

It is important to note that the dollars noted above are available elsewhere in this contract at this time, making the total net change to the contract \$0.00.

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 #10

The following was the result of bids received on June 1, 2011, for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>
Scott Lawn Yard 5552 Townline Rd. Sanborn NY 14132	\$ 1,021,552.60
Yarussi Construction Co., Inc.	\$ 1,081,088.90
Mark Cerrone, Inc.	\$ 1,297,797.50
Patrick Construction Co. Inc.	\$ 1,299,722.12
Sicoli & Massaro Co. Inc.	\$ 1,876,281.50

Per the contract documents, award is determined by the lowest base bid making Scott Lawn Yard, Inc. this project's successful contractor. In addition, the City has opted to include select alternate bid items totaling \$128,374.65 to the base bid amount, making the total contract award amount \$1,149,927.20.

Funding is available under a combination of Greenway Funding code H0813.2008.0813.0449.599 and a grant from the New York State Environmental Protection Fund Act.

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 #11

The following was the result of bids received on June 1, 2011, for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>
M&M Electric Construction Co. 4819 Henry Avenue Niagara Falls, NY 14304	\$ 48,145.00
CIR Electric Co., Inc.	\$ 51,300.00

It is the recommendation of the undersigned that this project be awarded to M&M Electric Construction Co. at its Base Bid of \$48,145.00. Funding is available under a combination of Greenway Funding code H0813.2008.0813.0449.599 and a grant from the New York State Environmental Protection Fund Act.

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 #12

The following was the result of bids received on June 1, 2011, for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>
J.R. Swanson Plumbing Co. Inc. 413 103 <sup>rd</sup> Street Niagara Falls, NY 14304	\$ 9,955.00
Ackerman Plumbing Co., Inc.	\$ 22,622.00

It is the recommendation of the undersigned that this project be awarded to J.R. Swanson Plumbing Co., Inc. at its Base Bid of \$9,955.00. Funding is available under a combination of Greenway Funding code H0813.2008.0813.0449.599 and a grant from the New York State Environmental Protection Fund Act.

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 #13

The City and the Niagara County SPCA have not yet concluded negotiations about a new agreement and therefore it is recommended that the agreement that expired on December 31, 2009 be extended once again through December 31, 2011.

Will the Council authorize such an extension and further authorize the Mayor to execute an Extension Agreement?

**CITY OF NIAGARA FALLS  
NEW YORK  
OFFICE OF THE CITY ASSESSOR**

DATE: June 27, 2011  
TO: The City Council  
FROM: James R. Bird   
City Assessor  
SUBJ: INFORMATIONAL ITEM: *2011 General Assessment Roll*

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Listed below are the taxable totals of the General Assessment Roll for the City of Niagara Falls, New York, as now constituted and completed by the Board of Assessment Review for the year 2011 and will be filed with the City Clerk on July 1, 2011.

Also, attached, please find the exemption summary for the 2011 roll.

**Total Taxable Assessed Value** **\$1,272,468,991**

Homestead	\$872,234,749
Non-Homestead	<u>400,234,242</u>
<b>Total</b>	<b>\$1,272,468,991</b>

Attachment

## Agenda Item #15

RESOLUTION RELATIVE TO THE ACCEPTANCE OF ENVIRONMENTAL PROTECTION FUND GRANT  
FOR STONE BUILDING AT HYDE PARK ICE PAVILION

BY: Council Chairman Samuel Fruscione

WHEREAS, the City of Niagara Falls has received a One Hundred Twenty-Five Thousand Dollar (\$125,000.00) Grant from the Environmental Protection Funds for renovation of the stone building at the Hyde Park Ice Pavilion; and

WHEREAS, this Grant requires no City match.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Niagara Falls, that it hereby accepts this Grant on behalf of the City of Niagara Falls; and

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute any and all documents necessary to receive this Grant in a form acceptable to the Corporation Counsel.

Agenda Item #16

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$4,762,000 BONDS OF THE CITY OF NIAGARA FALLS, NIAGARA COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF ROADS, IN AND FOR SAID CITY.

By: Council Chairman Samuel Fruscione  
Council Member Robert Anderson, Jr.  
Council Member Steve Fournier  
Council Member Kristen Grandinetti  
Council Member Charles Walker

RESOLVED by the affirmative vote of not less than two-thirds of the total voting strength of the City Council of the City of Niagara Falls, Niagara County, New York, as follows:

Section 1. For the purpose of paying the cost of the reconstruction of roads, in and for said City, consisting of Buffalo Avenue, 97<sup>th</sup> Street and Royal Avenue, in and for the City of Niagara Falls, Niagara County, New York, including sidewalks, curbs, gutters, drainage, landscaping, grading or improving the rights-of-way, as well as other incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$4,762,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid object or purpose is \$4,762,000, which is hereby authorized.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen (15) years, pursuant to subdivision 20(c) of paragraph (a) of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Niagara Falls, Niagara County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes is hereby delegated to the City Controller, the chief fiscal officer of said City. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Controller, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds herein authorized including date, denominations, maturities, interest payment dates, and whether said bonds shall be repaid in accordance with a schedule providing for substantially level or declining annual debt service, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the City Controller, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Controller shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this bond resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the **Niagara Gazette**, the official newspaper of said City hereby designated for such purpose, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

## Agenda Item #17

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OF THE CITY OF NIAGARA FALLS, NIAGARA COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF A TRUCK STORAGE FACILITY FOR THE DEPARTMENT OF PUBLIC WORKS, IN AND FOR SAID CITY.

By: Council Chairman Samuel Fruscione  
Council Member Robert Anderson, Jr.  
Council Member Steve Fournier  
Council Member Kristen Grandinetti  
Council Member Charles Walker

RESOLVED by the affirmative vote of not less than two-thirds of the total voting strength of the City Council of the City of Niagara Falls, Niagara County, New York, as follows:

Section 1. For the purpose of paying the cost of the construction of a truck storage facility for the Department of Public Works, in and for the City of Niagara Falls, Niagara County, New York, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$750,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid object or purpose is \$750,000, which is hereby authorized.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen (15) years, pursuant to subdivision 11(c) of paragraph (a) of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Niagara Falls, Niagara County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes is hereby delegated to the City Controller, the chief fiscal officer of said City. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Controller, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds herein authorized including date, denominations, maturities, interest payment dates, and whether said bonds shall be repaid in accordance with a schedule providing for substantially level or declining annual debt service, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the City Controller, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Controller shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this bond resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the **Niagara Gazette**, the official newspaper of said City hereby designated for such purpose, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Agenda Item #18

RESOLUTION RELATIVE TO THE APPROVAL OF THE  
BUFFALO AVENUE RECONSTRUCTION PHASE I VETERANS DRIVE TO I-190, THE NIAGARA EXPRESSWAY  
CITY OF NIAGARA FALLS, NIAGARA COUNTY (PIN NO. 5460.28)

By: Council Chairman Samuel Fruscione  
Council Member Robert Anderson, Jr.  
Council Member Steve Fournier  
Council Member Kristen Grandinetti  
Council Member Charles Walker

WHEREAS, a Project, the Reconstruction of NY Route 384, Buffalo Avenue, Phase I: from Veterans Drive to I-90, the Niagara Expressway, in the City of Niagara Falls, Niagara County, PIN 5460.28 ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds; and

WHEREAS, the City of Niagara Falls desires to advance the project by making a commitment of 100% of the Non-Federal share of the costs of the Preliminary Engineering (scoping & Design I-VI), Right-of-Way (Incidentals & Acquisition) and Construction & Construction Inspection phases of the project, PIN 5460.28.

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

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

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

RESOLVED, that the sum of \$3,040,000 is hereby appropriated from bond funds (in addition to \$500,000 previously appropriated for the project's Preliminary Engineering (Scoping & Design I-VI) and Right-of-Way (Incidentals) phases via a City Resolution No.2004-15 adopted on February 2, 2004) and made available to cover the cost of participation in the above phases of the project; and it is further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the project's Preliminary Engineering (Scoping & Design I-VI), Right-of-Way (Incidental & Acquisition) and Construction & Construction Inspection phases exceeds the amount appropriated, \$3,540,000 and/or 100% of the full Federal and Non-Federal shares of the cost of the project's Preliminary Engineering (Scoping & Design I-VI), Right-of-Way (Incidental & Acquisition) and Construction & Construction Inspection phases exceeds \$17,695,100, the City of Niagara Falls shall convene its City Council as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

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

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

RESOLVED, this Resolution shall take effect immediately.

Agenda Item #19

RESOLUTION RELATIVE TO THE CREATION OF CITY OF NIAGARA FALLS LEGENDS  
PARK ADVISORY COMMITTEE

BY: Council Member Charles Walker

WHEREAS, the City of Niagara Falls has constructed new basketball courts located at Portage Road and 11<sup>th</sup> Street, Niagara Falls, New York; and

WHEREAS, these new basketball courts have been named "Legends Park"; and

WHEREAS, the City Council intends that Legends Park not only be a place where the game of basketball may be played but also a place where young people in the community may interact with positive role models.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Niagara Falls, hereby creates the City of Niagara Falls Legends Park Advisory Committee which is a volunteer group that will meet monthly to discuss the events and status of Legends Park and make periodic recommendations to the City Council regarding Legends Park; and

BE IT FURTHER RESOLVED, that there is hereby created a City of Niagara Falls Legends Park Athletic Hall of Fame which, among other things, will recognize individuals who have made an outstanding contribution to his or her sport in the City of Niagara Falls; and

BE IT FURTHER RESOLVED, that there is hereby created a City of Niagara Falls Legends Park Athletic Hall of Fame Committee to make determinations as to nominees to the Niagara Falls Legends Park Hall of Fame.

BE IT FURTHER RESOLVED, that the Legends Park Advisory Committee and the City of Niagara Falls Legends Park Hall of Fame Committee be organized pursuant to recommendations from the Corporation Counsel and reviewed from time to time by the City Council.