

Agenda Item #1

The following claims have been filed in the Office of the City Clerk during the month of August 2012
The claims were subsequently referred to the Office of the Corporation Counsel.

NOTICE OF CLAIM

Adirondack Redevelopment, Inc.
c/o Timothy J. Schofield, Esq.

Property damages sustained by
demolition of house.

Sackstean, Mark
c/o Sackstein Sackstein & Lee, LLP

Automobile damages sustained by vandalism
in city parking ramp

Whitenight, Peggy & Larry
c/o Lipsitz Green Scime Cambria LLP

Personal injuries sustained when fell on sidewalk.

Bocchicchia, Lorene
c/o Edward L. Smith III, Esq.

Personal injuries sustained when fell on broken step
on bleachers.

Adirondack Redevelopment, Inc.
c/o Timothy J. Schofield, Esq.

Property damages sustained by
demolition of house.

Page, Marquessa
1810 Cleveland Ave

Automobile damages caused by metal cone.

Johns, Darlene H.
2172 Jerauld Ave.

Property damages caused by city tree.

Bradley, David
c/o Matthew T. Mosher, Esq,

Personal injuries sustained in building owned
by City.

Platt, Sharonda
c/o Hagelin & Kent LLC

Personal injuries sustained from automobile
accident.

Myers, William
7052 Little Mountain Rd
Sherrills Ford, NC 28673

Motorcycle damages sustained from hitting
pothole.

Douglas, Aaron
1338 Willow Ave

Personal injuries sustained when bike
hit construction site.

O'Neil, Ellen
c/o NY Central Mutual Fire Ins. Co.
Simpson, Robert
c/o NY Central Mutual Fire Ins Co.

Property damages sustained from sewer backing
up into basement.
Property damages sustained from sewer backing
up into basement.

Day, Bradley
c/o Cellino & Barnes

Personal injuries sustained when light pole was
dropped.

Rinker, Dave
3718 Mayle Ct.

Reimbursement of wedding invitations due to
error.

Davis, Mary 1973 Welch Ave.	Property damages caused by sewer back up.
Pappas, Andrew c/o State Farm	Damages sustained when hit fire hydrant.
Siders, Zakary 466 81 st St	Automobile damages sustained from tree limb
Lorriane, Michael c/o O'Brienboyd PC	Personal injuries sustained from car accident with City vehicle.
Parsnick, Elizabeth 4217 McKoon Ave	Automobile damages sustained from city tree.

NOTICE OF APPLICATION TO REVIEW TAX ASSESSMENT

One Niagara, LLC c/o Anthony D. Parone, Esq.	#147674
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SUMMONS

Martin Beverly A. c/o Cellino & Barnes, P.C.	Index#147672
Williams, Athelda c/o Lipsitz Green Scime Cambria LLP	Index#147705
Barnes, Lomax c/o Mark Grossman, Esq.	Index#146901
Lampkin, Andre c/o Robert Viola, Esq.	Index#146931
Parkway Condominium Board of Managers c/o Michael A. Gold, Esq.	Index#147360

Agenda Item #2

The following is a report of the licenses issued and collections made in the Office of the City Clerk during the month of August, 2012.

			<u>CONTROLLER</u>	<u>TOTAL</u>
A1255-001				
A012	Vital Statistics		\$ 4,950.00	\$ 4,950.00
A1255-004				
A013	Copies of Records		\$ 763.50	\$ 763.50
A1255-004				
A013	Certificates of Marriage		\$ 1,280.00	\$ 1,280.00
A2501-006				
A042	Tour Driver/Guide		\$ 5.00	\$ 5.00
A2501-011				
A044	Peddler		\$ 300.00	\$ 300.00
A2501-021				
A048	Amusement Games		\$ 750.00	\$ 750.00
A2542-000				
A053	Dogs/NYS Agr.& Mkts	\$ 469.00	\$ -	\$ 469.00
A2542-000				
A053	Additional Dogs		\$ 4,483.50	\$ 4,483.50
A2545-001				
A054	Marriage License/NYSHD	\$ 2,880.00	\$ 960.00	\$ 3,840.00
A1255-002				
A123	Commissioners of Deeds		\$ 40.00	\$ 40.00
A2545-010				
A128	Petroleum - Retail		\$ 70.00	\$ 70.00
A2501-599				
A130	Pawn Broker		\$ 150.00	\$ 150.00
A2545-021				
A316	Vending		\$ 4,080.00	\$ 4,080.00
A2545-023				
A318	Hunters/NYS DEC RAU	\$ 2,049.23	\$ -	\$ 2,049.23
A2545-023				
A318	Hunters Fees		\$ 104.77	\$ 104.77
A1255-003				
A499	Notary Fee		\$ 4.00	\$ 4.00
A1255-005	Dog Release		\$ 450.00	\$ 450.00

A528				
TA63008				
A597	Marriage Performance		\$ 1,300.00	\$ 1,300.00
A1255-006-				
A696	Photos/passport-license		\$ 9.00	\$ 9.00
TOTAL:			<u>\$ 5,398.23</u>	<u>\$ 19,699.77</u>
				<u>\$ 25,098.00</u>

Check #	<u>59569</u>	NYS Dept.of Arg. & Mkts	\$ 469.00
Check #	<u>59549</u>	NYS Health Department	\$2,880.00
		NYS DEC	
Check #	<u>ET</u>	RAU	\$2,049.23

Agenda Item #3

The City has been requested by the Downtown Niagara Falls Business Association to contribute to the costs of the Third Annual Oktoberfest to take place on Saturday, October 13, 2012 from 12:00 p.m. to 9:00 p.m. on Old Falls Street. The Downtown Niagara Falls Business Association sponsors this event along with Old Falls Street. The request is for a contribution of \$2,500.00. Attached is a copy of a letter describing the event.

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

Agenda Item #4

The City has been engaged in litigation in Housing Court against Warren Smith for alleged property code violations at his property located at 1311 Michigan Avenue in the City of Niagara Falls. During the pendency of the action, the City of Niagara Falls took title to the property pursuant to the most recent in rem proceeding, divesting Mr. Smith of his rights in the property. Mr. Smith is now offering the sum of \$7,500.00 in full satisfaction of his Housing Court violations. My office believes this is an equitable outcome and that it is in the best interests of the City to accept this settlement offer.

Will the Council so approve and authorize the Corporation Counsel to accept the settlement offer and to complete any required paperwork as part of the same?

Agenda Item #5

*RE: Request for Approval to Settle and Pay Claim of David Rinker
3718 Mayle Court, Niagara Falls, NY 14305*

Council Members:

Date Claim Filed:	August 7, 2012
Date Action Commenced:	N/A
Date of Occurrence:	May 7, 2012
Location:	N/A
Nature of Claim:	Damages suffered as a result of double booking at Gill Creek Park.
Status of Action:	Claim stage.
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$140.00
Make Check Payable to:	David Rinker
Conditions:	General Release to City, approved by Corporation Counsel.

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

Agenda Item #6

Please be advised that, Mayor Paul A. Dyster, on September 8, 2012, duly approved the following:

Resolution 2012-73, relative to Amending Schedule 8 of the Zoning Ordinance

RELATIVE TO BATH AVENUE NAME CHANGE TO DEPOT AVENUE WEST

BY: Council Chairman Samuel Fruscione
Council Member Robert Anderson, Jr.
Council Member Glenn Choolokian
Council Member Kristen Grandinetti
Council Member Charles Walker

WHEREAS, by resolution adopted September 4, 2012 this Council directed the City Clerk to publish a Notice of Intention to consider a change of name of Bath Avenue to Depot Avenue West at the regularly scheduled meeting of this Council on September 17, 2012 and to hold a public hearing thereon; which notice was published in the Niagara Gazette and which hearing was held as scheduled; and

WHEREAS, this Council has considered the aforesaid change of name and is of the opinion that said renaming is desirable; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York that the name of Bath Avenue be and is hereby changed to be henceforth known as Depot Avenue West; and

BE IT FURTHER RESOLVED, that the Clerk of this Council is hereby directed to forward a copy of this resolution to the Mayor and City Administrator so that they can implement this change through the appropriate City departments and further that a certified copy of this resolution be forwarded to the Niagara County Clerk.