

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 June 2010.

		<u>CONTROLLER</u>	<u>TOTAL</u>
A1255-001 A012	Vital Statistics	\$ 6,082.00	\$ 6,082.00
A1255-004 A013	Copies of Records	\$ 503.50	\$ 503.50
A1255-004 A013	Certificates of Marriage	\$ 930.00	\$ 930.00
A2501-006 A042	Tour Agency Additional Site	\$ 100.00	\$ 100.00
A2501-006 A042	Tour Attendant	\$ 150.00	\$ 150.00
A2501-006 A042	Tour Driver/Guide	\$ 600.00	\$ 600.00
A2501-014 A046	Electrician - Exam Fee	\$ 625.00	\$ 625.00
A2501-016 A047	Stationary Engineers	\$ 150.00	\$ 150.00
A2501-021 A048	Amusement Games	\$ 500.00	\$ 500.00
A2542-000 A053	Dogs/N County Treasurer	\$ 714.00	\$ 714.00
A2542-000 A053	Dogs/NYS Agr. & Mkts	\$ 390.00	\$ 390.00
A2542-000 A053	Additional Dogs	\$ 3,785.00	\$ 3,785.00
A2545-001 A054	Marriage License/NYSHD	\$ 2,092.50	\$ 2,790.00
A2550-001 A056	Loading Zone	\$ 1,875.00	\$ 1,875.00
A1255-002 A123	Commissioners of Deeds	\$ 5.00	\$ 5.00
A2545-010 A128	Petroleum - Retail	\$ 70.00	\$ 70.00
A2501-599 A130	Horse Drawn Carriages	\$ 225.00	\$ 225.00
A2545-021 A316	Vending	\$ 1,460.00	\$ 1,460.00
A2545-023 A318	Hunters/NYS DEC RAU	\$ 480.88	\$ 480.88
A2545-023 A318	Hunters Fees	\$ 28.12	\$ 28.12
A1255-003 A499	Notary Fee	\$ 10.00	\$ 10.00
A1255-005 A528	Dog Release	\$ 350.00	\$ 350.00
TA63008 A597	Marriage Performance	\$ 1,125.00	\$ 1,125.00
A1255-006-A696	Photos/passport-license	\$ 108.00	\$ 108.00
TOTAL:		<u>\$ 3,677.38</u>	<u>\$ 19,379.12</u>
Check #	<u>48400</u>	Niagara County Treasurer	\$ 714.00
Check #	<u>48432</u>	NYS Dept. of Arg. & Mkts	\$ 390.00
Check #	<u>48398</u>	NYS Health Department	\$2,092.50
Check #	<u>ET</u>	NYS DEC RAU	\$ 480.88

Item #2

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

TO: Schictel's Nursery, Inc.
7420 Peters Road
Springville, NY 14141

FOR: Purchase of 346 trees as per the attached tally sheet: \$18,554.00

TO: Stedman's Old Farm Nurseries, inc.
2857 Main Street
Newfane, NY 14108

FOR: Purchase and planting of 150 trees as per the attached tally sheet:
\$21,920.00

TOTAL: \$40,474.00

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 seventeen (17) vendors. Seven (7) bids were received. The above referenced companies submitted the lowest prices for each respective item.

Funds for this expenditure are available in grant codes: S8400.8402.0419.004 and S8400.8402.0449.599.

Item #3

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

TO: L.C. Whitford Equipment Co., Inc.
164 North Main Street
PO Box 663
Wellsville, NY 14895

FOR: Rayco model RG 140 DXH tow-behind stump cutter: \$48,697.00

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. One bid was received.

Funds for this expenditure are available in the Capital budget code:
H0912.2009.0912.0250.000.

Item #4

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

TO: United Materials
3949 Forest Parkway
Suite 400
North Tonawanda, NY 14120

FOR: Concrete 3500 PSI, ASTM size 7: \$94.58/cu. yd.
Concrete 3500 PSI, ASTM size 67: 94.58/cu. yd.
Concrete 4000 PSI ASTM size 7: 96.92/cu. yd.

Additional charges:

Heated Aggregate: 10/15-10/31 and 4/15-4/30 (hot water): 4.00/cu. yd.
Heated Aggregate: 11/1-4/15 (winter charge): 8.00/cu. yd.
Retarder Agent: 2.44/cu. yd.
Calcium (1% dosage): 6.84/cu. yd.
Short Load Charge, 6 cu. yd. and under: 75.00/load
Waiting Time: 1.25/minute
Fuel Surcharge: 10.00/load

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 two (2) vendors. One bid was received.

Funds for these expenditures are available in various departments
Construction/Repair Materials code: .0419.006.

Item #5

**SUBJECT: LETTER OF AWARD FOR MILL AND OVERLAY RESURFACING PROJECT CAYUGA
DRIVE: TUSCARORA ROAD TO MILITARY ROAD
PACKARD ROAD: NIAGARA FALLS BOULEVARD TO HYDE PARK BOULEVARD BUFFALO
AVENUE: 24TH STREET TO VETERANS DRIVE - P.I.N. 5758.91**

The following was the result of bids received on July 13, 2010, for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>
Accadia Site Contracting, Inc. 5636 Transit Road Depew NY 14043	\$ 852,968.35
Mark Cerrone, Inc.	\$ 880,635.00
Yarussi Construction, Inc.	\$ 894,616.75

It is the recommendation of the undersigned that this project be awarded to Accadia Site Contracting, Inc. at its Base Bid of \$ 852,968.35. Funding is available in code H0812.2008.0812.0449.599.

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

Item #6

It is requested that \$200,539 be made available to the Department of Public Works/Parks Department in order to continue projects described on the attached sheets. Funding is available from Special Projects Fund balance.

Will the Council so approve?

Item #7

The City is once again the co-sponsor of the 5th Annual Ontario House Jazz Reunion. This event will take place Downtown on September 4, 2010 on Old Falls Street. The City has been asked for a sum of up to \$9,000 to help fund this event as per the attached budget. Funding is available through Tourism Fund.

Will the Council so approve and authorize the Mayor to enter into a Letter Agreement with the Promoter, Outside the box, attached hereto?

Item #8

In an effort to continue with the City's Street Paving Project it is requested that \$105,000 be made available to the Department of Public Works to commence Asphalt Zipper work on Buffalo Avenue. Funding is available from Casino revenues and will be used as per the attached sheet.

Will the Council so approve?

Item #9

The Niagara Falls Police Department has received an award from the State of New York for \$323,465 for Operation IMPACT during July 1, 2010 through June 30, 2011.

No matching funds are required for this grant.

Will the Council approve the acceptance of this grant and authorize the Mayor and Police Chief to execute any documentation necessary to receive the grant?

Item #10

The attached Agreement in Principle with Amtrak will aid in the process of applying for various Federal and other grants related to the Train Station Project.

This Agreement does not bind the City to any final arrangements related to the Train Station which will be the subject of future negotiations and agreements.

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

Item #11

The Council has previously allocated Casino Funds for street millings and overlays and to the replacement of catch basins.

It is requested that \$100,000 be reallocated from the Millings and Overlays Account to the replacement of catch basins.

Will the Council so approve?

Item #12

The City has received a proposal from DiDonato Associates, PE, PC to design and prepare construction documents for locker room additions at the Ice Rink in the amount of \$108,000.

Funding will be by an appropriation of \$108,000 from the Special Projects Fund Balance.

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

Item #13

The City has received a proposal from Lime Energy to re-lamp the Carnegie Building in the amount \$5,461.46.

The new lights will provide energy savings and improved efficiency.

Funding is available in account A.1620.2320.0449.599.

Will the Council so approve?

Item #14

As a result of a recent termination in the City Clerk's office there is an opportunity to eliminate an Account Clerk position and substitute it for a Junior Account Clerk position. This reorganization, if approved by the City Council, will take effect on Tuesday, July 27, 2010. The approximate annual savings from this reorganization will be approximately \$4,000 as shown on the attached worksheet.

Will the Council so approve?

Item #15

On July 12, 2010, the City Council approved the award of demolition contract CD2010-2. The listing provided to Council of houses to be demolished incorrectly included 411 Eighth Street. The correct address, which was included in all the bid documents provided to the bidding contractors, is 414 Eighth Street.

Will the Council receive this information as a received and filed item?

Item #16

A contract for the above referenced project was awarded to Mark Cerrone Inc. on September 29, 2008 and subsequent addition for a total amount of \$4,451,841.09.

During the course of work, conditions within the work area as well as unanticipated alterations necessitated changes in the original project's scope. The tasks listed below are additions to the original contract and alteration that were not included, but were added by the City and USA Niagara as conditions warranted.

- A. Change Order Request #18 - \$417.38
 - a. Restoration of turf along Prospect Street
- B. Change Order Request #23 - \$4,887.52
 - a. Additional work and polymeric sand for retrofit tree pit
- C. Change Order Request #24 - \$3,904.69
 - a. Additional granite sets and additional shipping costs associated with Eurocobble associated with Bulletin #3.
- D. Change Order Request #25 - \$1,085.21
 - a. Additional work associated with new hydrant installations within Phase II limits
- E. Change Order Request #26 - \$783.72
 - a. Additional survey and stakeout associated with Bulletin #3
- F. Change Order Request #27 - \$15,866.54
 - a. Waterproofing of underground electrical vault
- G. Change Order Request #29 - \$214.20
 - a. Asbestos sampling & testing; existing electrical vault waterproofing
- H. Change Order Request #30 - \$0.00
 - a. Time extension 24 Days
- I. Change Order Request #31 - \$1,650.43
 - a. No climbing signs at fountain area
- J. Change Order Request #32 - \$690.70
 - a. Supply additional traffic barricades
- K. Change Order Request #33 - \$12,528.63
 - a. Relocation of existing electric meters
- L. Change Order Request #34 - \$2,472.97
 - a. Street name signs at Old Falls and Prospect
- M. Change Order Request #35 - \$32,743.81
 - a. Vault area redesign - Phase 1, Seat-wall & Planter
- N. Change Order Request #36 - \$1,720.03
 - a. Modifications to trench drains due to Bulletin #5
- O. Change Order Request #37 - \$2,825.26
 - a. Furnish & install plantings for new seat-wall planters

It is the recommendation of the undersigned that Change Order #4 be approved in the amount of \$ 81,791.09 bringing the new contract total to \$4,533,632.18, which will be funded by USA Niagara Corporation.

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

Item #17

The following was the result of bids received on July 8, 2010, for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>	
J.R. Swanson Plumbing Corp. 413 103 rd St Niagara Falls NY 14304	\$60,725.00	
W.C. Roberson Plumbing Inc.	\$64,963.00	
Greater Niagara Mechanical Inc.		\$67,500.00
J. W. Danforth Co. Inc.	\$87,450.00	

It is the recommendation of the undersigned that this project be awarded to the low bidder J.R. Swanson Plumbing Corporation, at their Total Bid of \$60,725.00.

Our design consultant Wendel Duchscherer Architects & Engineers 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 contingent pending receipt of an executed agreement between the City of Niagara Falls and New York State Department of Transportation.

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

Item #18

The following was the result of bids received on July 8, 2010, for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>
Industrial Power & Lighting 701 Seneca Street Buffalo, NY 14210	\$140,650.00
Frey Electric	\$147,200.00
CIR Electric	\$172,950.00
M & M Electric	\$225,300.00

It is the recommendation of the undersigned that this project be awarded to the low bidder Industrial Power & Lighting, at their Total Bid of \$140,650.00.

Our design consultant Wendel Duchscherer Architects & Engineers 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 contingent pending receipt of an executed agreement between the City of Niagara Falls and New York State Department of Transportation.

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

Item #19

The following was the result of bids received on July 8, 2010, for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>
Resetarits Construction Corp. 1115 Delaware Avenue Buffalo, NY 14209	\$2,116,870.00
Walter S. Johnson	\$2,201,750.00
Sicoli Construction Services	\$2,279,000.00
Sicoli & Massaro	\$2,401,100.00

It is the recommendation of the undersigned that this project be awarded to the low bidder Resetaritis Construction Corporation, at their Total Bid of \$2,116,870.00.

Our design consultant Wendel Duchscherer Architects & Engineers 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 contingent pending receipt of an executed agreement between the City of Niagara Falls and New York State Department of Transportation.

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

Item #20

The following was the result of bids received on July 8, 2010, for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>
J.R. Swanson Plumbing Corp. 413 103 rd St Niagara Falls NY 14304	\$105,500.00
MKS Plumbing Inc.	\$121,400.00
Ackerman Plumbing Inc.	\$126,837.00

It is the recommendation of the undersigned that this project be awarded to the low bidder J.R. Swanson Plumbing Corporation, at their Total Bid of \$105,500.00.

Our design consultant Wendel Duchscherer Architects & Engineers 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 contingent pending receipt of an executed agreement between the City of Niagara Falls and New York State Department of Transportation.

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

Item #21

RE: Request for Approval to Settle and Pay Claim of Liberty Mutual Insurance Company a/s/o Patrick Berrigan
2950 Expressway Drive South, Suite 100, PO Box 9004, Islandia, NY 11722

Date Claim Filed: December 22, 2008
Date Action Commenced: N/A
Date of Occurrence: November 5, 2010
Location: Pine Avenue, 100ft East of Robbins Drive
Nature of Claim: Automobile damage sustained in an accident with City vehicle
City Driver: Lorrie Alvarez
Status of Action: Litigation Stage
Recommendation/Reason: Best interests of City to pay claim.
Amount to be Paid: \$5,161.42
Make Check Payable to: Liberty Mutual Insurance Company a/s/o Patrick Berrigan
Conditions: General Release to City and Stipulation of Discontinuance approved by Corporation Counsel.

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

Item #22

At the Traffic Advisory Commission meeting held on July 7, 2010, the Commission:

DENIED:

- 1) Request submitted by James L. Fasciano, Proprietor, Dreamland Mattress, 2726 Pine Avenue, to **INSTALL "NO STANDING ANYTIME" SIGNS AROUND THE DRIVEWAY ON THE WEST SIDE OF 2726 PINE AVENUE.** Captain Sal Pino suggested the business owner inform the Police Department when there is a vehicle parked in the area in front of the driveway next to the business and the Police Department will ticket them. In 2002 the Pine Avenue Business Association requested that 'No Standing Any Time" Signs be placed only at the end of the blocks along Pine Avenue to clean up all the "sign clutter" that existed. Therefore the Commission denied this request.

Item #23

At a Traffic Advisory Commission meeting held on July 7, 2010 the Commission recommended APPROVAL of the following item:

ALLOW PARKING ON THE SOUTH SIDE OF CEDAR AVENUE FROM 7TH STREET TO THE ALLEY BETWEEN 8TH & 9TH STREETS SO THE EXISTING ONE (NORTH) SIDED ONLY OVERNIGHT PARKING & "NO PARKING TUESDAY 7A.M.-1P.M." RESTRICTION CAN BE CHANGED TO ALTERNATE OVERNIGHT PARKING. THIS CHANGE WOULD BE MADE ONCE CONSTRUCTION ON CEDAR AVENUE IS COMPLETED

Submitted By: Debra Aloian, Residential Services Coordinator, Family & Children's Service of Niagara, 1522 Main Street

It is requested that City Council approve this recommendation.

Item #24

At a Traffic Advisory Commission meeting held on July 7, 2010 the Commission recommended APPROVAL of the following item:

ELIMINATE THE "NO STANDING ANYTIME" RESTRICTION ON THE EAST SIDE OF 15TH STREET BETWEEN ELMWOOD AVENUE & ASHLAND AVENUE AND ALLOW ALTERNATE OVERNIGHT PARKING

A petition from the residents of this block was received with a minimum of 75% of the occupied houses having signed.

Submitted By: Lewis Divito, 1009 - 15th Street & Petition/Residents of Block

It is requested that City Council approve this recommendation.

Item #25

At the Traffic Advisory Commission meeting held on July 7, 2010 the Commission recommended **APPROVAL** of the following item:

**RELOCATE THE EXISTING 25' LOADING ZONE (8A.M.- 6P.M.) TO THE NORTH BY 98' &
EXPAND IT TO 50' LONG IN FRONT OF 1302/1316 MAIN STREET**

Request was made to facilitate a place for transport vans to drop off/pick up elderly clientele in front of 1302/1316 Main Street.

Submitted By: Jeff Paterson, Director of Communication & Advancement, Health
Association of Niagara County, Inc., 1302 Main Street

It is requested that City Council approve this recommendation.

Item #26

At the Traffic Advisory Commission meeting held on July 7, 2010 the Commission recommended APPROVAL of the following item:

INSTALL A 30' LOADING ZONE (9A.M.- 5P.M.) IN FRONT OF 2726 PINE AVENUE

Request was made to facilitate a place for clientele to have in and out service in front of 2726 Pine Avenue.

Submitted By: James L. Fasciano. Proprietor, Dreamland Mattress, 2726 Pine Avenue

It is requested that City Council approve this recommendation.

Item #27

At a Traffic Advisory Commission meeting held on July 7, 2010, the Commission recommended APPROVAL of the following item:

**INSTALL ALL WAY STOP SIGNS AT THE INTERSECTION
OF CARAVELLE DRIVE & MARINE MEMORIAL DRIVE**

Submitted By: Residents of the Caravelle Drive & Marine Memorial Drive area to
Mayor Paul Dyster

It is requested that City Council approve this recommendation.

Item #28

At the Traffic Advisory Commission meeting held on July 7, 2010 the Commission recommended **APPROVAL** of the following item:

**INSTALL A 5' HANDICAPPED ACCESS SPACE
IN FRONT OF 2260 WOODLAWN AVENUE**

**[Physician verification of wheelchair dependency and/or severe restriction of
movement, has been received]**

Submitted By: Laura Giammarco, 2260 Woodlawn Avenue

It is requested that City Council approve this recommendation.

Item #29

At a Traffic Advisory Commission meeting held on July 7, 2010 the Commission recommended APPROVAL of the following item:

**INSTALL ALTERNATE OVERNIGHT PARKING ON VANDERBILT
AVENUE BETWEEN MCKOON AVENUE AND MACKLEM AVENUE**

A Petition from the residents of this block was received with 70% signatures.

Submitted By: Brandi Adams, 956 Vanderbilt Avenue and Petition/Residents of Block

It is requested that City Council approve this recommendation.

**RELATIVE TO HONORING
THE MEMORY OF
MR. ZEBEDEE TURK**

BY:

Council Chair Sam Fruscione
Council Member Robert A. Anderson, Jr.
Council Member Steve Fournier
Council Member Kristen Grandinetti
Council Member Charles Walker

WHEREAS, on July 1st, 2010, Mr. Zebedee Turk passed away at the age of 76 following a brief illness; and

WHEREAS, Mr. Turk was retired from the NFTA after 35 years of service. He was also a Deacon at Damascus Baptist Church and was a member of the International F&AM Mason and order of the Eastern Star; and

WHEREAS, Mr. Turk was known for his contributions to community service. He served on the City of Niagara Falls Planning Board for many years as well as an active volunteer for the Niagara Community Center and many other organizations.

NOW THEREFORE BE IT RESOLVED, that the members of the Niagara Falls City Council pay tribute to Mr. Zebedee Turk's contributions throughout his life and to his community service. His outstanding volunteer achievements have enhanced the quality of life for all who knew him. He will be deeply missed.

Item #31

RELATIVE TO THE NAMING OF THE
11TH STREET BASKETBALL COURT

BY:

Council Chair Sam Fruscione
Council Member Robert A. Anderson, Jr.
Council Member Steve Fournier
Council Member Kristen Grandinetti
Council Member Charles Walker

WHEREAS, in 2009, the Niagara Falls City Council addressed the issue of a basketball court near the Abate Elementary School due to the central location of the facility; and

WHEREAS, while there are plenty of indoor gyms open for children to play basketball in the winter, the gyms and indoor courts are not air-conditioned in the summer placing a need for outdoor places to play. The basketball courts will provide recreational opportunities for our city youth and will be available to youth of all ages, city-wide residents and members of the nearby YMCA; and

WHEREAS, the City has set aside funding dollars to build a new outdoor basketball court and passed a resolution on April 20, 2009 to approve a cooperative venture with the School District relative to the basketball courts in the Harry F. Abate school area; and

WHEREAS, work has progressed in bringing this venture to reality with the completion date in the very near future.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Niagara Falls, New York sets the name of "**Legends Park**" as the official name of the 11th Street Basketball Court recreation area. An official dedication of this park will take place shortly after its completion.

Item #32

**RELATIVE TO HONORING THE
PINE AVENUE BUSINESS ASSOCIATION'S
2010
SPECIAL CITIZENS OF PINE AVENUE**

BY:

Council Chair Sam Fruscione
Council Member Robert A. Anderson, Jr.
Council Member Steve Fournier
Council Member Kristen Grandinetti
Council Member Charles Walker

WHEREAS, on Saturday, July 31st and Sunday, August 1st, 2010, the Pine Avenue Business Association will hold their Annual Italian Festival; and

WHEREAS, during the festival, PABA will honor three individuals of Italian decent who have lived and/or worked the majority of their lives in the Pine Avenue business area or neighborhood. These "Cittadini Speciali" or Special Citizens of Pine Avenue were instrumental in making Pine Avenue a vibrant and viable business district; and

WHEREAS, the following Special Citizens will be honored:

***Dominic Ceretto
Sam Palermo
Antonio S. Restaino***

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York, that it extends its congratulations on behalf of all the citizens of the City of Niagara Falls in honoring the above-named Special Citizens as PABA's "Cittadini Speciali" for 2010.

**RELATIVE TO HONORING
ROBERT MARASCO**

BY:

Council Chair Sam Fruscione
Council Member Robert A. Anderson, Jr.
Council Member Steve Fournier
Council Member Kristen Grandinetti
Council Member Charles Walker

WHEREAS, the Pine Avenue Business Association's annual Italian Festival has been a part of the City of Niagara Falls for many years; and

WHEREAS, the festival, not only gives the Italian Community a chance to show off their ethnic heritage, but also honors many residents of Italian decent for their many contributions to the community; and

WHEREAS, Mr. Robert Marasco has volunteered many years of service to the Pine Avenue Business Association's Italian Festival with his expertise as an electrician and has contributed many hours technical service to make this event a success.

NOW THEREFORE BE IT RESOLVED, that the members of the Niagara Falls City Council congratulates and honors Mr. Robert Marasco with a "Thank You" for all his years of dedication to the PABA Italian Festival.

Item #34

WHEREAS, National Grid is sponsoring the "10,000 Trees...And Growing!" tree planting program; and

WHEREAS, this program provides reimbursement towards the cost of planting utility compatible trees under overhead electric distribution.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Niagara Falls, that Paul A. Dyster as Mayor of the City of Niagara Falls, New York is hereby authorized and directed to file an application for contributory reimbursement funds as part of the "10,000 Trees...And Growing!" tree planting program and upon approval of said request to enter into and execute a project Agreement with National Grid for such financial contribution to this municipality.

Item #35

WHEREAS, in order for the City to better respond to market conditions including rates at other parking lots; and

WHEREAS, the ability to adjust the daily rate at the City's parking facilities will improve parking revenues to help fund the Parking Ramp and Parking Lot funds;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York that the rates at the parking ramp and the downtown parking lots be permitted to vary between a minimum of \$5.00 and a maximum of \$10.00 per entrance on a daily and special event basis including the ability to have different rates at different parking facilities as specified in a schedule to be developed and adjusted as necessary by the City Director of Public Works and approved by the City Administrator.