

Agenda Item #1

The following claims have been filed in the Office of the City Clerk during the month of July 2014 the claims were subsequently referred to the Office of the Corporation Counsel.

NOTICE OF CLAIM

King, Gordon J. and
King, Brenda
c/o Thomas M. Mercure, Esq.
Lipsitz Green Scime Cambria LLP

Personal injuries sustained from hitting a depression
in the road.

Klein, Debbie
79 Marquette Ave.
Kenmore, NY 14217

Automobile damages sustained from hitting a pot hole.

Deters, Donna
c/o Walsh Roberts & Grace
Attorneys at Law

Personal injuries sustained from falling on a curb.

Spatorico, Salvatore B.
3639 Packard Rd

In reference to a refund of a golf pass

Hunt, Carol L.
1102 Main St.

In reference to medical issues.

Hunt, Carol L.
1102 Main St.

In reference to medical issues.

Hunt, Carol L.
1102 Main St.

In reference to medical issues.

Krawczyk, Henry
5659 John Ave.

In reference to property damages.

Green, Brian Joseph
400 Forest Ave.
Buffalo, NY 14213

In reference to personal property.

Lovejoy, Darian
2475 Willow Ave

Automobile damages sustained from a City
tree.

Hunt, Carol
1102 Main St.

In reference to City Courts.

Hunt, Carol L.
1102 Main St.

In reference to medical issues.

Rios-Baez, Jose Manuel
1301 13th St. #2

Automobile damages sustained from a branch.

Green, Ashlaquie L.
c/o Law Offices of Eugene C. Tenney
PLLC

Personal injuries sustained from falling on a curb

NOTICE REGARDING AVAILABILITY OF ELECTRONIC FILING SUPREME COURT CASES

AT & T Communications
c/o Robert J. Sorge
Attorneys for Petitioner

Index#E153510/2014

NOTICE OF PETITION

Harris, Tessia C.
c/o Michael R. Vaccaro, Esq.
Attorneys for the Plaintiff

Index#CV-0688-14

Pimm, Leonard
c/o Peter Allen Weinmann, Esq.
Attorney for Petitioner

Index# 153627

Upstate Associates
c/o Peter Allen Weinmann, Esq.
Attorney for Petitioner

Index# 153628

NFR Gateway, LLC AKA Nabisco
c/o Peter Allen Weinmann, Esq.
Attorney for Petitioner

Index# 153635

Blue Apple Properties Inc.
c/o Peter Allen Weinmann, Esq.
Attorney for Petitioner

Index# 153623

Niagara Falls Redevelopment, LLC
c/o Peter Allen Weinmann, Esq.
Attorney for Petitioner

Index# 153632

Eleventh Street Properties, LLC
c/o Peter Allen Weinmann, Esq.
Attorney for Petitioner

Index# 153625

NOTICE OF APPLICATION

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

Index# 153655

SUMMONS

Henricks, George
c/o Angelo Capalbo, Esq.
Epstein, Gialleonardo & Frankini

Index#CV-0640-14

First Street Group, LLC
c/o Daniel R. Metschi, Esq.
Attorneys for the Plaintiff

Index#CV-0694-14

Walos Jr., Steven
c/o Paul K. Barr
Fanizzi & Barr, P.C.

Index#153701

NOTICE OF PETITION, VERIFIED PETITION, AFFIDAVITS, MEMORANDUM OF LAW

Granto, Nicholas
Fleck, Richard
McDonell, George
Henderson, Kevin
c/o Magavern Magavern Grimm LLP

Index# 153581

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 June 2014.

			<u>CONTROLLER</u>		<u>TOTAL</u>
A1255-001 A012	Vital Statistics		\$ 4,140.00	\$	4,140.00
A1255-004 A013	Copies of Records		\$ 755.50	\$	755.50
A1255-004 A013	Certificates of Marriage		\$ 1,280.00	\$	1,280.00
A2501-006 A042	Tour Attendant		\$ 100.00	\$	100.00
A2501-006 A042	Tour Driver/Guide		\$ 600.00	\$	600.00
A2501-011 A044	Peddler		\$ 600.00	\$	600.00
A2501-016 A047	Stationary Engineers		\$ 220.00	\$	220.00
A2542-000 A053	Dogs/NYS Agr. & Mkts	\$ 543.00	\$	-	\$ 543.00
A2542-000 A053	Additional Dogs		\$ 4,911.50	\$	4,911.50
A2545-001 A054	Marriage License/NYSHD	\$ 2,880.00	\$ 960.00	\$	3,840.00
A2550-001 A056	Loading Zone		\$ 1,655.00	\$	1,655.00
A1255-002 A123	Commissioners of Deeds		\$ 20.00	\$	20.00
A2545-010 A128	Petroleum - Retail		\$ 350.00	\$	350.00
A2545-010 A128	Petroleum - Storage		\$ 180.00	\$	180.00
A2545-021 A316	Vending		\$ 40.00	\$	40.00
A2545-023 A318	Hunters/NYS DEC RAU	\$ 1,012.78	\$	-	\$ 1,012.78
A2545-023 A318	Hunters Fees		\$ 59.22	\$	59.22
A1255-003 A499	Notary Fee		\$ 4.00	\$	4.00
A1255-005 A528	Dog Release		\$ 750.00	\$	750.00
TA63008 A597	Marriage Performance		\$ 1,350.00	\$	1,350.00
A1255-006-A696	Photos/passport-license		\$ 45.00	\$	45.00
TOTAL:		<u>\$ 4,435.78</u>	<u>\$ 18,020.22</u>	<u>\$</u>	<u>22,456.00</u>

Check #	<u>68655</u>	NYS Dept.of Arg. & Mkts	\$ 543.00
Check #	<u>68642</u>	NYS Health Department	\$2,880.00
Check #	<u>ET</u>	NYS DEC RAU	\$1,012.78

Agenda Item #3

The following is a report of the licenses issued and collections made in the Office of the City Clerk during the month of July, 2014.

			<u>CONTROLLER</u>	<u>TOTAL</u>
A1255-001 A012	Vital Statistics		\$ 4,722.00	\$ 4,722.00
A1255-004 A013	Copies of Records		\$ 500.75	\$ 500.75
A1255-004 A013	Certificates of Marriage		\$ 1,250.00	\$ 1,250.00
A2501-006 A042	Tour Driver/Guide		\$ 300.00	\$ 300.00
A2501-011 A044	Peddler		\$ 25.00	\$ 25.00
A2501-016-A047	BOILERS		\$ 50.00	\$ 50.00
A2542-000 A053	Dogs/NYS Agr. & Mkts	\$ 342.00	\$ -	\$ 342.00
A2542-000 A053	Additional Dogs		\$ 3,543.00	\$ 3,543.00
A2545-001 A054	Marriage License/NYSHD	\$ 2,812.50	\$ 937.50	\$ 3,750.00
A2550-001 A056	Loading Zone		\$ 505.00	\$ 505.00
A1255-002 A123	Commissioners of Deeds		\$ 5.00	\$ 5.00
A2545-010 A128	Petroleum - Retail		\$ 210.00	\$ 210.00
A2545-010 A128	Petroleum - Wholesale		\$ 100.00	\$ 100.00
A2501-599 A130	Pawn Broker		\$ 150.00	\$ 150.00
A2545-023 A318	Hunters/NYS DEC RAU	\$ 217.28	-	\$ 217.28
A2545-023 A318	Hunters Fees		\$ 12.72	\$ 12.72
A1255-003 A499	Notary Fee		\$ 2.00	\$ 2.00
A1255-005 A528	Dog Release		\$ 350.00	\$ 350.00
TA63008 A597	Marriage Performance		\$ 1,275.00	\$ 1,275.00
A1255-006-A696	Photos/passport-license		\$ 18.00	\$ 18.00
TOTAL:		<u>\$ 3,371.78</u>	<u>\$ 13,955.97</u>	<u>\$ 17,327.75</u>

Check #	<u>68973</u>	NYS Dept.of Arg. & Mkts	\$ 342.00
Check #	<u>68953</u>	NYS Health Department	\$2,812.50
Check #	<u>ET</u>	NYS DEC RAU	\$ 217.28

Agenda Item #4

RE: City Council Agenda Item:

Re-budgeting 2014 Emergency Solutions Grant Funds

Council Members:

The City has been advised that the YMCA has not been accepting new tenants into its single room occupancy facility in Niagara Falls. The facility eventually will be closed. The YMCA will not be using the \$21,735.00 of 2014 Emergency Solutions Grant ("ESG") funds that the City allocated to them in the 2014 CDBG budget for the facility.

Accordingly, Community Development needs to re-budget \$21,735.00 of ESG funds. These funds were to be used by the YMCA for essential services related to emergency shelter and street outreach. Community Missions, YWCA of Niagara (Carolyn's House) and Family and Children's Service receive ESG funds from the City for these types of services. It is proposed that the ESG grant allocated to YMCA be divided equally among Family and Children's Service, YWCA and Community Missions, with each agency receiving an additional \$7,245.00.

Will the Council vote to approve the reallocation of the \$21,735.00 YMCA 2014 ESG grant among Family and Children's Service, YWCA of Niagara and Community Missions as set forth herein, and authorize the Mayor to execute any documents necessary to effectuate the same?

Agenda Item #5

**RE: City Council Agenda Item:
Revise 2013 CDBG NFMCC Grant**

Council Members:

The 2013 CDBG budget contained a \$50,000.00 grant to Niagara Falls Memorial Medical Center for the Hodge Building elevator replacement, The elevator was to be replaced in connection with the construction of a permanent vestibule at the ground floor entrance and other foyer improvements. The elevator replacement portion of the project is not financially feasible at this time.

As requested by NFMCC, it is proposed that the \$50,000.00 CDBG grant be used for a portion of the costs of the permanent vestibule construction and other foyer improvements. This entrance is the access for thousands of frail, elderly patients, and for many maternity, diabetic and stroke patients. The permanent vestibule will provide a sheltered entrance and a sheltered area for patients waiting for transportation. As you know, NFMCC provides health services for low and moderate income patients.

Will the Council vote to amend the 2013 NFMCC grant to allow its use for permanent vestibule improvements at the Hodge Building as set forth herein, and authorize the Mayor to execute any documents necessary to effectuate the same?

Agenda Item #6

RE: City Council Agenda Item:
Stohl Environmental Asbestos Service Contract
Additional \$150,000 for 2013-14

Council Members:

The City contracted with Stohl Environmental, LLC to provide asbestos services for 2013 and 2014 in connection with City demolitions. The services include preparation of asbestos surveys, sampling and analysis, and monitoring of demolitions. The contract provides unit prices for each service. The contract includes an upset amount of \$299,100.00. The contract runs through the end of this year.

Community Development is preparing a new demolition contract. The City is approaching the upset amount of the 2013-14 asbestos services contract. It is anticipated that the cost of additional asbestos surveys, sample analysis and air monitoring needed this year will exceed the upset figure of the 2013-14 contract. It is proposed to increase the upset figure for the 2013-2014 contract by \$100,000.00 of CDBG funds to cover additional services this year. This increase of the upset amount does not necessarily mean the entire sum will be paid. Only services used will be paid for at the unit prices in the existing contract.

In addition, Inspections has been using this contract for asbestos work related to emergency demolitions, expending about \$25,000.00 per year. It is proposed to add \$50,000.00 to the upset figure to cover the Inspections Department usage through 2014.

RFP's for a new 2015-2016 asbestos services contract will be solicited this year, with the contract awarded for January 1, 2015 through December 31, 2016.

Funds are available to pay for this additional cost from budget line CD.8666.0000.0450.500, project CDR-106. Funds are available in the demolitions budget line to cover the Inspections Department asbestos services.

Will the Council vote to approve an increase of up to \$150,000.00 for the 2013-2014 asbestos services contract as set forth herein, and authorize the Mayor to execute any documents necessary to effectuate the same?

Agenda Item #7

RE: Agreement between the City and the Niagara Falls School Board for the Collection of School Taxes

Council Members:

Over the years, the Niagara Falls School District (“NFSD”) has contracted with the City of Niagara Falls to perform necessary services each year to bill and collect property taxes levied by the NFSD. The NFSD wishes to continue this agreement for the 2014-2015 fiscal year. The fee the NFSD pays the City for this service is \$60,660.73, increased by the Regional Northeast CPI for calendar year 2014, when it has been determined. This includes the cost of postage.

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

Agenda Item #8

RE: Addendum to Agreement with Niagara County Office for the Aging

Council Members:

The Niagara County Office for the Aging has forwarded an Addendum to the City for execution and attachment to the existing Agreement with them. This Addendum calls for the City to adhere to certain statutes and regulations and to the maximum extent feasible, provide services to un-served and underserved older adults. The Director of the John Duke Senior Center advises that the City is able to comply with what is contained in this Addendum.

Will the Council so approve and authorize the Mayor to execute the Addendum provided the same is acceptable to Corporation Counsel?

Agenda Item #9

RE: Additional Funding for Clean Neighborhoods

Council Members:

The Director of Department of Public Works (“DPW”) is requesting the additional amount of \$1,724 be made available to his department budget line for Clean Neighborhoods in order to make more money available for grass cutting. That budget line is A.8510.0000.0449.080. Funding is available from Tourism Fund Balance.

Will the Council so approve?

Agenda Item #10

RE: File Cabinets for Department of Code Enforcement

Council Members:

The Acting Director of the Department of Code Enforcement is requesting that the sum of \$1100 be made available to his department for the purchase of four (4) file cabinets. Funding is available from casino interests.

Will the Council so approve?

Agenda Item #11

RE: Encroachments/Property Line Modifications/Easements Related to Final Construction of Culinary Institute

Council Members:

The construction of the Niagara Falls Culinary Institute (the "Institute") is now complete and it is appropriate to now finalize an outstanding issue pertaining to the north boundary line of the Institute premises conveyed by the City to Niagara County for use by the Institute and also to finalize certain encroachments in the City rights-of-way surrounding the Institute premises on the south, west and east.

Attached hereto is a copy of a recommendation to approve these items from the Planning Board based upon a Planning Board meeting held on July 23, 2014. During that meeting, Michael D. Dombrowski, Vice President of Operations of Niagara County Community College, made a presentation to the Planning Board outlining and detailing the requests made with respect to various encroachments on City rights-of-way as well as a finalization of the northern boundary line issue. The items requested by the Institute are as follows:

1. Approve the conveyance of an additional five inches of City-owned Rainbow Mall real estate to the County for use by the Institute. The original deed of conveyance to the County fixed the northerly boundary line but it was not discovered until well after the preparation and recording of the deed of conveyance that the north boundary line had to be moved 5" to the north due to the presence of an expansion joint along column line "Q". This 5" relocation allowed for the installation of a party wall separating the Institute premises from the City premises. The 5" relocation avoids a conflict with that expansion joint and assures, quality, long term construction. At the time, a temporary encroachment over this 5" was approved but now that construction is complete it is appropriate to amend the legal description and record an amended deed.
2. The Institute previously requested an easement to utilize an outdoor area adjacent to the northwest corner of the Institute premises to place electrical/mechanical/utility equipment and waste receptacles. This area is underneath an existing overhang created by the upper floors of the building, sitting inside a ground level alcove. This was previously approved by the Planning Board and approved by the City Council at its meeting on December 13, 2011 and is included in this narrative for information and background.
3. The Planning Board and the City Council previously approved encroachments into the southerly City right-of-way on Old Falls Street for "entry piers" that extended into the City right-of-way by 18". These were for the purpose of accentuating a doorway. The Institute is now proposing to substitute four (4) new pilasters which extend off the building thereby encroaching into the City right-of-way, which accentuate the primary doors. These are essentially vertical masses attached to the building that visually appear as columns. The dimensions are as follows:
 - 2'-2" from the original line of exterior X 4'-8" wide
 - 2'-2" from the original line of exterior X 2'-9" wide
 - 2'-2" from the original line of exterior X 2'-9" wide
 - 2"-2" from the original line of exterior X 4'-3" wide
4. The Institute previously requested the installation of 2" of insulation on the face of the building's facade that causes an encroachment of up to 2" into the City right-of-way on the west, south and east sides of the building. This was previously approved by the Planning Board and approved by the City Council during its meeting on December 13, 2011 and is included in this narrative for information and background.

5. The Institute has proposed the installation of a cast stone concrete base at the bottom of nearly all exterior walls. This stone base creates a “curb” around the project, protecting it from traffic and wear. It extends up to six (6) inches further out into the City rights-of-way on the west, south and east than the original building line.
6. The Institute is proposing a series of modifications to the south building facade that encroach into the City right-of-way along Old Falls Street. The design will include two (2) exterior entries in the south facade creating independent street access to the existing Old Falls Street Deli and the Pastry Shop. The scope of the project includes six new signage elements, a series of decorative lit and non-lit panels, one (1) new awning, and the re-cladding of the other existing awnings. The primary building signage elements are mechanically fastened to the base of the building along with two that are fixed within structural steel frames. The new awning is set on a galvanized steel frame and extends 5’-6” from the existing building face. The vertical supports for this canopy are intended to be permanent and are set in the sidewalk, 4’5” from the building facade. Due to existing sidewalk elevations in relationship to the finish floor elevation of level one, excavation of the City-owned sidewalk is required to provide access to the new Pastry Shop door. This excavation is limited to a pathway that runs along the building exterior and descends down to the Pastry Shop entryway. The sidewalk removal will extend 4’-7” from the building exterior and run for a length of 34’-8”, beginning from the new Pastry Shop door and continuing toward First Street. The overall depth will be 16”-18”. The Institute will be solely responsible to maintain the new area created by this excavation and keep it free of ice and snow. In addition, should the entryway to the Pastry Shop be discontinued at any time, the Institute agrees to restore the sidewalk to its condition prior to any excavation.

Attached hereto are various diagrams and renderings reflecting these modifications and encroachments, together with narratives from the project architect.

Will the Council approve the recommendation of the Planning Board with the conditions imposed, require the Institute to maintain the new area created by its excavation of the City right-of-way and keep it free of ice and snow and also require that the Institute agree to restore the sidewalk to its condition prior to excavation should the new entryway to the Pastry Shop be discontinued and authorize the Mayor to execute any deeds, easements and ancillary documents that may be required, subject to the approval of the Corporation Counsel?



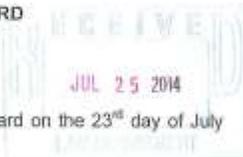
City of Niagara Falls, New York

P.O. Box 69, Niagara Falls, NY 14302-0069

July 23, 2014

NIAGARA FALLS PLANNING BOARD

**RECOMMENDATION TO CITY COUNCIL:
ENCROACHMENT IN CITY RIGHT-OF-WAY**



Pursuant to action taken by the Niagara Falls Planning Board on the 23rd day of July 2014, your request is hereby granted.

NAME OF OWNER: Niagara County Community College
Culinary Institute

ADDRESS OF ACTION: 28 Old Falls Street

PURPOSE: To allow certain encroachments in City right-of-way (see attached)

This application is hereby granted with the following conditions:

- 1) The owner/applicant must obtain all applicable permits and inspections.
- 2) The owner/applicant will add the City of Niagara Falls as an additional insured on its liability insurance policy.
- 3) The owner/applicant will agree to defend and indemnify the City from liability related to the encroachment.
- 4) The City can revoke the license for the encroachment on sixty (60) days' notice.
- 5) The owner/applicant must comply with any conditions imposed by the City Engineer with regard to sufficient space for pedestrian passage on the sidewalk right-of-way and to insure that no damage occurs to the City's right-of-way.
- 6) Sidewalk right-of-way and any reconstructed areas in the sidewalk right-of-way made by the owner/applicant shall be maintained by the owner/applicant. Improvements shall be implemented, with evidence of all such improvement provided to the Planning Office, prior to the issuance of any Certificate of Occupancy. All such improvements shall be undertaken by the owner/applicant at their own expense and maintained in accordance with all NYS DOT and City Engineering requirements and approvals.

DATE: July 23, 2014

Richard D. Smith, Chairman
Niagara Falls Planning Board

42-1 42 42 700 41
5/23/14 11:00 AM

**Niagara County Community College
Niagara Falls Culinary Institute
Modification of Property Line**

Narrative of Revised Building Footprint – July 16, 2014

Buffalo
Boston
New York
Dallas
Washington DC
Toronto
Chicago
St. Louis
Vancouver
San Francisco
Los Angeles
Phoenix
Singapore
Mumbai

The Niagara Falls Culinary Institute is an approximately 90,000 SF public and learning institution completed in 2012. The project is located at 28 Old Falls Street in downtown Niagara Falls. The extensive transformation and renovation to the existing Rainbow Mall included a variety of improvements to the exterior enclosure of the building.

In order to ensure the project's longevity into the future and allow it to withstand the changing seasons and weather, a cast stone concrete base was designed at the bottom of nearly all exterior walls. This stone element creates a "curb" around the project, protecting it from traffic and wear. It extends six (6) inches further out than the original building line.

In addition to this curb, the new main entry to the institute needed to be highlighted against the remainder of the south façade. Centered on the south face, four (4) new pilasters extend off the building, pronouncing the primary doors. These pilasters are essentially vertical masses attached to the building that visually appear as columns. Each pilaster is largest at this base. In order from west to east, the dimensions off the original face of the building are as follows:

- 2'-2" from the original line of exterior X 4'-8" wide
- 2'-2" from the original line of exterior X 2'-9" wide
- 2'-2" from the original line of exterior X 2'-9" wide
- 2'-2" from the original line of exterior X 4'-3" wide

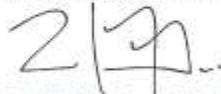
The receiving and support area for the facility was added at the northwest corner of the project. Due to the natural use of the institute and its energy requirements, an outdoor area adjacent to the northwest corner was used to place electrical/mechanical utility equipment and municipal waste receptacles. This area is underneath an existing overhang created by the upper floors of the building, sitting inside a ground level alcove. The dimensions of the space used is, 30'-0" in the north-south direction and 25'-6" in the east-west direction. The existing alcove is located approximately 120'-0" from the southwest corner of the building and is occupied by the Culinary Institute at the dimensions stated above.

Extending the full length of the property at the north end and separating the new project from the remainder of the parking garage, is a fire rated gypsum wall assembly. This wall serves as the project's northern most limit. During the design and construction process, the location of this wall was relocated 5' to the north as a

CANNONDESIGN

Page 2

result of existing conditions. The original parking garage/mall construction included an expansion joint along column line "Q" which this wall could not sit atop. The 5" relocation avoids a conflict with this joint and assures quality, long term construction.

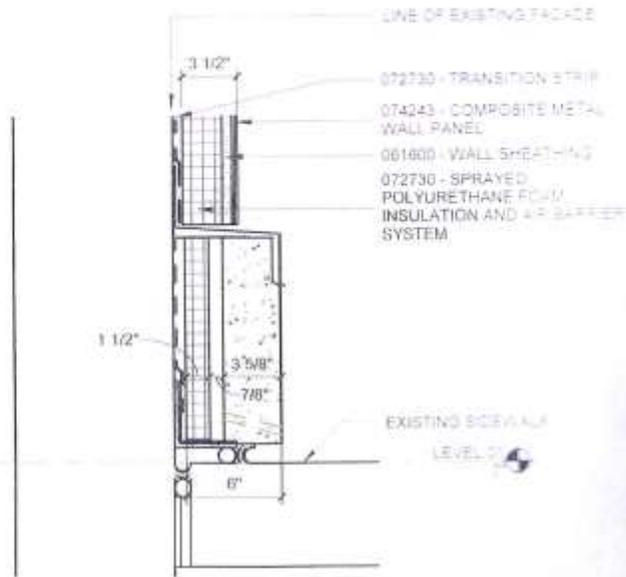


Peter McCarthy, Assoc AIA, LEED AP

Senior Associate
Architect

CANNONDESIGN

2170 Whitehaven Road
Grand Island, NY 14072
T 716.774.3344



SARA COUNTY COMMUNITY COLLEGE
 HOSPITALITY AND TOURISM CENTER

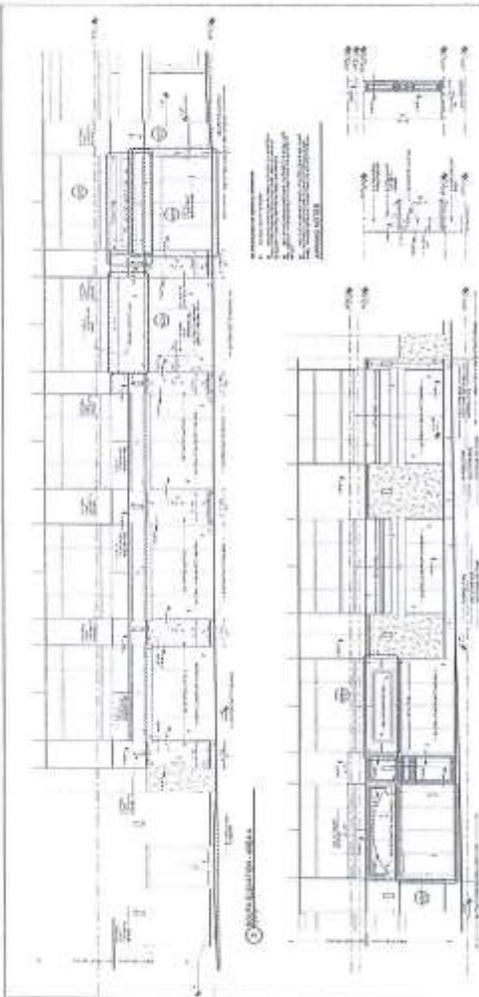
CANNONDESIGN

DATE: 2011-10-28

PROJECT # 03623-00

1/16" = 1'-0"

EXHIBIT



1. EXTERIOR FINISH TO MATCH EXISTING
 2. INTERIOR FINISH TO MATCH EXISTING



1. SIGNAGE TO MATCH EXISTING



2. SIGNAGE TO MATCH EXISTING

CANNONDESIGN

Niagara County Community College Modification of Niagara Falls Culinary Institute Façade

Project Narrative – July 14, 2014

Buffalo
Boston
New York
Baltimore
Washington DC
Toronto
Chicago
St. Louis
Vancouver
San Francisco
Los Angeles
Phoenix
Shanghai
Mumbai

The Niagara Falls Culinary Institute is an approximately 90,000 SF public and learning institution completed in 2012. The project is located at 28 Old Falls Street in downtown Niagara Falls. With the ultimate goal of increasing tourism from the public into the facility, the NCCC administration has commissioned the design for a series of modifications to the south building façade. The design will include two new exterior entries in the south façade creating independent street access into the existing Old Falls Street Deli and La Patisserie Pastry Shop. In addition to these new entries, the scope of the project includes six new signage elements, a series of decorative lit and non-lit panels, one new awning, and the recladding of other existing awnings. The primary building signage elements are mechanically fastened to the face of the building along with two that are fixed within structural steel frames. The new awning is set on a galvanized steel frame and extends 5'-6" from the existing building face. The vertical supports for this canopy are intended to be permanent and are set in the sidewalk, 4'-5" from the building façade.

Due to existing sidewalk elevations in relationship to the finish floor elevation of level one, excavation of the sidewalk is required to provide access to the new Pastry Shop door. This excavation is limited to a pathway that runs along the building exterior and descends down to the pastry shop entry. The sidewalk removal will extend 4'-7" from the building exterior and run for a length of 34'-8", beginning from the new pastry shop door and continuing toward First Street. The design is calling for a new structural concrete foundation wall and slab at the above dimensions. The foundation wall will extend above the existing sidewalk for a varying height of 6" ±. The overall depth of cavity will be 16"-18" depending on the verification of field conditions on site. A new drain will be added at the low point and connected to a nearby storm line along Old Falls Street. The new canopy mentioned above is being structured into the top of the new concrete curb created by the foundation wall.



Peter McCarthy, Assoc AIA, LEED AP
Senior Associate
Architecture

CANNONDESIGN

2170 Whitehaven Road
Grand Island, NY 14072
T 716.774.3344

2170 Whitehaven Road
Grand Island, New York
14072
T 716.773.6880
F 716.773.6966
cannondesign.com

Agenda Item #12

RE: Usage of LaSalle Facility by Cayuga Gamblers Travel Softball League

Council Members:

The City has once again been requested by the Cayuga Gamblers Travel Softball League to use the LaSalle facility for its fall, winter and spring season 2014-15. Utilization would be for full days on Saturdays and Sundays as the League has done during the past ten years. Attached is a copy of correspondence containing this request.

Will the City allow the League to utilize the LaSalle facility as requested in exchange for a fee of \$100.00 to apply to administrative expenses?



Cayuga Gamblers Travel Softball

PO Box 3851
Niagara Falls New York 14304



Sent
to
Mayor
8/6/14

July 23, 2014

To Whom It May Concern,

The Cayuga Gamblers would like to once again request the usage of the LCARA Recreational Facility on Colin Boulevard for the fall, winter and spring season of 2014-15. The group consists of 8 separate teams, therefore the request would include the full days of Saturdays and Sundays as we have the past 10 years. We have always started training the third week of October and finish up in mid April. Last year we picked up a key each Friday and returned it Monday

We are fully insured and have included the insurance policies for all the teams included. The off season training that we go through includes professional lessons from college pitching instructors and past college players along with experienced hitting instructors which the families pay out of pocket

We supply all of our own equipment which includes netting to reduce the chance of any damage to the facility. All coaches have attended many clinics and have been instructed on how to properly work with the young softball players. Many of the girls that we have worked with in the past have gone on to have successful college softball and academic seasons.

With the help of the city and the usage of the facility, it allows us to keep the cost down for the players of Niagara Falls and keeps them competitive in their WINY league play along with tournaments they play in numerous States and Canada.

The players and families appreciate the past help and usage of the facility the City of Niagara Falls has graciously let us utilize.

If you have any questions or concerns, please call or email

Thank You

Jim Bradley
1702 100th St

2014 Cayuga Travel Softball Director
(D) 257-9402
(C) 471-2885
(W) 905-685-7334 Ext # 225
jbradlam@aol.com

Agenda Item #13

RE: Installation of Communication Equipment

Council Members:

The Superintendent of Police advises that it is necessary to install an antenna array in an elevated location in the City in order to aid Police and Fire communications. The Superintendent of Police has determined that 720 10th Street, Niagara Falls, New York is an appropriate location for this antenna array and has had discussions with the Executive Director of the Niagara Falls Housing Authority (“NFHA”) in this regard. NFHA will allow the Niagara Falls Police Department to locate City equipment on the outside wall of a building on the rooftop of that building for an “Initial Term” of five (5) years with four (4) renewal terms at no cost to the City.

Will the Council so approve and authorize the Mayor to execute an Antenna Site Agreement in form and content satisfactory to the Corporation Counsel.

Agenda Item #14

RE: 15th Annual Freedom Trail Festival - 2014

Council Members:

The Committee for the Freedom Trail Festival has requested a contribution from the City to put toward the expenses incurred in organizing and carrying out the Annual Freedom Trail Festival. This Festival is an “all age affair” that attracts local residents as well as visitors from out of town. The Festival is due to take place on September 20, 2014. The sum of \$2,500.00 is available from Tourism Fund Balance.

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

Agenda Item #15

RE: Retain Milliman, Inc. for Actuarial Equivalence Testing

Council Members:

The City Controller is recommending that the City retain the services of Milliman, Inc. (“Milliman”) to perform actuarial equivalence testing in connection with the retiree drug subsidy. Milliman has much experience in this area and has worked in the past with Blue Cross and Blue Shield. The reports Milliman generates will likely result in the City receiving subsidy payments from the federal government. The cost of these actuarial services is \$5,000.00 for calendar year 2015. Funding is available from the City Controller’s budget line number A.1315.0000.0451.000.

Will the Council so approve and authorize the City Controller to execute an engagement agreement in form satisfactory to the Corporation Counsel?

Agenda Item #16

SUBJECT: Bid #2014-26 Laundry and Rental Services

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

TO: Morgan Services, Inc.

325 Louisiana Street

Buffalo, NY 14204

FOR: Item #'s 1 through 31 as per the attached tally sheet.(on file in the City Clerk's Office)

The City Purchasing Division 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 eight (8) vendors. Three (3) bids were received. Morgan Services submitted the most complete bid which meets the needs of the City as described in the specifications.

Funds for this expenditure are available in various Departments, Laundry and Cleaning code .0465.000.

Will the Council so approve?

Agenda Item #17

SUBJECT: Bid #2014-31 4 X 4 Utility Work Machine

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

TO: Bobcat of Buffalo

6511 S. Transit Road

Lockport, NY 14094

FOR: One (1) new and unused, 4 X 4 Utility Work Machine with Snowblower

Less Trade-In of 2008 Bobcat and SB200 60" Snowblower \$ 40,984.00

The City Purchasing Division 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. Bobcat of Buffalo was the only bid the City received.

Funds for this expenditure were approved in the 2013 Capital Budget for the Department of Public Works, Vehicles and Equipment.

Will the Council so approve?

Agenda Item #18

RE: *Approval of In Rem Auctions Bids from June 10, 2014*

Council Members:

At your July 21, 2014 meeting, you voted to reject the following bids and forfeit the deposits: Serial Nos. 72, 130, 133, 326, 330, 456, 662, 788 and 846. This was due to issues regarding unpaid City taxes on other properties. These unpaid tax issues have now been resolved, and it is recommended that you approve the bids on these properties.

Also at that time, it was recommended that no action be taken on Serial Nos. 8, 9, 10, 11, 98, 161, 378, 379, 446 and 612. We now recommend that the Council vote to approve the bid for Serial No. 161 and reject the other bids and return the deposits and auctioneer's fees to the bidder.

Will the Council so approve and authorize the Mayor to execute deeds to the successful bidders in accordance with the Terms of Sale?

Agenda Item #19

SUBJECT: Commissioner of Deeds

The following have requested City Council approval for Commissioner of Deeds for a term from October 1, 2014 to September 30, 2016.

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

Joseph Paul	NFPD
Lori Parsnick	City Clerks Office
Kari Pokoj	City Clerks Office

Linda Boxer	921 Vanderbilt Ave., NF NY 14305
Maryann DeMartin	1339 James Ave., NF NY 14305
Virgil Fiorentini	2236 Grand Ave, NF NY 14301
Anna Iannarelli	461 21 st St., NF NY 14303
Terry Manning	576 78 th St., NF NY 14304
Jemelie E. Raybon	1716 Ferry Ave., NF NY 14301

Agenda Item #20

RELATIVE TO CELEBRATING THE 24 BELOW
GALLERY'S DANCE OF FIREFLIES PARADE

BY:

Council Member Kristen Grandinetti

September 2, 2014

WHEREAS, *24 Below, a locally-owned and operated business in the city of Niagara Falls, will be celebrating the magic of summer on August 22, 2014 with its first annual "Dance of the Fireflies" parade, and*

WHEREAS, *the Niagara Falls City Council wishes to extend its support and well-wishes to family-friendly events and entertainment in our city's tourism district, and*

WHEREAS, *the Niagara Falls City Council wishes to promote creativity and the entrepreneurship of ideas in the city of Niagara Falls,*

NOW, THEREFORE, BE IT RESOLVED, *that the City Council of Niagara Falls hereby joins with 24 Below and all those participating in the first-ever "Dance of the Fireflies" parade in celebrating the magic of summer.*

Agenda Item #21

RELATIVE TO RECOGNIZING CYNTHIA BUTLER-MCINTYRE, 24TH NATIONAL PRESIDENT OF DELTA SIGMA THETA SORORITY, INC.

BY:

Council Chairman Charles Walker
Council Member Robert Anderson
Council Member Kristen Grandinetti
Council Member Glenn Choolokian
Council Member Andrew Touma

September 2, 2014

WHEREAS, Cynthia Butler-McIntyre has inspired thousands of people through her motivational, educational, and religious speeches across the country, and

WHEREAS, Ms. Butler-McIntyre has impacted countless young minds as a teacher, assistant principal, summer school principal, and personnel administrator in the Jefferson Parish Public School System in Harvey, Louisiana, and as assistant coordinator of field experiences and College of Education supervisor for early childhood student teaching experiences for the University of New Orleans, and

WHEREAS, Ms. Butler-McIntyre has served her community as the Board Commissioner of the Ernest N. Morial Convention Center in New Orleans, as a member of the MLK Task Force and the Delta Research and Development Foundation, as a National Board Member of the National Council of Negro Women, as a past National Board Member of the National Alliance of Black School Educators, as the State Secretary of the Louisiana Association of School Personnel Administrators, as the Founding President of Algiers-Gretna Branch of the National Association for the Advancement of Colored People, and

WHEREAS, Cynthia Butler-McIntyre was appointed to the Board of Trustees of the Christopher Columbus Fellowship Foundation by President Barack Obama in 2011, and

WHEREAS, Ms. Butler-McIntyre currently serves as the national president of Delta Sigma Theta Sorority, Inc., leading the organization's 50,000 active members in the organization's mission to provide services worldwide in the areas of economic and educational development, international charity and outreach, physical and mental health, and political awareness and involvement, and

WHEREAS, Ms. Butler-McIntyre will be a guest in the city of Niagara Falls in September 2014, when Delta Sigma Theta Sorority, Inc., will be holding a number of events in Western New York,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Niagara Falls hereby welcomes Cynthia Butler-McIntyre, "A Leader with a Servant's Heart," to Niagara Falls, NY on behalf of the citizens of our great city, and recognizes her for her leadership and commitment to the service of others.

Tuesday, September 2, 2014 Council Meeting

PRESENTATIONS:

DePaul Apartments – 39th Street Proposal

ADMINISTRATIVE UPDATE: