

Agenda Item #1

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

NOTICE OF CLAIM

Herds, Valerie 3524 Chapin Ave.	Automobile damages sustained from hitting a pot hole.
Bazzani, Daniel J. 4003 Glenn St.	Automobile damages sustained from a City plow.
Buccarelli, Debra A. 339 75 th St.	Automobile damages sustained from hitting a pot hole.
Booth III, Donald W. 653 73 rd St.	Property damages sustained from a City tree.
Bulka, John c/o State Farm	Automobile damages sustained from a City plow.
Smouse, Sheila 1729 Cudaback Ave	Automobile damages sustained from hitting a pot hole.
Reyes, Janie Mosley 2777 Livingston Ave	Automobile damages sustained from hitting a pot hole.
Borowicz, William 405 38 th St.	Property damages sustained from frozen water pipes
Lazarou, Androulla 3034 Dorchester Rd	Automobile damages sustained from hitting a pot hole.
Jackson, Mae PO Box 204 Buffalo, NY 14302	Property damages sustained from flooding Aug 2013
Spanbauer, James R. 528 College Ave.	Automobile damages sustained from hitting a pot hole.
Dennard, Paula 530 10 th St. Upper	Personal injuries sustained from a police officer
Slabyk, Andrea 123 Nassau Ave Kenmore, NY 14217	Automobile damages sustained from hitting a pot hole.

Lutz, Rollo 2482 Independence Ave.	Automobile damages sustained from a City snow plow.
King, Deanna 1654 Niagara Ave	Automobile damages sustained from a City Police vehicle.
Barto, Joseph D. 3322 Church Ave	Automobile damages sustained from being hit by a City Fire truck
Golembiewski, David 320 Denrose Amherst, NY 14228	Automobile damages sustained from hitting a pot hole
Roberts, Robin 413 25 th t.	Automobile damages sustained from hitting a pot hole.
Valenti, Richard F. 9 Inwood Place Lancaster, NY 14086	Automobile damages sustained from hitting a pot hole.
Ram, Gurmail C/O William Mattar	Personal injuries sustained from falling on a public entranceway.
Kopp, Barbara 1401 97 th St.	Property damages sustained from hitting a tree stump with riding lawnmower
Terrana, Sheila K. c/o State Farm	Automobile damages sustained from accident with City vehicle.
Robins, Ann c/o Edward L. Smith, III, Esq.	Automobile damages and personal injuries sustained from a City snow plow.
Robins, John c/o Edward L. Smith, III, Esq.	Automobile damages and personal injuries sustained from a City snow plow.
Smith, Shauna 4600 Hyde Park Blvd. Apt.184	Automobile damages sustained from hitting a pot hole.
Giles Sr., Antwan M. 1938 Whitney Ave.#2	Automobile damages sustained from hitting a pot hole.
Stafford, Audrey 6703 Girard Ave.	Property damages sustained from sewer back up.

NOTICE OF MOTION FOR SUMMARY JUDGMENT PERSUANT TO FED. R. CIV.PROC. 56

Hueber, Roger L.
325 Ferry Ave. #1

Docket No.14CV 0049

**NOTICE OF STATEMENT OF BRINGING IN OF NEW PARTY AND CHANGE
IN TITLE OF NEW ACTION**

Hanna, Barbara
Gulley, Christine

Index#149809/13

c/o Martyn, Toher, Martyn & Rossi

NOTICE REGARDING AVAILABILITY OF ELECTRONIC FILING

Lisk Property Concepts, LLC as

Index#E152537/2014

Asignee of GLAV FUND III, TRUST

NOTICE OF SUMMONS IN A CIVIL ACTION

Hueber, Robert L.

Civil Action No. 14CV 0049

325 Ferry Ave #1

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							
March 2014.							
						CONTROLLER	TOTAL
A1255-001 A012		Vital Statistics				\$ 4,576.00	\$ 4,576.00
A1255-004 A013		Copies of Records				\$ 553.25	\$ 553.25
A1255-004 A013		Certificates of Marriage				\$ 630.00	\$ 630.00
A2501-006 A042		Tour Agency				\$ 1,500.00	\$ 1,500.00
A2501-006 A042		Tour Driver/Guide				\$ 200.00	\$ 200.00
A2501-011 A044		Peddler				\$ 50.00	\$ 50.00
A2501-014 A046		Electrician - Active				\$ 225.00	\$ 225.00
A2501-016 A047		Stationary Engineers				\$ 720.00	\$ 720.00
A2501-016 A047		Stationary Engineers Test Fee				\$ 80.00	\$ 80.00
A2542-000 A053		Dogs/NYS Agr.& Mkts		\$ 290.00		\$ -	\$ 290.00
A2542-000 A053		Additional Dogs				\$ 3,067.50	\$ 3,067.50
A2545-001 A054		Marriage License/NYSHD		\$ 1,417.50		\$ 472.50	\$ 1,890.00
A1255-002 A123		Commissioners of Deeds				\$ 5.00	\$ 5.00
A2501-005 A126		Junk Dealers				\$ 600.00	\$ 600.00
A2545-010 A128		Petroleum - Retail				\$ 70.00	\$ 70.00
A2545-010 A128		Petroleum - Storage				\$ 180.00	\$ 180.00
A2545-010 A128		Petroleum - Wholesale				\$ 100.00	\$ 100.00
A2501-599 A130		Theatre				\$ 100.00	\$ 100.00
A2545-023 A318		Hunters/NYS DEC RAU		\$ 344.84		\$ -	\$ 344.84
A2545-023 A318		Hunters Fees				\$ 20.16	\$ 20.16

A1255-003 A499		Notary Fee				\$ 16.00	\$ 16.00
A1255-005 A528		Dog Release				\$ 650.00	\$ 650.00
TA63008 A597		Marriage Performance				\$ 1,225.00	\$ 1,225.00
A1255-006-A696		Photos/passport-license				\$ 9.00	\$ 9.00
TOTAL:					\$ 2,052.34	\$ 15,049.41	\$ 17,101.75
Check #	67110		NYS Dept.of Arg. & Mkts			\$ 290.00	
Check #	67103		NYS Health Department			\$1,417.50	
Check #	ET		NYS DEC RAU			\$ 344.84	

Agenda Item #3

**SUBJECT: Change Order #1 – New Road Corporation Yard Equipment Storage Facility
Plumbing Contractor**

A contract for the above referenced project was awarded to Ackerman Plumbing Inc. on September 4, 2012 in the amount of \$101,997.00.

During the course of the project, changes were required to upgrade the alarm capabilities of the fire protection system in order to ensure compliance with current fire codes. The total cost of this additional work is \$3,095.85. This change order will bring the total revised contract sum to \$105,092.85.

Funding is available in code H1119.2011.1119.0449.599.

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

Agenda Item #4

**SUBJECT: Change Order #1 – New Road Corporation Yard Equipment Storage Facility
Electrical Contractor**

A contract for the above referenced project was awarded to CIR Electrical Construction Co., Inc. on September 4, 2012 in the amount of \$58,200.00.

During the course of the project, changes were added to extend the new electrical service underground, as well as to provide power upgrades for the fire protection system. The total cost of this additional work is \$9,249.21. This change order will bring the total revised contract sum to \$67,449.21.

Funding is available in code H1119.2011.1119.0449.599.

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

Agenda Item #5

RE: Niagara Falls Police Department ("NFPD) Capital Purchases for Administration/Community Relations/Special Events/Internal Affairs

Council Members:

The Superintendent of Police is requesting that the sum of \$88,950.00 be made available to the department to purchase items to benefit Administration/Community Relations/Special Events and Internal Affairs. Attached hereto is an itemized list of the items the Superintendent wishes to purchase. These items were included in the approved 2014 Police Capital budget. Funding is available from casino revenues.

Will the Council so approve?

Capital Project for Police Department

2014

Administration

<i>ITEM</i>	PRICE
OPS Filing Cabinets	2000.00
OPS Color Printer	350.00
Accreditation Filing Cabinet and storage locker	500.00
Conference Room Chairs for CID x8	4000.00
Security Tower for Special Events and Traffic	60500.00
FIU Computer System – for mapping	15000.00
FIU Computer – for Field Intel updates	1500.00
FIU Scanner	200.00
OPS Recording Equipment	500.00
Counter Surveillance Equipment	1000.00
6 High back Chairs to Replace Broken	2400.00
Security Evidence Lockers (NID)	1000.00
TOTAL	88950.00

Kachurek



Based on your answers, we recommend the **Ignition Low Back Mesh T**

Your Selections:

- Behind a Desk Workstation
- 5+ hours
- Mesh
- Back-Adjustable
- Arms-Adjustable
- Seat-Adjustable
- Broken/Worn Chair Frequently

Modify Selections
Start Over



Ignition seating fits your body, your work and your space. The breathable mesh conforms to the curves of the spine, and an advanced synchro-tilt control and independent back angle improves leg circulation and offers exceptional range of motion. It also includes adjustable seat and back height, and the back cushion moves back and forth to fit various users. Adjustable arms provide a custom fit and reduce upper body fatigue.

We also suggest:

1 - MID HIGH BACK CHAIR
 2 - LOW BACK CHAIRS
 FOR DESK LT. &
 POST #1 AREA



Ceres Work Chair



Nucleus Mesh Work Chair



Ignition Mid-Back Mesh Work Chair

HIOTA arm)

HIWM3
1 CHAIR

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* Observation Up to 21 Feet

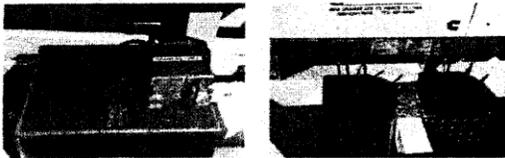
* Air Conditioned

* 110 Electrical Outlets

* Generator Power

* Easy Towing

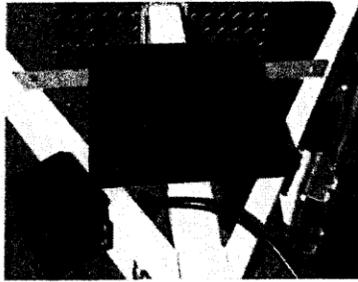
* Electric Brakes



* Easy Set Up

* Only Takes Two Parking Spaces

* **Options: Lights and/or cameras**

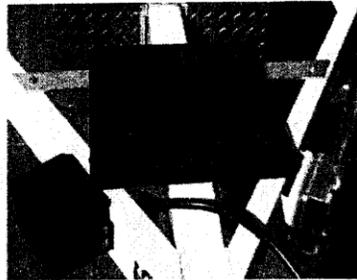


Call Johnny Stamm

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- * Observation
- * Air Conditione
- * 110 Electrical C
- * Generator Power
- * Easy Towing
- * Electric Brakes
- * Easy Set Up
- * Only Takes Two Parkin
- * *Options: Lights and/or*



Call Johnny Stamm
 (772) 461-6056 or 1-800-226-5056 to discuss pricing.

Agenda Item #6

RE: Niagara Military Affairs Council (NIMAC)

Council Members:

The NIMAC has been involved in various activities that it deems necessary in order to help secure the future of the Niagara Falls Air Reserve Station, Niagara County's largest employer. Attached hereto is a copy of a letter from John A. Cooper Sr., Chairman of NIMAC and Merrell A. Lane, Vice Chairman of NIMAC addressing concerns about future attempts to close this Air Base.

In the past, the City has made casino revenues available to NIMAC in order to help support NIMAC's efforts. NIMAC is requesting the City to contribute the sum of \$40,000.00 to retain this important asset and the 3,000 plus jobs it represents in Niagara. Funding is available from casino revenues.

Will the Council so approve and authorize the Mayor to execute an agreement in form acceptable to the Corporation Counsel for NIMAC?



Niagara Military Affairs Council

Supporting the military of Niagara

February 3, 2014

Mayor Paul A. Dyster
City Hall
795 Main Street
Niagara Falls, NY 14303

Dear Mayor Dyster and City Council:

On behalf of the Niagara Military Affairs Council (NIMAC), we would like to thank you and the City of Niagara Falls for your support of the development and growth of the Niagara Falls Air Reserve Station (NFARS).

Through your support, NIMAC has been able to continue our mission of securing the future of the Niagara Falls Air Reserve Station and the jobs that make it Niagara County's largest employer. President Obama's 2014 budget has requested another round of Base Realignment and Closure (BRAC) for 2015-2017. We need to remain vigilant as a community to retain this important asset and the 3,000+ jobs it represents in Niagara.

In the past, NIMAC has been an annual recipient of \$40,000. Of the Seneca Gaming Funds that the city receives for our efforts at NFARS. Of course, any increase in this amount would also be welcome and used for our efforts.

Thanks you for your support and time.

Sincerely,

A handwritten signature in black ink, appearing to read 'John A. Cooper Sr.'.

John A. Cooper Sr.
Chairman
NIMAC

cc: Craig Johnson

A handwritten signature in black ink, appearing to read 'Merrell A. Lane'.

Merrell A. Lane
Vice Chairman
NIMAC

FEB - 7 2014

Agenda Item #7

RE: Agreement with New York State for Cleaning and Minor Repair Services for Court House

Council Members:

Pursuant to New York State Law, the Unified Court System reimburses the City for cleaning its facilities located in the new Municipal Complex as well as performing minor repair services. This has been done pursuant to contract since the Municipal Complex opened. The agreement is now expiring and the new agreement will cover the period of State fiscal year 2013 – 2014 through State fiscal year 2017 – 2018, beginning April 1, 2013 and terminating on March 31, 2018. This agreement calls for New York State to reimburse the City for costs incurred by the City on a quarterly basis. These amounts fluctuate from quarter to quarter depending on time spent and are estimated to be approximately \$82,366.75 per quarter and \$329,467.00 annually. The State is current in its payments.

Will the Council so approve and authorize the Mayor to enter into an agreement satisfactory to the Corporation Counsel?

Agenda Item #8

RE: Replacement of Service Weapons for Niagara Falls Police Department ("NFPD")

Council Members:

The Police Superintendent advises that Smith & Wesson ("SW") has offered to upgrade NFPD's 165 service revolvers for no cost. In order to avail itself of this opportunity, the NFPD will be required to turn over to SW the NFPD's existing 165 service revolvers. This is contingent upon the existing service revolvers tendered to SW to number 165 units and to be in good working condition. In the event that all 165 service revolvers are not turned in, or in the event that an existing service revolver is determined not to be in good working order, a charge of \$410.00 per service revolver will be imposed together with a \$16.50 charge for any missing magazines. Attached is a quote from SW in this regard.

Will the Council so approve and authorize the Mayor to execute any documents which may be necessary to complete this transaction?

Martin Driggs- Smith & Wesson L/E Division
 Springfield, MA 01118
 Phone: 508.395.2201
mdriggs@smith-wesson.com



Niagara Falls Police Department 1925 Main Street Niagara Falls, NY 14302	QUOTE	Date: 03/25/14 Quote #NFPD032514 Valid From: 03/25/14 Valid To: 06/25/14 Delivery: 60 Days ARO
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Product Code	Description	Qty	Unit Price	Amount
309700	M&P40 Full Size, No Mag Safety, Night sights, 3 Mags	165	\$ 410.00	\$ 67,650.00
				\$ -
				\$ -
		TOTAL PURCHASE		\$ 67,650.00
	Estimated tax	@	0.00%	\$ -
		TOTAL		\$ 67,650.00
309700	TRADE WEAPONS M&P40 Full size with 3 LE Magazines	165	\$ 410.00	\$ - \$ 67,650.00 \$ - \$ - \$ -
	TRADE TOTALS	0		\$ 67,650.00
			AMOUNT DUE	\$ - 0



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ORDERS OR ACCEPTANCES CAN BE SENT TO:
 Smith and Wesson
 ATTN: Dana Michaud
 2100 Roosevelt Ave
 Springfield, MA 01104
dmichaud@smith-wesson.com

Martin Driggs via EMAIL 3/25/2014

 Authorizing Signature Date

Agenda Item #9

RE: Parking Agreement with Niagara Tourism & Convention Corporation (“NTCC”)

Council Members:

The NTCC is requesting that the City allow the NTCC the use of 25 unrestricted parking spaces/permits in the City-owned parking lot located at the corner of 1st Street and Rainbow Boulevard. The NTCC is proposing to pay the City the sum of \$40 per month per space/permit which equals the sum of \$1,000 a month. This is the current market rate.

It is proposed that this agreement be for a twelve (12) month period of time, with the ability of either party to terminate the same on thirty days prior written notice. The NTCC is also requesting that persons attending meetings at the NTCC offices be permitted to park in one of their 25 spaces/permits should the capacity for such parking exist at that time.

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

Agenda Item #10

*RE: Approval of recommendation to authorize the reconveyance of title
to former owners of parcels acquired in the 2010 In Rem*

Council Members:

The City is in the process of acquiring title to a number of parcels through the 2010 In Rem Tax Foreclosure. These properties will be auctioned on June 10, 2014. Frequently, the former owners attempt to redeem their property by paying all outstanding or delinquent City, School and County taxes with penalties and interest prior to the auction. Although this is not a legal right, this has been allowed by the City Council in the past to avoid unnecessary hardship. Accordingly, we are recommending that this Council authorize the reconveyance of title to those former owners who pay all outstanding In Rem fees, auctioneer redemption fee, City, School and County taxes with penalties and interest, and any applicable recording fees on or before the close of business on June 6, 2014.

Will the Council so approve and authorize the execution and delivery of deeds by the Mayor to any property owners who tender payment as set forth?

Agenda Item #11

RE: Supplemental Agreement No. 1 with New York State Department of Transportation

Niagara Falls International Rail Station and Intermodal Transportation Center

PIN 5756.28.301 and 5756.28.302

Council Members:

Attached hereto is a copy of the above referenced Grant Agreement which will provide an additional \$1,400,000 to the City of Niagara Falls as matching State funds for the Niagara Falls International Rail Station and Intermodal Transportation Center project.

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

NEW YORK STATE DEPARTMENT OF TRANSPORTATION

and

CITY OF NIAGARA FALLS

GRANT AGREEMENT

SUPPLEMENTAL AGREEMENT #1

Niagara Falls International Rail Station and Intermodal Transportation Center

COMPTROLLER CONTRACT No. DH34504

PROJECT IDENTIFICATION No.: 5756.28.301 and 5756.28.302

This Supplemental Agreement #1 dated this ____ day of _____, 2014, by and between the People of the State of New York (hereinafter referred to as "STATE") acting by and through the Commissioner of the Department of Transportation or his/her designee (hereinafter referred to as "Commissioner"), with offices at 50 Wolf Road, Albany, New York 12232, and the CITY OF NIAGARA FALLS, with offices at City Hall, 745 Main Street, P.O. Box 69, Niagara Falls, NY 14302-0069, hereinafter referred to as the "GRANTEE".

WITNESSETH:

WHEREAS, the STATE and CITY OF NIAGARA FALLS have entered into Contract No. DH34504, dated February 1, 2013, to provide for the preservation and improvement of certain rail facilities by improving Niagara Falls International Rail Station and Intermodal Transportation Center as more fully described in Appendix 1 A? - Work Schedule (hereinafter referred to as the "Project") so as to allow for the safe and efficient movement of rail passengers and vehicular traffic and to benefit intercity passenger rail service; and

WHEREAS, it has been determined to be in the best interest of the public to make an additional \$1,400,000 available to CITY OF NIAGARA FALLS as matching State funds for the Project;

NOW, THEREFORE, the parties hereto in consideration of the mutual promises, conditions, terms and obligations herein set forth, agree and covenant as follows:

Section 1.

Appendix 1 – Work Schedule is hereby deleted and Appendix 1 A – Work Schedule, attached hereto, is substituted in its place and stead.

Section 2.

Section 3.19. Documents Forming Agreement. is amended to read as follows:

This Agreement shall consist of this document and the following attachments:

1. *Appendix 1 A – Work Schedule*
2. *Appendix 2 – Funding Source Information*
3. *Appendix A - Standard Clauses for New York State Contracts (January 2014)*
4. *Appendix A-1 – Supplemental Title VI Provisions (Civil Rights Act)*
5. *Appendix B – Responsibility Provisions*
6. *Appendix 2-S – Iran Divestment Act*

Section 3.

Except as amended in this Supplemental Agreement #1, every other term and condition of the Agreement remains in full force and effect.

**Contract No. DH34504
Supplemental Agreement #1**

IN WITNESS WHEREOF, the undersigned have caused this Agreement to be executed as of the date set forth above.

CITY OF NIAGARA FALLS

**NEW YORK STATE DEPARTMENT OF
TRANSPORTATION**

By: _____

By: _____

Signature

Date

Signature

Date

Niagara Falls International Rail Station and Intermodal Transportation Center
Notary public

County of _____

:ss.

State of _____

On this _____ day of _____, 2014, before me personally came _____ to me known to be the _____ of the City of Niagara Falls, the entity described in and which executed the foregoing instrument, and he/she acknowledged to me that he/she executed the same, pursuant to authorization by the City of Niagara Falls

Notary Public

Date

Approved: NEW YORK STATE
ATTORNEY GENERAL

Approved: NEW YORK STATE
OFFICE OF STATE COMPTROLLER

By: _____

By: _____

Signature

Date

Signature

Date

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Appendix 1 A – Work Schedule

Funding for this Project has been provided as stated in **Appendix 2 - Funding Source Information** by the FRA, the FHWA, the STATE, and the CITY OF NIAGARA FALLS for this project as described herein and as more fully described in plans and estimates prepared by or on behalf of the CITY OF NIAGARA FALLS for this project.

The STATE has determined that CITY OF NIAGARA FALLS will implement construction of **\$3,900,000** of improvements for this project for work stated in the Table below. Additionally CITY OF NIAGARA FALLS has obtained \$16,500,000 in FRA TIGER II funds and \$3,234,300 from the FHWA for this work; the use and reimbursement to CITY OF NIAGARA FALLS from the FRA TIGER II funds and the FHWA funds for project work described below are separate undertaking for which CITY OF NIAGARA FALLS is solely responsible and are detailed in this Agreement for information only. The estimated cost shown is the total cost for this work and not the State’s prorated share under this Agreement.

CITY OF NIAGARA FALLS will be reimbursed under this Agreement for eligible costs associated with this Work Schedule incurred on or after March 1, 2013 up to the maximum amount payable of **\$3,900,000**.

Work Description	Estimated Total Cost (\$)
<p>The work described below includes all necessary CITY OF NIAGARA FALLS pre-bidding, bidding and procurement administration, project management, administration, and construction inspection.</p> <p><u>Construction</u></p> <ul style="list-style-type: none"> • Construction of a new passenger station; 500’ long covered passenger platform at 48” above top of rail; and a 100’ ground-level passenger ‘platform’ area located to the east of the 500’ long platform; structural rehabilitation and hazardous materials abatement of the existing CN Bridge over Whirlpool Street Bridge; • Construction of a 750’ dedicated passenger rail siding and signal work as required; including use of Railroad Force Account Work (as necessary); • Regrading of Bath Avenue from Whirlpool Street to Main Street and Whirlpool Street from Bath Avenue to Ontario Street and re-constructed including sidewalks, curbs, a new dedicated storm drainage system, signage, street and site lighting, and streetscaping; Existing concrete retaining walls and former rail bridge abutments on the southwest corner of Bath Avenue and Main Street will be removed and the site grade will be lowered; Construction of a new parking lot north of Bath Avenue to accommodate approximately 60 parking spaces. 	<p>\$27.366M</p>
Grand Total	\$27.366M

Individual work elements may be adjusted within the total Agreement amount with prior written approval of the Commissioner. Any overage will be the responsibility of CITY OF NIAGARA FALLS. All work identified in this Work Schedule shall be substantially completed no later than September 30, 2015. The audit and administrative closeout of the agreement shall be completed no later than December 31, 2016.

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**Appendix 2 – Funding Information
Niagara Falls International Rails Station and Intermodal Transportation Center**

Funds Sources				
	Federal Funds		State Funds	Local Funds
Total Funds	Federal Railroad Administration Transportation Investment Generating Economic Recovery (TIGER) II ²	Federal Highway Administration ³	New York State 2009 Passenger Freight Rail and Ports Funds ¹	City of Niagara Falls ⁴
\$27,366,000	\$16,500,000	\$3,234,300	\$3,900,000	\$3,732,000

Invoicing Guidelines

FRA Scope of Work***			
Fund Source	\$	% of Total Budget	
FRA Funds	\$16,500,000	64.61%	64.61%
FHWA Funds	\$ 2,034,283	7.97%	35.39%
NYS Funds	\$ 3,714,334	14.54%	
City Funds	\$ 3,290,442	12.88%	
Total Budget	\$25,539,059	100%	100%

Work FRA not Participating in***		
Fund Source	\$	% of Total Budget
FHWA Funds	\$1,200,017	65.67%
NYS Funds	\$185,666	10.16%
City Funds	\$441,558	24.17%
Total Budget	\$1,827,241	100%

***FRA will not participate in the interior fit out (wall, ceiling, fire protection and security) of the interior Customhouse spaces specifically programmed for Customs Inspections. This includes the non historic features of the 2nd floor and 1st floor areas of the Customhouse. This work will be funded only by FHWA, NYS and City as shown above.

Appendix 2 – Funding Information
Niagara Falls International Rails Station and Intermodal Transportation Center

- 1 Under this Agreement, the STATE shall reimburse the CITY OF NIAGARA FALLS for eligible cost of work as stated in Appendix 1 – Work Schedule utilizing New York State 2009 Passenger Freight Rail and Ports Funds up to the maximum amount payable of \$3,900,000. Reimbursement by NYSDOT to the City shall be in accordance with the pro rata shares shown in the tables above.
- 2 Under a separate agreement (FRA Agreement), to which the State is not a party, the FRA will reimburse CITY OF NIAGARA FALLS for the FRA eligible scope of work costs for up to a maximum of \$16.5 million utilizing FRA TIGER II funds. This funding source and amount is included in this Agreement for information only.
- 3 Under a separate contract between NYSDOT and the CITY, contract # D017307, NYSDOT will reimburse CITY OF NIAGARA FALLS for eligible project costs with FHWA funding up to a maximum of \$3,234,300. This funding source and amount is included in this Agreement for information only.
- 4 The CITY OF NIAGARA FALLS will contribute \$3,732,000 of the Project Costs as the local share and as shown in the tables above. This funding source and amount is included in this Agreement for information only.

Agenda Item #12

RE: City Council Agenda Item—

NF-International Railway Station & Intermodal Transportation Center Project

Contract Amendment #4 for Construction Phase Services

Wendel Duchscherer, Architects, and Engineers, Inc.

Council Members:

A contract for consultant services for the above referenced project was awarded to Wendel-Duchscherer, Architects and Engineers, Inc. (WD), 140 John James Audubon Pkwy, Suite 201, Buffalo, NY 14228 by City Council on July 25, 2005 and dated January 3, 2006, which was subsequently extended in February 2010 to include right-of-way services, final design, and other services associated with the above project, in November 2012 to cover “pre-obligation” requirements of the Federal Railroad Administration for additional “pre-construction” activities, and again in January 2014 to cover additional services arising from the necessity to value engineer (VE) a reduction in scope and to revise the contract documents in preparation of re-bidding the project.

NF Intermodal Transportation Center Project (PIN 5756.28) costs are eligible for partial reimbursement under New York State Dept. of Transportation (NYS-DOT) Supplemental Agreement No. 2 (Comptroller's Contract No. D017307, NYS-DOT Supplemental Agreement #1 (Controller's Contract No. DH34504), and the Federal Railroad Administration Transportation Investment Generating Economic Recovery (TIGER II) Grant Agreement. The City's local-share funding is available in the Casino Revenue Fund for transfer to Capital Projects Fund H0402. A more detailed explanation of scope of services in this phase are contained the letter and services summary, from Wendel, dated April 7, 2014 and is attached hereto. The total for this phase scope of work is \$3,080,000.00.

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



April 7, 2014

Thomas DeSantis
City of Niagara Falls
Department of Economic Development
Office of Planning & Environmental Services
City Hall Room 347
745 Main Street
Niagara Falls, NY 14302-0069

SUBJECT: Niagara Falls International Railway and Intermodal Transportation Center
Wendel Project No. 2558-08E
Change Order #4: Construction Phase Services

Dear Mr. DeSantis:

On behalf of the Wendel Design Team, we are pleased to submit our proposal for Construction Phase Services with respect to this project.

The attached proposal includes the Design Team's effort to perform the Construction Administration and Inspection Services for the Base Bid project minus the Delete Alternates per the attached budget summary.

As such, we have assembled the following documents for your review and approval:

1. Scope of Services
2. Assumptions to Scope of Services and Professional Fees
3. Summary of Professional Fees

We hope this proposal is acceptable to you, and we are able to execute a contract amendment and continue work as you have requested. Please do not hesitate to contact us if you have any questions or require additional information.

If you have any questions or wish to discuss this with me, please feel free to call.

Sincerely,

Handwritten signature of Mark D. Molnar in black ink.

Mark D. Molnar, PE
Project Manager

Handwritten signature of Susan K. Sherwood in black ink.

Susan K. Sherwood
Project Director

Scope of Services

Construction Phase Services

CONSTRUCTION ADMINISTRATION SERVICES

During this Phase, we will review and observe the Contractor's work for compliance with the Construction Documents. An important part of this phase is the recording, filing, distributing and processing of required Funding Agency Compliance Documentation.

Provide Contract Administration Services for this project including:

- 1) On-site Pre-Construction Meeting
 - a) After award and prior to the start of construction, a pre-construction meeting between the City, the design team and the successful General Contractor will be held at the project site. This meeting will set the parameters for the construction phase process and the expectations for all aspects of the work.
 - b) Prepare meeting agenda and distribute meeting minutes
 - c) Review project scope, schedule and phasing milestones
 - d) Review project administration procedures, requirements and responsibilities
 - e) Review City, State and Federal contracting requirements
 - f) Review security procedures and site access
 - g) Review contractor's responsibility for safety procedures
 - h) Review site mobilization and logistics
- 2) On-site Construction Administration and Construction Representative Services
 - a) Provide on-site construction representative and administrative services for a period of 24 months in accordance with AIA Document 352 "Duties, Responsibilities and Limitations of the authority of the Architect's Project Representative". See Professional Fees section for assumed on-site staffing and fee breakdown.
 - b) Perform part-time, design team technical site visits at appropriate intervals of the project to confirm that the work is constructed in accordance with the drawings, specifications and design intent.
 - c) Perform part-time, on-site SWPPP inspections on behalf of the City
 - d) Space will be provided by the General Contractor on-site for our site representatives and administrative assistant, including all necessary utilities, phone, fax and high-speed internet service.
 - e) Coordinate 3rd Party Materials Testing and Special Inspections work with the Contractor
 - f) Coordinate Hazardous Materials and Archeology Monitoring Services with the Contractor
- 3) On-site Construction Progress Meetings/Schedule Review
 - a) Conduct bi-weekly progress meetings on-site with the Contractor and City
 - b) Prepare and distribute meeting minutes with emphasis on action items
 - c) Review Contractor's Construction Schedule and two-week, look-ahead schedule

Scope of Services

Construction Phase Services

CONSTRUCTION ADMINISTRATION SERVICES

During this Phase, we will review and observe the Contractor's work for compliance with the Construction Documents. An important part of this phase is the recording, filing, distributing and processing of required Funding Agency Compliance Documentation.

Provide Contract Administration Services for this project including:

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 - b) Prepare meeting agenda and distribute meeting minutes
 - c) Review project scope, schedule and phasing milestones
 - d) Review project administration procedures, requirements and responsibilities
 - e) Review City, State and Federal contracting requirements
 - f) Review security procedures and site access
 - g) Review contractor's responsibility for safety procedures
 - h) Review site mobilization and logistics
- 2) On-site Construction Administration and Construction Representative Services
 - a) Provide on-site construction representative and administrative services for a period of 24 months in accordance with AIA Document 352 "Duties, Responsibilities and Limitations of the authority of the Architect's Project Representative". See Professional Fees section for assumed on-site staffing and fee breakdown.
 - b) Perform part-time, design team technical site visits at appropriate intervals of the project to confirm that the work is constructed in accordance with the drawings, specifications and design intent.
 - c) Perform part-time, on-site SWPPP inspections on behalf of the City
 - d) Space will be provided by the General Contractor on-site for our site representatives and administrative assistant, including all necessary utilities, phone, fax and high-speed internet service.
 - e) Coordinate 3rd Party Materials Testing and Special Inspections work with the Contractor
 - f) Coordinate Hazardous Materials and Archeology Monitoring Services with the Contractor
- 3) On-site Construction Progress Meetings/Schedule Review
 - a) Conduct bi-weekly progress meetings on-site with the Contractor and City
 - b) Prepare and distribute meeting minutes with emphasis on action items
 - c) Review Contractor's Construction Schedule and two-week, look-ahead schedule

Scope of Services
Construction Phase Services

- d) Review RFI, Submittal, proposal and CO logs
- e) Review contractor safety issues
- 4) On-site Project Records and Project Progress reporting
 - a) Maintain construction records and information in accordance with Funding Agency requirements.
 - b) Prepare and submit monthly construction progress reports to the City. Including daily work progress reports, technical site visit reports, contractor schedule updates, summary of action items, critical issues, cost summary report, RFI, submittal, proposal and change order logs, and progress meeting minutes
 - c) Reports shall also focus on comparison of actual construction activities to the established construction schedule, and actual costs to the established construction budget.
- 5) Requests for Information and Design Support
 - a) Record and respond to Contractor's Request for Information (RFI)
 - b) Provide supplemental information to unanticipated or changed conditions
 - c) Provide interpretation and clarification of the contract drawings, specifications and design intent and make recommendations to the City regarding proposed contract changes
- 6) Contractor Proposal Requests and Change Orders
 - a) Prepare additional work proposal requests, change order documentation and supplemental design documentation, and negotiate approved change order items with Contractor, including scope, schedule and cost impacts.
 - b) Assist the City in preparing and submitting change order documentation to funding agencies for approval.
- 7) Shop Drawings and Submittals
 - a) The design team will review and take appropriate action of contractor prepared shop drawings and submittals
- 8) Contractor Pay Applications
 - a) Review the contractor's monthly applications for payment and make appropriate recommendations to the City.
- 9) Record Drawings
 - a) Furnish City with one set of reproducible record drawings at completion of the project, along with a set of electronic drawings and specifications on disk. These will be based on the Contractor's red-lined field record set, RFI's, approved change orders and other record information supplied by the Contractor.
- 10) Construction Contract Close-Out
 - a) Perform final inspections with design team, City and General Contractor

Scope of Services
Construction Phase Services

- b) Coordinate preparation of punch list with design team, City and Contractor, indicating items of work and/or repair remaining, time to complete and responsible party
- c) Assist in the preparation of substantial and final completion reports
- d) Coordinate and expedite the preparation and delivery of operation and maintenance manuals and warranty information
- e) Identify, coordinate and assist City in scheduling of all training, start-up and commissioning required on facility equipment and building systems
- f) Review all closeout documentation for completeness
- g) Review and approve the release of final payments to the Contractor with design team and the City including Consent of Surety and Release of Liens.

11) Funding Agency Close-Out Items

- a) Assist the City with assembling and filing funding agency close-out paperwork.
- b) Assist the City with funding agency audit of final project cost

12) Testing and Inspection Services:

- a) On behalf of the City, retain the services of SJB Services, Inc. to perform Third Party Materials Testing and Specials Inspections per the project specifications.
- b) On behalf of the City, retain the services of MJW, Inc. to perform Third Party Radiation Contaminated Soils Testing per the project specifications.
- c) On behalf of the City, retain the services of Watts Engineers to perform Third Party Materials Hazardous Materials Testing (petroleum contaminated soils, asbestos air monitoring, lead based paint) per the project specifications.
- d) On behalf of the City, retain the services of KTA Preservation Specialists to perform Third Party Archeology Monitoring per the project specifications.

Scope of Services

Construction Phase Services

ASSUMPTIONS TO SCOPE OF SERVICES

1. Bid and Construction Administration services are based on a construction budget of approximately \$22,000,000.00 and a construction duration of 24 months maximum.
2. NYS SHPO involvement during construction will be limited to unanticipated archeological findings during excavations. We have included an allowance for KTA Preservation Specialists to provide archeological monitoring and consultation during construction if necessary.
3. Construction documents will be prepared assuming the project will be bid to a Single-Prime General Contractor, responsible for all trades.
4. Front End bid specifications and contracting requirements will be provided by the City, NYSDOT and FRA Microsoft Word format.
5. The City will provide all legal review of all contract documents as well as insurance requirements and special contracting requirements.
6. The following assumptions regarding site work and utilities are made based on conversations with the City of Petersburg:
 - a) Detention of storm water is not be required
 - b) Private utility companies will size/design new services and relocated existing services, Wendel to show locations on plan and coordinate requirements with utility owners.
 - c) Preconstruction permits are not required, but the contractor will be required to file and pay for necessary building construction and railroad property access permits and approvals
 - d) Work in the adjacent street ROW's will be coordinated with and approved by the City
7. Professional services not specifically outlined above are not included in this scope of services, but could be included as additional services. Examples of these services include, but are not limited to, the following:
 - a) Assistance with securing permits from authorities having jurisdiction over project
 - b) Additional surveying, geotechnical engineering, archeological and/or environmental testing, investigations and professional design services not outlined above.
 - c) Design and detailing of major, publicly or privately owned utility relocations and/or upgrades. Storm water management facilities (detention pond) and storm water quality treatment facilities.
 - d) Sanitary sewer and storm sewer pump stations.
 - e) Assistance with design and construction services related to interior design and/or furniture, fixtures and equipment (FF&E)
 - f) Any work associated with LEED Certification

Scope of Services
Construction Phase Services

PROFESSIONAL FEES

<u>Item</u>	<u>Fee</u>	<u>Fee Type</u>
Wendel Construction Administration Services	\$600,000.00	Lump Sum
Wendel Construction Inspection Services	\$1,800,000.00	T&E Estimate (Note 5)
HMM Bridge/Rail Inspection and CA Services	\$200,000.00	Allowance
Watts Environmental Monitoring	\$70,000.00	Allowance
KTA Historic/Archeological Monitoring	\$30,000.00	Allowance
MJW Radiation Monitoring	\$150,000.00	Allowance
SJB Special Inspections	\$150,000.00	Allowance
Legal Fees for Lease Negotiations	TBD	Allowance (Note 4)
<u>Reimbursable Expenses</u>	<u>\$80,000.00</u>	<u>T&E Estimate</u>
Total	\$3,080,000.00	

Professional Fee Notes:

1. Reimbursable expenses include out-of-pocket expenses directly related to this project, including mileage, out of town travel, hotel/lodging, printing costs, postage, etc. , and will be billed as such.
2. Should Wendel be required to perform additional services beyond those outlined above, we will be compensated on an hourly or fixed sum basis for a mutually agreed to scope of services.
3. Time and Expenses (T&E) estimated budgets may require fee adjustments, up or down, depending on the actual level of effort required and/or requested.
4. Legal fees for lease negotiations will be an allowance of \$30,000.00 that will be funded using un-spent fee that is a part of Wendel's Change Orders # 3 for VE/Re-Bid services.
5. Wendel inspection services will be billed monthly on a time and expense basis.

Agenda Item #13

RE: City Council Agenda Item—

NF-International Railway Station & Intermodal Transportation Center Project

Engineer's Recommendation to Award Construction Contract

Scrufari Construction Company Inc.

Council Members:

Attached is a recommendation to award the general construction contract for the NF-International Railway Station & Intermodal Transportation Center Project (PIN 5756.28).

The City held a public bid according to all the requirements of its State and Federal funding partners and is in receipt of a qualified low-bid from Scrufari Construction Company Inc. After appropriate due diligence in review of the contractor's proposal, it is the recommendation of the consulting Project Engineer award the contract as stipulated below.

The Administration concurs with this recommendation, and in accordance with the Project's budget and the contract documents, recommends the City Council award the General Construction contract to Scrufari Construction, Inc. in the amount of the Base Bid (\$23,720,000.00) less Deduct Alternates #6, #13, and #2 for a total contract value of **\$22,691,000.00**.

Also, on condition that the Contractor accept the unit prices set forth in the bid proposal and further agree to comply with the preconstruction requirements of the contract.

NF Intermodal Transportation Center Project (PIN 5756.28) construction costs are eligible for partial reimbursement under New York State Dept. of Transportation (NYS-DOT) Supplemental Agreement No. 2 (Comptroller's Contract No. D017307, NYS-DOT Supplemental Agreement #1 (Controller's Contract No. DH34504), and the Federal Railroad Administration Transportation Investment Generating Economic Recovery (TIGER II) Grant Agreement. The City's local-share funding is available in the Casino Revenue Fund for transfer to Capital Projects Fund H0402.

Will the Council vote to so approve and authorize the Mayor to allow the Contractor to execute construction contracts in a form acceptable to the Corporation Council?



April 7, 2014

Thomas DeSantis
City of Niagara Falls
Department of Economic Development
Office of Planning & Environmental Services
City Hall Room 347
745 Main Street
Niagara Falls, NY 14302-0069

SUBJECT: Niagara Falls International Railway Station and Intermodal Transportation Center
Engineer's Recommendation of Award

Dear Tom:

This letter shall serve as Wendel's recommendation of award of the general construction contract for the Niagara Falls International Railway Station and Intermodal Transportation Center, PIN 5756.28.

On March 5, 2014, the City held a public bid opening and received two (2) proposals as follows:

1. Scufari Construction Co., Inc. \$23,720,000
2. LPCiminelli, Inc. \$24,263,000

At the time of the bid opening, Scufari Construction, Inc. was declared the apparent low bidder; and, in accordance with Wick's Law, the City opened and read aloud for the public the contractor's sealed list of subcontractors. A copy of the subcontractors list is attached to this letter for your reference.

On March 10, 2014 Wendel met with representatives of Scufari Construction, Inc. and the City of Niagara Falls to review the Contractor's bid submission and discuss any questions and/or concerns of the parties. At the time of the meeting, representatives of Scufari Construction, Inc. acknowledged the full scope of the contract documents and raised no objections or concerns with the terms and scope of the contract documents.

Wendel has performed a due diligence review of the contractor's proposal, we find no concern with the qualifications of the contractor to complete the scope of work. Further, we find no cause to recommend rejection of the bid proposal.



In accordance with the Owner's budget and the contract documents, we recommend the City award the General Construction contract to Scrufari Construction, Inc. as follows:

Base Bid	\$23,720,000
Deduct Alternate #6	\$ 689,000
Deduct Alternate #13	\$ 20,000
Deduct Alternate #2	<u>\$ 320,000</u>
Total Contract Value	\$22,691,000

Further, it is our recommendation that the City accept the Unit Prices as set forth in the bid proposal.

This contract award should be contingent on the Contractor's compliance with the preconstruction requirements of the contract.

Sincerely,

Handwritten signature of Mark D. Molnar in black ink.

Mark D. Molnar, PE
Project Manager

Handwritten signature of Susan K. Sherwood in black ink.

Susan K. Sherwood
Project Director

Agenda Item #14

RE: City Council Agenda Item:

Tract I and Tract II

Extension of Remediation and Development Dates

Council Members:

In 2012, the City transferred Tract I and Tract II, consisting of 23± acres, to Brightfields Corporations. DEC-approved remediation of the sites has progressed. The transfer agreement called for completion of the work and a final engineering report to be submitted by October 31, 2013. In September of 2013, the City Council extended the date for completion of the remediation work to March 17, 2014. The extension was requested to accommodate additional work which became necessary.

An additional extension has been requested to complete the additional work on the site. Since the work is progressing under DEC monitoring, the extension should be granted. The extended date is for completion of the remediation is on or before November 1, 2014. If DEC approves a different date, the City will adopt the DEC approved date without further Council action.

Within 18 months of completion of remediation, Brightfields will construct playground improvements costing a minimum of \$250,000.00 on five acres of the Tract II property. That land will be conveyed back to the City to become a City Park. This park will replace the Center Court playground which became part of the HOPE VI housing development. Within 24 months of completion of the remediation, Brightfields will complete on Tract I or Tract II at least one aspect of the proposed development at a cost, exclusive of remediation, of at least \$1.5 Million.

Will the Council vote to approve the extended dates as set forth herein, with a remediation completion date of no later than November 1, 2014, which will also extend the park completion date to no later than May 1, 2016 and development completion date to no later than November 1, 2016, and to authorize the Mayor to execute any documents necessary to effectuate the same?

Agenda Item #15

RE: City Council Agenda Item—

**Approval of Consulting Agreement with Wendel for Signage in Griffon and
LaSalle Waterfront Parks**

Council Members:

Attached is a proposal from Wendel to develop initial signage and wayfinding design standards and documentation for the Park System of the City, as well as, to provide detailed design drawings for an initial signage procurement at Griffon and LaSalle Waterfront Parks and two interpretative signs (one at each park).

Funding is available in the Casino Revenue Fund for transfer to account code No. H0622.2006.0622.0451.000 [Parks Improvement]. The cost of the work is \$7,320.00. (Note: does not include fabrication at this time.)

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



March 13, 2014

Mr. Thomas J. DeSantis
Sr. Planner
Office of Planning and Environmental Services
City of Niagara Falls
745 Main Street, Room 347
P.O. Box 69
Niagara Falls, NY 14302

**SUBJECT: Niagara Falls City Parks
Wayfinding Project Proposal**


Dear Mr. DeSantis:

Wendel, in collaboration with our sub-consultant, Synergraphics, propose to develop initial signage and wayfinding design standards and documentation for the Park System of the City of Niagara Falls, New York. This project will focus on identity and design standards that will be applicable system-wide. These standards will be documented for specific application to the near-term initial signage procurement in Griffon Park and LaSalle Waterfront Park.

The specified scope of work is defined as follows:

Task 1 – Sign Details Package and Logo:

Working with a Project Steering Committee assembled by the City of Niagara Falls, we will review and collect information at this initial Meeting No. 1. Specifically, we will:

- review the scope of signage and wayfinding,
- discuss the full scope of signage formatting as foreseeable system-wide
- discuss/determine design criteria including signage forms, colors, typography, and graphic motifs,
- discuss/determine design criteria for graphic identity (logo) development
- discuss the particular requirements of six signage elements to be developed for Griffon Park and LaSalle Waterfront Park

We will develop alternative schematic concepts for graphic identity (logo) and signage and present to the Project Steering Committee at Meeting No. 2. Upon the selection of a direction from the schematic concepts, we will finalize the design and submit electronically to the Steering Committee for formal sign-off.

Finally, we will produce detail drawings for final signage formats required in Griffon Park and LaSalle Waterfront Park that will not exceed a project budget of approximately \$20,000. The documentation formatting will follow the standards established in the Niagara River Greenway Wayfinding Manual. This documentation will also include revisions to the written specifications as may be determined in the course of this project.



Task 2 – Interpretive Signage (optional):

We propose to collect content, graphics and photographs and develop compositions for two (one at each park) interpretive signage elements to be used in the initial program procurement.

ASSUMPTIONS TO SCOPE OF SERVICES

1. Owner to assemble, organize and coordinate meetings of the Project Steering Committee.

SCHEDULE

We will begin work immediately upon formal authorization to proceed, anticipating the first meeting to occur the week of March 24, 2014.

FEE

The cost of work is as follows:

TASK	FEE	
Task 1.	\$ 6,180	Lump Sum
Task 2.	\$ 1,140	Lump Sum
TOTAL	\$ 7,320	

If you are in agreement with the scope of work and fee as proposed, please indicate same by signing below and returning this to my attention.

Should Wendel's proposal be accepted, Wendel WD Architecture, Engineering, Surveying & Landscape Architecture P.C., a New York State licensed architecture and engineering firm that is part of a consolidated group of Wendel Companies, will contract to undertake the work. Our letterhead and plans will still prominently say "Wendel" and we will refer to ourselves as Wendel throughout the project.

If you have any questions or require additional information, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark V. Mistretta', written over a horizontal line.

Mark V. Mistretta, RLA, ASLA
Principal

ACCEPTANCE/AUTHORIZATION

Accepted this _____ day of _____, 2014.

Print Name: _____

Signature: _____

Thomas J. DeSantis, Office of Planning and Environmental Services

Agenda Item #16

RE: City Council Agenda Item: Project Labor Agreement
Renovation of the 3721 Highland Avenue Fire House

Council Members:

The City of Niagara Falls, with assistance from a 2013 Western New York Regional Economic Development Council Grant, is renovating the now vacant, city-owned fire house at 3721 Highland Avenue. The end user of the renovated space will be The Isaiah 61 Project, returning the property to the tax roll. The facility will be the organization's trades training facility and re-use store for salvaged building materials.

The Isaiah 61 Project Trades Training Program began in 2012, in partnership with the Niagara Falls Community Development Department and The John R. Oishei Foundation. Since its inception, 50 people have graduated from the program and approximately 75 percent have found local job placement. There is a pressing need for more job training and placement in the City of Niagara Falls. As stated in the recently completed *Strengthening WNY's Safety Net: A Presentation of findings for the City of Niagara Falls*, slightly fewer than 20,000 jobs exist within Niagara Falls. Access to certified O/N BOCES trades training and the OSHA-10 course is an effective and cost efficient way to connect the under-employed with actual job opportunities.

The purpose of this project, and the city's joint venture with the Isaiah 61 Project, is to prepare unemployed residents for trades employment in strong partnership with the Niagara County Building and Construction Trades Council. Entering into a Project Labor Agreement, as with other recent city sponsored developments, will determine the terms and conditions of employment for the 3721 Highland Avenue Fire House Project, as the Niagara Falls Community Development Department prepares to bid contracted work in the next month.

Will the Council vote to allow the Mayor to negotiate and execute a Project Labor Agreement for the 3721 Highland Avenue Fire House Project.

**CITY OF NIAGARA FALLS
NEW YORK**

DATE: April 14, 2014
TO: The City Council
FROM: Mayor Paul Dyster
Chief Executive Officer
James R. Bird
City Assessor
SUBJ: AGENDA ITEM – Certification of Base Percentages, Current Percentages and Current Base Proportions for Homestead & Non-Homestead Assessment Roll

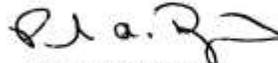
In accordance with Section 1903 of the Real Property Tax Law, the City Council must certify the attached referenced percentages and proportions.

Assessing units using Article 19 Homestead option must certify percentages and proportions when final class equalization rates are established by the Office of Real Property Services.

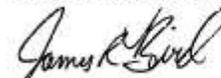
The certification is now due and the attached represents the necessary certifications.

Will Council certify the attached percentages and proportions?

Respectfully,



Mayor Paul Dyster
Chief Executive Officer



James R. Bird
City Assessor

Anderson _____ Choolokian _____ Grandinetti _____ Touma _____ Walker _____

CERTIFICATE OF BASE PERCENTAGES, CURRENT PERCENTAGES AND
CURRENT BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPTL, FOR THE
LEVY OF TAXES ON THE 2014 ASSESSMENT ROLL

Approved Assessing Unit City of Niagara Falls, 281100
Name of Portion City of Niagara Falls, 281100

CERTIFICATION

DETERMINATION OF BASE PERCENTAGES

Section I	(A) 1989 Taxable Assessed Value	(B) 1989 Class Equalization Rate	(C) Estimated Market Value A/(B/100)	(D) Base Percentages (C/sum of C)
Homestead	527,758,662	89.89	587,116,100	57.88167
Nonhomestead	379,459,055	88.82	427,222,534	42.11833
Total	907,217,717		1,014,338,634	100.00000

DETERMINATION OF CURRENT PERCENTAGES

Section II	(E) Prior Year Taxable Assessed Value Including Special Franchise	(F) Prior Year Class Equalization Rate	(G) Estimated Market Value E/(F/100)	(H) Current Percentages (G/sum of G)
Homestead	873,984,419	84.94	1,028,955,049	67.63288
Nonhomestead	418,268,247	84.94	492,427,867	32.36712
Total	1,292,262,666		1,521,382,936	100.00000

I, the clerk of the legislative body of the approved
assessing unit identified above, hereby certify
that the legislative body determined on _____
current base proportions as set forth herein for the
assessment roll and portion as identified above.

DETERMINATION OF CURRENT BASE PROPORTIONS

Section III	(I) Local Base Proportion for the 1990 Assessment Roll	(J) Updated Local Base Proportion	(K) Prospective Current Base Proportion Part (J) Prorated to 100.00	(L) Adjusted Base Proportion used for Prior Tax Levy	(M) % difference between prior Adjusted Base Proportion and Prospective Current Base Proportion ((K/L)-1*100)	(N) Maximum Current Base Proportion	(O) Current Base Proportions
Class	I*(H/D)		(J/sum of J)			(L*1.05)	
Homestead	40.12162	46.88083	50.46592	55.11163	-8.43		52.86721
Nonhomestead	58.87838	46.01537	49.53418	44.88837	10.35	47.13279	47.13279
Total	100.00000	92.89620	100.00000	100.00000			100.00000

signature

title

date

Agenda Item #21

RE: Approval of the sale of 1406 18th Street to Edward & Julia Harrigan for the sum of \$200.00

Council Members:

The City has received a request from the adjoining property owner to purchase the above referenced City-owned property for the sum of \$200.00. This property was approved for sale by the Planning Board. Attached hereto is a copy the Planning Board's approval.

Will the Council approve the sale of this premises for this price in an "as is" condition and with the requirement to combine the properties, with the closing to be performed within 30 days, and with the standard pre-condition that the purchaser is not delinquent with any tax or water bill.

Will the Council further authorize the Mayor to execute any deeds or other documents necessary to effectuate this transaction?



City of Niagara Falls, New York

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

March 26, 2014

NIAGARA FALLS PLANNING BOARD

APPROVAL OF RECOMMENDATION TO CITY COUNCIL
Disposition of Property – Real Property Sale

Pursuant to action taken by the Niagara Falls Planning Board on the 26th day of March 2014 your request is hereby granted.

NAME OF OWNER: City of Niagara Falls
ADDRESS OF ACTION: 1406 – 18th Street
PURPOSE: Sell property adjacent to Edward Harrigan to use for garden and parking

A real property disposition recommendation is made with the following condition(s):

- Parcels shall be amalgamated.

DATE: March 26, 2014

Richard D. Smith, Chairman
Niagara Falls Planning Board

14302-0069



**Project Area: Purchase Request
for 1406 18th Street
by Mr & Mrs Harrigan of 1410 18th St**

0 25 50 75 Feet
1 inch = 75 feet
ver. 13.03.27
Disclaimer: Digital files are based on data from various sources. The City of Niagara Falls, N.Y. assumes no responsibility or legal liability for the accuracy, completeness, reliability, timeliness, or usefulness of any information presented. For interpretation, refer to the City's GIS Coordinator.



Agenda Item #22

RE: New York State Brownfield Opportunity Area Grant for the Buffalo Avenue Industrial Corridor Project

Council Members:

In 2009 the City applied for the above referenced grant, which was recently awarded in the amount of \$403,632. This requires a local share of \$44,848, which the City expects to fund with mostly in kind services provided by City personnel.

This funding will be used for consultants to complete a Step 2 Revitalization Plan for the Buffalo Avenue Industrial Corridor Project.

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

Agenda Item #23

RE: Membership in Buffalo Niagara Enterprise (“BNE”)

Council Members:

The City has an opportunity to become a member of the BNE which is a non-profit regional research, marketing and business development organization committed to bringing jobs and investment to the eight (8) counties of Western New York. The BNE has helped 272 companies to invest over 2.9 billion dollars in our region and retain more than 36,000 jobs since 1999. Attached hereto is a description of BNE activities together with a description of the various investor levels and the benefits from each respective level. It is recommended that the City participate in the \$50,000 per year level.

Funding is available from casino revenues.

Will the Council so approve?



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Buffalo, New York 14203 | f 716.842.1724
www.buffaloniagara.org

February 20, 2014

Honorable Charles Walker, Chairman
Niagara Falls City Council
City Hall, Room 202
745 Main Street
P.O. Box 69
Niagara Falls, New York 14302

Honorable Andy Touma, Council Member
Niagara Falls City Council
City Hall, Room 202
745 Main Street
P.O. Box 69
Niagara Falls, New York 14302

Dear Honorable Messer's Walker and Touma:

On behalf of our investors and our entire staff I would like to thank you very much for the opportunity to meet with you, Mayor Paul Dyster and economic development officials from the City of Niagara Falls, to discuss Buffalo Niagara Enterprise and the role our organization plays in revitalizing our regional economy.

In our meeting questions were raised about specific services or initiatives that would benefit the City of Niagara Falls. Let me expand on some of the research, marketing and business development services that Buffalo Niagara Enterprise can provide to the city.

RESEARCH

Since our inception in 1999, high quality, validated research has been at the heart of the development of Buffalo Niagara Enterprise's targeted industry clusters. Likewise, this research based approach has also served as the foundation for the development of the marketing campaigns and business development tactics and initiatives that have resulted in the business attraction wins, jobs and investment that the BNE has secured for its eight-county service territory.

Lead Generation - With varying exceptions, our research staff traditionally utilizes nine different lead generation services that cover a broad spectrum of industry and company specific data, regional demographics, mapping, infrastructure and utility information and tax and regulatory data. While they may change from time to time, examples of current and former resources include Harris Info-source/Hoovers, Alteryx, ERI Assessor Series, Landmax Land Data, RIA Tax Handbook, Qualtrics, CoStar and the Edison Electric

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Institute. Each and every lead generation resource or subscription available to the BNE is also available to all of our investors as well, and our Research Department will assist Niagara Falls officials by conducting queries for them and seeking to maximize the value of these services for the benefit of the city.

Competitive Assessment Database – BNE's research function maintains an accurate and up to date competitive assessment database that allows us to benchmark our region against 36 peer communities across the United States on a very wide and diversified range of business climate, labor market quality, demographic and economic base and quality of life factors. All information contained in this database is also available for use by the City of Niagara Falls. Our research staff will assist in processing requests that are both project specific and seek to ensure that the city maximizes the use of this tool where appropriate.

Commercial Listing Service – BNE's Research Department worked with outside expertise to develop and now maintain the Buffalo Niagara Commercial Listing Service (CLS), a state-of-the-art system that allows our public and private commercial and industrial sites across the region to be marketed on-line worldwide with an unparalleled level of business and demographic data. BNE research staff will work with city officials to assist and ensure that all appropriate properties and sites the city wishes to market are loaded and represented through this very valuable research and marketing tool.

Finally, as we discussed in our meeting, our research department will work with city officials to lend their expertise on what the market and clients in our targeted industries are looking for in sites and existing buildings, as well as help identify potential resources that could be used in facilitating site readiness.

MARKETING

BNE's Marketing Department has evolved into an award winning department whose work in the economic development marketing industry has been recognized by state, national and international industry associations. The Buffalo Niagara Relocation Guide was recognized with a Bronze Award by the International Economic Development Council and a Best of Class Designation by the New York State Economic Development Council (NYSEDC). The NYSEDC also awarded its Best of Class designation to our Buffalo Niagara Enterprise Blog, our Galvstar project success video and Agribusiness industry video. The latter also received Best in Class designation from the Northeastern Economic Developers Association.

The creativity and the effectiveness of the messaging of our Marketing Department can be seen in our website and social media activities, the region wide and industry specific marketing collaterals they develop and the high-quality and compelling marketing videos they have produced in recent years. Examples of their work have been included in the package that accompanies this letter.

Our marketing department staff will work with Niagara Falls officials to assess services needed, develop strategies to pursue and identify the most appropriate marketing materials to be created that will further the following economic development objectives of the City of Niagara Falls as we understand them to be:

- Enhance the image of Niagara Falls as a welcoming community with a progressive vision for creating an unparalleled quality of life for its residents.
- Showcase the City of Niagara Falls and surrounding area's natural and unique assets
- Highlight the progress and transformation that's been occurring in the city in recent years
- Promote Niagara Falls economic advantages to targeted audiences that influence investment and job creation decisions
- Development of marketing, communications, and advertising tactics, initiatives and collateral materials.

BUSINESS DEVELOPMENT

BNE's business development staff are the foot soldiers that carry our marketing message in a very focused manner to companies in our targeted industries. They travel outside the region to participate in trade shows and industry conferences, as well as to call on site selectors, corporate real estate executives and decision makers of investment and job creation opportunities. Over the last two years, our staff has averaged participation in or attendance at 25 different events to promote our regional assets. These individuals are trained economic development professionals who are experts in their designated markets and industry clusters, and they will be carrying forth the message of Niagara Falls sites and assets.

Project Management - When a client prospect is interested in investing in Niagara Falls, it is our business development staff that will provide that prospect with comprehensive project management services from their first request for information and their actual visits to the city or region, through to the company's final decision on where to invest and locate. These project management services will include everything from site selection assistance, access to potential incentives and incentive providers, workforce development assistance and introductions to key service providers and potential project or business partners.

Should the City of Niagara Falls decide to become an investor in Buffalo Niagara Enterprise, the remaining question would be at what level. I have included for your review a one page summary of the three different levels and ranges at which public and private investors can choose to participate. Given our understanding of the city's economic development objectives and desires, I would respectfully submit that the Steering Level

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would provide the City of Niagara Falls with the most exposure, access and in-depth participation to achieve your objectives, followed next by Board Level investment.

Since BNE's inception in 1999, we have assisted 13 companies who have invested more than \$511 million and pledged to create and retain more than 1,300 jobs in the City of Niagara Falls. We would welcome the opportunity to have the city invest in our efforts and further partner with us as we seek to build on the momentum of companies like Norampac and Globe Specialty Metals.

I am available at your convenience to answer any questions or provide additional information.

Sincerely,



Paul S. Pfeiffer
Director, Investor & Public Relations

cc: Honorable Paul A. Dyster, Mayor



Believe in Buffalo Niagara

Buffalo Niagara Enterprise (BNE) was created in 1999 as a non-profit regional research, marketing and business development organization committed to bringing jobs and investment to the eight counties of Western New York. Since 1999, our efforts have assisted 272 companies invest over \$2.9 billion in our region and create and retain more than 36,000 jobs.

Steering Level Investors \$100,000+ / Year

PARTICIPATION INCLUDES:

- o Company representation on the Steering Committee - Quarterly Meetings
- o Company representation on the Board of Directors - Quarterly Meetings
- o Opportunity to participate with BNE staff at various trade shows, industry conferences, and business development missions around the world
- o Opportunity to Chair BNE Committees
- o Opportunity to host prospects, media and other interested parties
- o Invitation to Annual Report Meeting
- o Invitation to all business development and networking events
- o Listing and hyperlink on BNE's website
- o Listing in BNE's Investor Directory
- o Access to Investor Intelligence:
 - Quarterly investor newsletters, e-communications - AccessUS, International Insights, Life Sciences newsletter, Good News Friday Updates
 - Confidential e-mails/updates from BNE President & CEO
 - E-News alerts - investors are alerted with valuable information and updates on important news as it happens
 - Early notification of BNE project wins
- o Access to Business Intelligence:
 - Customized community & client research for competitive assessment purposes, internal company business development
 - Company training/access to CLS w/ Zoomprospector
 - Exclusive showings of regional studies, ie: Labor Market Assessment, Green Industries Study

Board Level Investors \$50,000+ / Year

PARTICIPATION INCLUDES:

- o Company representation on Board of Directors - Quarterly Meetings
- o Opportunity to participate with BNE staff at various trade shows, industry conferences, and business development missions around the world
- o Opportunity to Chair BNE Committees
- o Opportunity to host prospects, media and other interested parties
- o Invitation to Annual Report Meeting
- o Invitation to all business development and networking events
- o Listing and hyperlink on BNE's website
- o Listing in BNE's Investor Directory
- o Access to Investor Intelligence:
 - Quarterly investor newsletters, e-communications - AccessUS, International Insights, Life Sciences newsletter, Good News Friday Updates
 - Confidential e-mails/updates from BNE President & CEO
 - E-News alerts - investors are alerted with valuable information and updates on important news as it happens
 - Early notification of BNE project wins
- o Access to Business Intelligence:
 - Customized community & client research for competitive assessment purposes, internal company business development
 - Company training/access to CLS w/ Zoomprospector
 - Exclusive showings of regional studies, ie: Labor Market Assessment, Green Industries Study

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Agenda Item #24

RELATIVE TO A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE CITY OF NIAGARA FALLS, NIAGARA COUNTY, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY “PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS”, AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

BY:

Council Chairman Charles Walker

Council Member Robert Anderson, Jr.

Council Member Glenn Choolokian

Council Member Kristen Grandinetti

Council Member Andrew Touma

WHEREAS, the City of Niagara Falls, Niagara County, New York (hereinafter, the “City”) heretofore issued \$9,540,000 Public Improvement Refunding (Serial) Bonds, 2003, pursuant to a refunding bond resolution as further described in the bond determinations certificate of the City Controller dated February 25, 2003 (hereinafter referred to as the “2003 Refunded Bond Determinations Certificate”), such Public Improvement Refunding (Serial) Bonds, 2003, being dated February 25, 2003 with remaining maturities on March 1 in the years 2015 through 2024, both inclusive, as more fully described in the 2003 Refunded Bond Determinations Certificate (the “2003 Refunded Bonds”); and

WHEREAS, the City also heretofore issued \$13,160,000 General Obligation Serial Bonds - 2004 Series A pursuant to various bond resolutions to pay the cost of various City purposes as further described in the bond determinations certificate of the City Controller dated November 1, 2004 (hereinafter referred to as the “2004 Refunded Bond Determinations Certificate”), such General Obligation Serial Bonds - 2004 Series A, being dated November 1, 2004 with remaining maturities on November 1 in the years 2014 through 2018, both inclusive, as more fully described in the 2004 Refunded Bond Determinations Certificate (the “2004 Refunded Bonds”); and

WHEREAS, it would be in the public interest to refund all or a portion of the outstanding principal balance of the 2003 Refunded Bonds and the 2004 Refunded Bonds (collectively, the “Refunded Bonds”) by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

WHEREAS, such refunding will only be undertaken if it results in present value savings in debt service as required by Section 90.10 of the Local Finance Law.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Niagara Falls, Niagara County, New York, as follows:

Section 1. For the object or purpose of refunding the outstanding principal balance of the Refunded Bonds maturing in 2015 and thereafter as more fully set forth in the Refunding Financial Plan (hereinafter defined), including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of such Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on such Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective

maturities in accordance with the refunding financial plan, as hereinafter defined, as well as any prepayment premium, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, and (iv) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$8,200,000 refunding serial bonds of the City pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$8,015,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R-14 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the City Controller pursuant to Section 4 hereof. It is hereby further

determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10 hereof relating to approval by the State Comptroller.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the City Controller shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the City by lot in any customary manner of selection as determined by the City Controller. Notice of such call for redemption shall be given by mailing such notice to the registered owners not less than thirty (30) days prior to such date. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York,

New York (“DTC”), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the City shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to DTC, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the City Controller as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the City maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or last day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the City Controller providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the City Controller as fiscal agent of the City for the Refunding Bonds (collectively the “Fiscal Agent”).

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The City Controller, as chief fiscal officer of the City, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said City, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the City, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form; provided, however, that the City Controller is also hereby authorized to name the City Clerk as the Fiscal Agent in connection with the Refunding Bonds if said Refunding Bonds are issued in non-certificated form.

The City Controller is hereby further delegated all powers of this Council with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the City by the manual or facsimile signature of the City Controller, and its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual

signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law and 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 51.00 of the Local Finance Law, as the City Controller shall determine. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for each object or purpose for which such Refunded Bonds were issued is as specified in the 2003 and 2004 Refunded Bond Determinations Certificates which are incorporated herein by reference;

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the respective period of probable usefulness of the objects or purposes for which said Refunded Bonds were issued in accordance with the provisions of paragraph c of Section 90.10 of the Local Finance Law;

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to the Refunded Bonds is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the “Refunding Financial Plan”), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in one series, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This Council recognizes that the Refunding Bonds may be issued in one or more series, and for only portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the City will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The City Controller is hereby authorized and directed to determine the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be

borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the City Controller; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The City Controller shall file a copy of his certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the City Clerk not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The City Controller is hereby authorized and directed to enter into an escrow contract or contracts (collectively the “Escrow Contract”) with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said City Controller shall designate (collectively the “Escrow Holder”) for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said City of Niagara Falls, Niagara County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said City a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the City to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the City irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the City shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an “arbitrage bond” as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Local Finance Law, in the event such bonds are refunded, the City hereby

elects to call in and redeem each Refunded Bond which the City Controller shall determine to be refunded at the earliest call date available. The sum to be paid therefor on such redemption date shall be the par value thereof, as provided in the Refunded Bond Certificate, and the accrued interest to such redemption date. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the City in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at public or private sale to such underwriter as may be selected by the City Controller (the "Underwriter") for purchase prices to be determined by the City Controller, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds, subject to approval by the State Comptroller as required by Section 90.10 of the Local Finance Law. After the Refunding Bonds have been duly executed, they shall be delivered by the City Controller to the Underwriter in accordance with said purchase contract upon the receipt by the City of said purchase price, including accrued interest.

Section 11. The City Controller and all other officers, employees and agents of the City are hereby authorized and directed for and on behalf of the City to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to

be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the City Controller and all powers in connection thereof are hereby delegated to the City Controller.

Section 13. The validity of the Refunding Bonds 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 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 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspaper of said City, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

EXHIBIT A

PRELIMINARY REFUNDING FINANCIAL PLAN

CITY OF NIAGARA FALLS,
NIAGARA COUNTY, NEW YORK

MARCH 31, 2014

City of Niagara Falls

Refunding of 2003 and 2004 Serial Bonds

Refunding Summary

Dated 05/28/2014 | Delivered 05/28/2014

	2003 Current	2004 Advance	Issue Summary
Sources Of Funds			
Par Amount of Bonds	\$3,300,000.00	\$4,715,000.00	\$8,015,000.00
Total Sources	\$3,300,000.00	\$4,715,000.00	\$8,015,000.00
Uses Of Funds			
Total Underwriter's Discount (0.475%)	15,675.00	22,396.25	38,071.25
Costs of Issuance	34,996.88	50,003.12	85,000.00
Gross Bond Insurance Premium	16,064.25	19,539.44	35,603.69
Deposit to Net Cash Escrow Fund	3,232,150.03	4,621,827.88	7,853,977.91
Rounding Amount	1,113.84	1,233.31	2,347.15
Total Uses	\$3,300,000.00	\$4,715,000.00	\$8,015,000.00
Flow of Funds Detail			
State and Local Government Series (SLGS) rates for Date of OMP Candidates	3/27/2014	3/27/2014	3/27/2014
Primary Purpose Fund Solution Method	Net Funded	Net Funded	Net Funded
Total Cost of Investments	\$3,232,150.03	\$4,621,827.88	\$7,853,977.91
Interest Earnings @ 0.048%	79.69	994.00	1,073.69
Total Draws	\$3,232,229.72	\$4,622,821.88	\$7,855,051.60
PV Analysis Summary (Net to Net)			
Net PV Cashflow Savings @ 3.125%(AIC)	224,738.42	132,212.04	340,618.88
Contingency or Rounding Amount	1,113.84	1,233.31	2,347.15
Net Present Value Benefit	\$225,852.26	\$133,445.35	\$342,966.03
Net PV Benefit / \$7,715,000 Refunded Principal	7.091%	2.946%	4.445%
Net PV Benefit / \$8,015,000 Refunding Principal	6.844%	2.830%	4.279%
Bond Statistics			
Average Life	6.952 Years	2.262 Years	4.193 Years
Average Coupon	3.12146049%	1.5925937%	2.6364385%
Net Interest Cost (NIC)	3.1897908%	1.8030200%	2.7497356%
Bond Yield for Arbitrage Purposes	2.7226381%	2.7226381%	2.7226381%
True Interest Cost (TIC)	3.1864000%	1.8072618%	2.7305986%
All Inclusive Cost (AIC)	3.4410401%	2.4882355%	3.1245747%

Refunding of 2003 and 2004 | Issue Summary | 3/11/2014 | 3:10 PM

City of Niagara Falls

Refunding of 2003 and 2004 Serial Bonds

Debt Service Comparison

Date	Total P+I	Existing D/S	Net New D/S	Old Net D/S	Savings
12/31/2014	102,463.54	1,045,500.00	1,147,963.54	1,211,609.38	63,645.84
12/31/2015	1,357,595.00	-	1,357,595.00	1,426,581.26	68,986.26
12/31/2016	1,358,397.50	-	1,358,397.50	1,427,706.26	69,308.76
12/31/2017	1,361,237.50	-	1,361,237.50	1,427,012.51	65,775.01
12/31/2018	1,355,100.00	-	1,355,100.00	1,423,037.50	67,937.50
12/31/2019	562,881.25	-	562,881.25	586,125.00	23,243.75
12/31/2020	561,111.25	-	561,111.25	585,200.00	24,088.75
12/31/2021	562,185.00	-	562,185.00	588,262.50	26,077.50
12/31/2022	561,316.25	-	561,316.25	584,987.50	23,671.25
12/31/2023	558,805.00	-	558,805.00	585,018.75	26,213.75
12/31/2024	559,831.25	-	559,831.25	583,537.50	23,706.25
Total	\$8,900,923.54	\$1,045,500.00	\$9,946,423.54	\$10,429,078.16	\$482,654.62

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings	340,618.88
Net PV Cashflow Savings @ 3.125%(AIC)	340,618.88
Contingency or Rounding Amount	2,347.15
Net Present Value Benefit	\$342,966.03
Net PV Benefit / \$7,715,000 Refunded Principal	4.445%
Net PV Benefit / \$8,015,000 Refunding Principal	4.279%

Refunding Bond Information

Refunding Dated Date	5/28/2014
Refunding Delivery Date	5/28/2014

City of Niagara Falls

Refunding of 2003 and 2004 Serial Bonds

Debt Service Schedule

Part 1 of 2

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
05/28/2014	-	-	-	-	-
09/01/2014	60,000.00	0.800%	42,463.54	102,463.54	-
12/31/2014	-	-	-	-	102,463.54
03/01/2015	1,200,000.00	1.050%	81,947.50	1,281,947.50	-
09/01/2015	-	-	75,647.50	75,647.50	-
12/31/2015	-	-	-	-	1,357,595.00
03/01/2016	1,215,000.00	1.300%	75,647.50	1,290,647.50	-
09/01/2016	-	-	67,750.00	67,750.00	-
12/31/2016	-	-	-	-	1,358,397.50
03/01/2017	1,235,000.00	1.500%	67,750.00	1,302,750.00	-
09/01/2017	-	-	58,487.50	58,487.50	-
12/31/2017	-	-	-	-	1,361,237.50
03/01/2018	1,250,000.00	1.900%	58,487.50	1,308,487.50	-
09/01/2018	-	-	46,612.50	46,612.50	-
12/31/2018	-	-	-	-	1,355,100.00
03/01/2019	475,000.00	2.250%	46,612.50	521,612.50	-
09/01/2019	-	-	41,268.75	41,268.75	-
12/31/2019	-	-	-	-	562,881.25
03/01/2020	485,000.00	2.650%	41,268.75	526,268.75	-
09/01/2020	-	-	34,842.50	34,842.50	-
12/31/2020	-	-	-	-	561,111.25
03/01/2021	500,000.00	3.000%	34,842.50	534,842.50	-
09/01/2021	-	-	27,342.50	27,342.50	-
12/31/2021	-	-	-	-	562,185.00
03/01/2022	515,000.00	3.250%	27,342.50	542,342.50	-
09/01/2022	-	-	18,973.75	18,973.75	-
12/31/2022	-	-	-	-	561,316.25
03/01/2023	530,000.00	3.450%	18,973.75	548,973.75	-
09/01/2023	-	-	9,831.25	9,831.25	-
12/31/2023	-	-	-	-	558,805.00
03/01/2024	550,000.00	3.575%	9,831.25	559,831.25	-
12/31/2024	-	-	-	-	559,831.25
Total	\$8,015,000.00	-	\$885,923.54	\$8,900,923.54	-

City of Niagara Falls

Refunding of 2003 and 2004 Serial Bonds

Debt Service Schedule

Part 2 of 2

Yield Statistics

Bond Year Dollars	\$33,603.04
Average Life	4.193 Years
Average Coupon	2.6364385%
Net Interest Cost (NIC)	2.7497356%
True Interest Cost (TIC)	2.7305986%
Bond Yield for Arbitrage Purposes	2.7226381%
All Inclusive Cost (AIC)	3.1245747%

IRS Form 8038

Net Interest Cost	2.6364385%
Weighted Average Maturity	4.193 Years

City of Niagara Falls

Refunding of 2003 and 2004 Serial Bonds

Escrow Fund Cashflow

Date	Principal	Rate	Interest	Receipts	Disbursements	Cash Balance
05/28/2014	-	-	-	0.91	-	0.91
06/27/2014	3,232,150.00	0.030%	79.69	3,232,229.69	3,232,229.72	0.88
11/01/2014	4,621,827.00	0.050%	994.00	4,622,821.00	4,622,821.88	-
Total	\$7,853,977.00	-	\$1,073.69	\$7,855,051.60	\$7,855,051.60	-

Investment Parameters

Investment Model (PV, GIC, or Securities)	Securities
Default investment yield target	Bond Yield
Cash Deposit	0.91
Cost of Investments Purchased with Bond Proceeds	7,853,977.00
Total Cost of Investments	\$7,853,977.91
Target Cost of Investments at bond yield	\$7,795,191.37
Actual positive or (negative) arbitrage	(\$8,786.54)
Yield to Receipt	0.0482644%
Yield for Arbitrage Purposes	2.7226381%
State and Local Government Series (SLOS) rates for	3/27/2014

City of Niagara Falls

Refunding of 2003 and 2004 Serial Bonds

Escrow Summary Cost

Maturity	Type	Coupon	Yield	\$ Price	Par Amount	Principal Cost	+Accrued Interest	= Total Cost	
Escrow									
06/27/2014	SLGS-CI	0.030%	0.030%	100.0000000%	3,232,150	3,232,150.00	-	3,232,150.00	
11/01/2014	SLGS-CI	0.050%	0.050%	100.0000000%	4,621,827	4,621,827.00	-	4,621,827.00	
Subtotal					-	\$7,853,977	\$7,853,977.00	-	\$7,853,977.00
Total					-	\$7,853,977	\$7,853,977.00	-	\$7,853,977.00

Escrow

Cash Deposit	0.91
Cost of Investments Purchased with Bond Proceeds	7,853,977.00
Total Cost of Investments	\$7,853,977.91

Delivery Date 5/28/2014

City of Niagara Falls
 Niagara County, New York
 2003 Refunding - Summary

Debt Service To Maturity And To Call

Date	Refunded Bonds	Refunded Interest	D/S To Call	Principal	Coupon	Interest	Refunded D/S
05/28/2014	-	-	-	-	-	-	-
06/27/2014	3,185,000.00	47,229.72	3,232,229.72	-	-	-	-
09/01/2014	-	-	-	-	-	73,287.50	73,287.50
03/01/2015	-	-	-	30,000.00	4.250%	73,287.50	103,287.50
09/01/2015	-	-	-	-	-	72,650.00	72,650.00
03/01/2016	-	-	-	30,000.00	4.250%	72,650.00	102,650.00
09/01/2016	-	-	-	-	-	72,012.50	72,012.50
03/01/2017	-	-	-	30,000.00	4.375%	72,012.50	102,012.50
09/01/2017	-	-	-	-	-	71,356.25	71,356.25
03/01/2018	-	-	-	30,000.00	4.500%	71,356.25	101,356.25
09/01/2018	-	-	-	-	-	70,681.25	70,681.25
03/01/2019	-	-	-	455,000.00	4.500%	70,681.25	525,681.25
09/01/2019	-	-	-	-	-	60,443.75	60,443.75
03/01/2020	-	-	-	475,000.00	4.500%	60,443.75	535,443.75
09/01/2020	-	-	-	-	-	49,756.25	49,756.25
03/01/2021	-	-	-	500,000.00	4.500%	49,756.25	549,756.25
09/01/2021	-	-	-	-	-	38,506.25	38,506.25
03/01/2022	-	-	-	520,000.00	4.625%	38,506.25	558,506.25
09/01/2022	-	-	-	-	-	26,481.25	26,481.25
03/01/2023	-	-	-	545,000.00	4.750%	26,481.25	571,481.25
09/01/2023	-	-	-	-	-	13,537.50	13,537.50
03/01/2024	-	-	-	570,000.00	4.750%	13,537.50	583,537.50
Total	\$3,185,000.00	\$47,229.72	\$3,232,229.72	\$3,185,000.00	-	\$1,097,425.00	\$4,282,425.00

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	5/28/2014
Average Life	7.196 Years
Average Coupon	4.6334607%
Weighted Average Maturity (Par Basis)	7.196 Years

Refunding Bond Information

Refunding Dated Date	5/28/2014
Refunding Delivery Date	5/28/2014

City of Niagara Falls, New York

\$13,160,000 General Obligation Serial Bonds - 2004 Series A

Roosevelt & Cross Bid, Level Debt

Debt Service To Maturity And To Call

Date	Refunded Bonds	Refunded Interest	D/S To Call	Principal	Coupon	Interest	Refunded D/S
11/01/2014	4,530,000.00	92,821.88	4,622,821.88	-	4.000%	92,821.88	92,821.88
05/01/2015	-	-	-	-	-	92,821.88	92,821.88
11/01/2015	-	-	-	1,065,000.00	4.000%	92,821.88	1,157,821.88
05/01/2016	-	-	-	-	-	71,521.88	71,521.88
11/01/2016	-	-	-	1,110,000.00	4.000%	71,521.88	1,181,521.88
05/01/2017	-	-	-	-	-	49,321.88	49,321.88
11/01/2017	-	-	-	1,155,000.00	4.125%	49,321.88	1,204,321.88
05/01/2018	-	-	-	-	-	25,500.00	25,500.00
11/01/2018	-	-	-	1,200,000.00	4.250%	25,500.00	1,225,500.00
Total	\$4,530,000.00	\$92,821.88	\$4,622,821.88	\$4,530,000.00	-	\$571,153.16	\$5,101,153.16

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	5/28/2014
Average Life	2.975 Years
Average Coupon	4.1352099%
Weighted Average Maturity (Par Basis)	2.975 Years

Refunding Bond Information

Refunding Dated Date	5/28/2014
Refunding Delivery Date	5/28/2014

City of Niagara Falls

Refunding of 2003 and 2004 Serial Bonds

Summary Of Bonds Refunded

Issue	Maturity	Type	of Bond	Coupon	Maturity Value	Call Date	Call Price
Dated 2/25/2003 Delivered 2/25/2003							
2003 Refunding Bonds	03/01/2015	Serial	Coupon	4.250%	30,000	06/27/2014	100.000%
2003 Refunding Bonds	03/01/2016	Serial	Coupon	4.250%	30,000	06/27/2014	100.000%
2003 Refunding Bonds	03/01/2017	Serial	Coupon	4.375%	30,000	06/27/2014	100.000%
2003 Refunding Bonds	03/01/2018	Serial	Coupon	4.500%	30,000	06/27/2014	100.000%
2003 Refunding Bonds	03/01/2019	Serial	Coupon	4.500%	455,000	06/27/2014	100.000%
2003 Refunding Bonds	03/01/2020	Serial	Coupon	4.500%	475,000	06/27/2014	100.000%
2003 Refunding Bonds	03/01/2021	Serial	Coupon	4.500%	500,000	06/27/2014	100.000%
2003 Refunding Bonds	03/01/2022	Serial	Coupon	4.625%	520,000	06/27/2014	100.000%
2003 Refunding Bonds	03/01/2023	Serial	Coupon	4.750%	545,000	06/27/2014	100.000%
2003 Refunding Bonds	03/01/2024	Serial	Coupon	4.750%	570,000	06/27/2014	100.000%
Subtotal	-	-	-	-	\$3,185,000	-	-
Dated 11/01/2004 Delivered 11/09/2004							
2004A	11/01/2015	Serial	Coupon	4.000%	1,065,000	11/01/2014	100.000%
2004A	11/01/2016	Serial	Coupon	4.000%	1,110,000	11/01/2014	100.000%
2004A	11/01/2017	Serial	Coupon	4.125%	1,155,000	11/01/2014	100.000%
2004A	11/01/2018	Serial	Coupon	4.250%	1,200,000	11/01/2014	100.000%
Subtotal	-	-	-	-	\$4,530,000	-	-
Total	-	-	-	-	\$7,715,000	-	-

City of Niagara Falls

Refunding of 2003 and 2004 Serial Bonds

Proof Of Effective Interest Cost @ 2.6082173%

Date	Cashflow	PV Factor	Present Value	Cumulative PV
05/28/2014	-	1.0000000x	-	-
09/01/2014	102,463.54	0.9933280x	101,779.91	101,779.91
03/01/2015	1,281,947.50	0.9805407x	1,257,001.70	1,358,781.61
09/01/2015	75,647.50	0.9679180x	73,220.58	1,432,002.18
03/01/2016	1,290,647.50	0.9554578x	1,233,159.21	2,665,161.40
09/01/2016	67,750.00	0.9431580x	63,898.95	2,729,060.35
03/01/2017	1,302,750.00	0.9310165x	1,212,881.77	3,941,942.12
09/01/2017	58,487.50	0.9190314x	53,751.85	3,995,693.97
03/01/2018	1,308,487.50	0.9072005x	1,187,060.48	5,182,754.45
09/01/2018	46,612.50	0.8955219x	41,742.51	5,224,496.96
03/01/2019	521,612.50	0.8839937x	461,102.14	5,685,599.10
09/01/2019	41,268.75	0.8726138x	36,011.68	5,721,610.79
03/01/2020	526,268.75	0.8613805x	453,317.63	6,174,928.42
09/01/2020	34,842.50	0.8502918x	29,626.29	6,204,554.71
03/01/2021	534,842.50	0.8393458x	448,917.79	6,653,472.50
09/01/2021	27,342.50	0.8285407x	22,654.37	6,676,126.88
03/01/2022	542,342.50	0.8178747x	443,568.23	7,119,695.10
09/01/2022	18,973.75	0.8073461x	15,318.38	7,135,013.49
03/01/2023	548,973.75	0.7969529x	437,506.24	7,572,519.72
09/01/2023	9,831.25	0.7866936x	7,734.18	7,580,253.91
03/01/2024	559,831.25	0.7765663x	434,746.09	8,015,000.00
Total	\$8,900,923.54	-	\$8,015,000.00	-

Derivation Of Target Amount

Par Amount of Bonds	\$8,015,000.00
Total Proceeds	8,015,000.00

City of Niagara Falls
 Refunding of 2003 and 2004 Serial Bonds

Proof Of Bond Yield @ 2.7226381%

Date	Cashflow	PV Factor	Present Value	Cumulative PV
05/28/2014	-	1.0000000x	-	-
09/01/2014	102,463.54	0.9930383x	101,750.22	101,750.22
03/01/2015	1,281,947.50	0.9797014x	1,255,925.82	1,357,676.04
09/01/2015	75,647.50	0.9665437x	73,116.61	1,430,792.65
03/01/2016	1,290,647.50	0.9535627x	1,230,713.28	2,661,505.93
09/01/2016	67,750.00	0.9407560x	63,736.22	2,725,242.15
03/01/2017	1,302,750.00	0.9281213x	1,209,110.01	3,934,352.16
09/01/2017	58,487.50	0.9156563x	53,554.45	3,987,906.61
03/01/2018	1,308,487.50	0.9033587x	1,182,033.56	5,169,940.17
09/01/2018	46,612.50	0.8912263x	41,542.28	5,211,482.45
03/01/2019	521,612.50	0.8792568x	458,631.32	5,670,113.77
09/01/2019	41,268.75	0.8674480x	35,798.50	5,705,912.27
03/01/2020	526,268.75	0.8557979x	450,379.69	6,156,291.96
09/01/2020	34,842.50	0.8443042x	29,417.67	6,185,709.63
03/01/2021	534,842.50	0.8329649x	445,505.04	6,631,214.66
09/01/2021	27,342.50	0.8217779x	22,469.46	6,653,684.12
03/01/2022	542,342.50	0.8107411x	439,699.37	7,093,383.49
09/01/2022	18,973.75	0.7998526x	15,176.20	7,108,559.69
03/01/2023	548,973.75	0.7891103x	433,200.82	7,541,760.51
09/01/2023	9,831.25	0.7785122x	7,653.75	7,549,414.26
03/01/2024	559,831.25	0.7680565x	429,982.05	7,979,396.31
Total	\$8,900,923.54	-	\$7,979,396.31	-

Derivation Of Target Amount

Par Amount of Bonds	\$8,015,000.00
Bond Insurance Premium	(35,603.69)
Original Issue Proceeds	\$7,979,396.31

Agenda Item #17

RE: Niagara Frontier Transportation Authority - Trolley Service

Council Members:

It is desirable to reinstitute again this year Trolley Service in the City in cooperation with the Niagara Frontier Transportation Authority. It is recommended that Trolley Service commence on May 16, 2014 and conclude October 31, 2014. During the month of May, 2014 the Trolley Service will operate on weekends only (Friday, Saturday and Sunday). Trolley service from June 1, 2014 through October 31, 2014 will be on a daily basis. The cost to the City for this service will be \$530,000. This will be subject to the terms and conditions contained in an agreement subject to approval by the Corporation Counsel which will also contain a route for service. Funding is available from the Tourism Fund.

Will the Council so approve?

Agenda Item #18

SUBJECT: Bid #2014-11 Landscaping & Maintenance of Medians and Traffic Circle

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

TO: Gardenville Landscaping & Nursery, LLC

3069 Clinton Street

West Seneca, NY 14224

FOR: Landscaping and maintenance of the medians along: \$57,397.00

Niagara Street, John B. Daly Boulevard, Rainbow

Boulevard and the Traffic Circle:

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 Thirteen (13) vendors. Four (4) bids were received. The above referenced company submitted the lowest bid. Bids were also received from Beau Enterprises, Inc. (\$68,560.00), Wayside Nursery, Inc. (\$119,850.00) and Villani's Landscaping (\$187,090.00).

Funding was approved in the 2014 budget under the Infrastructure 5-year "Financial" Capital Plan.

**CITY OF NIAGARA FALLS, NY
INFRASTRUCTURE
5 YEAR "FINANCIAL" CAPITAL PLAN
FOR THE YEAR 2014-2018**

	2014	2015	2016	2017	2018
OTHER CAPITAL & ECONOMIC DEVELOPMENT					
DEMOLITIONS-ADMINISTERED BY COMMUNITY DEVELOPMENT	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000
ENGINEERING CONSULTANT -for assistance in Capital Projects	\$ 40,000				
POT HOLE KILLER	\$ 70,000	\$ 70,000	\$ 70,000	\$ 70,000	\$ 70,000
CITY WIDE TREE REPLACEMENT PROGRAM	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
ZOOM TEAM PROJECT-CLEAN NEIGHBORHOODS/CODE ENFORCEMENT	\$ 200,000	\$ 240,000	\$ 250,000	\$ 260,000	\$ 270,000
DOWNTOWN STREETScape-(MEDIANS, ENTRANCES, CENTENNIAL CIRCL	\$ 100,000	\$ 120,000	\$ 130,000	\$ 140,000	\$ 150,000
ECONOMIC DEVELOPMENT CAPITAL INVESTMENT	\$ 4,000,000				
POLICE PATROL-SAFER SHOPPING DAYS, TOURISM	\$ 80,000	\$ 90,000	\$ 100,000	\$ 110,000	\$ 120,000
TRAIN STATION PHASE III	\$ 1,000,000	\$ 1,250,000	\$ 1,250,000	\$ -	\$ -
TOTAL "OTHER" CITY CAPITAL IMPROVEMENTS	\$ 6,290,000	\$ 2,570,000	\$ 2,600,000	\$ 1,380,000	\$ 1,410,000
SIDEWALKS					
CHIPS - Sidewalk replacement at various locations	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000
CASINO - Sidewalk replacement at various locations	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000
CD - Sidewalk replacement at various locations	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
TOTAL SIDEWALKS	\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000
TOTAL ESTIMATE OF CAPITAL-INFRASTRUCTURE	\$ 16,927,000	\$ 13,565,000	\$ 8,800,000	\$ 4,255,000	\$ 4,360,000

Agenda Item #19

SUBJECT: Bid #2014-14 Meals for Prisoners

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

TO: Frankies Donuts, Inc.

717 Portage Road

Niagara Falls, NY 14301

FOR: Meals for prisoners at the Municipal Svcs. Building:	Breakfast (est. 3,000)	\$1.00
	Lunch (est. 6,700)	1.75
	Supper (est. 2,200):	1.75

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. One other bid was received from CRR Holding, Inc., DBA Tim Hortons (Breakfast \$2.30 ea., Lunch \$6.97 ea. and Supper \$6.97 ea.). The above referenced company submitted the lowest bid.

Funds for this expenditure are available in A3120.0001.0449.010.

Will the Council so approve?

Council Meeting

Monday, April 14, 2014 Council Meeting

PRESENTATIONS:

Maria Brown, City Controller – Refunding and Refinancing of bonds

ADMINISTRATIVE UPDATE: