

Presentations/Administration

Tuesday, February 17, 2015 Council Meeting

PRESENTATIONS:

LaSalle Preparatory School NJHS Students – “What Freedom Means to Me”

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ADMINISTRATIVE UPDATE:

Ice Pavilion Phase IV

Refuse and Recycling Program Update

## Agenda Item #1

The following claims have been filed in the Office of the City Clerk during the month of January 2015 the claims were subsequently referred to the Office of the Corporation Counsel.

### NOTICE OF CLAIM

Scull, Jeanine Macri, Teresa 461 22 <sup>nd</sup> St Apt #1 & #2	In reference to personal property
Williams, Santana c/o Fanizzi & Barr P.C.	In reference to personal injury
Vicki, Stephen and Nicole c/o Lipsitz Green Scime Cambria	In reference to personal injury
Kwarciak, John T 3105 Baseline Road Grand Island, NY 14072	Vehicle damage by city plow
Bell, Christina Howard, Jill c/o Waters & Kraus, LLP	In reference to personal injury
Gagner, Denise J 800 Niagara Ave #1102	In reference to vehicle damage caused by a pothole
Chong / Claim #R14-156075 c/o American Reliable Ins. Co	In reference to property damage

### SUMMONS

Gurkan, Mehmet 9021 St John Pkwy Apt 10	#154865
State Farm Mutual Auto Ins a/s/o Sheila Terrana	Index # CV-0051-15
King, Gordon J and Brenda c/o Lipsitz Green Scime Cambria LLP	Index # E154990/2015

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 January 2015.						
				<b><u>CONTROLLER</u></b>	<b><u>TOTAL</u></b>	
A1255-001 A012		Vital Statistics		\$ 4,502.00	\$ 4,502.00	
A1255-004 A013		Copies of Records		\$ 629.00	\$ 629.00	
A1255-004 A013		Certificates of Marriage		\$ 290.00	\$ 290.00	
A2501-014 A046		Electrician - Active		\$ 1,250.00	\$ 1,250.00	
A2501-014 A046		Electrician - Inactive		\$ 40.00	\$ 40.00	
A2501-014 A046		Electrician - Exam Fee				
A2501-016 A047		Stationary Engineers		\$ 600.00	\$ 600.00	
A2542-000 A053		Dogs/NYS Agr. & Mkts	\$ 182.00	\$ -	\$ 182.00	
A2542-000 A053		Additional Dogs		\$ 1,957.00	\$ 1,957.00	
A2545-001 A054		Marriage License/NYSHD	\$ 652.50	\$ 217.50	\$ 870.00	
A1255-002 A123		Commissioners of Deeds		\$ 90.00	\$ 90.00	
A2545-010 A128		Petroleum - Retail		\$ 140.00	\$ 140.00	
A2545-010 A128		Petroleum - Storage		\$ 600.00	\$ 600.00	
A2545-010 A128		Petroleum - Wholesale		\$ 480.00	\$ 480.00	
A2545-023 A318		Hunters/NYS DEC RAU	\$ 14.16	\$ -	\$ 14.16	
A2545-023 A318		Hunters Fees		\$ 0.84	\$ 0.84	
A1255-003 A499		Notary Fee		\$ 2.00	\$ 2.00	
A1255-005 A528		Dog Release		\$ 100.00	\$ 100.00	
TA63008 A597		Marriage Performance		\$ 300.00	\$ 300.00	
55-006-A696		Photos/passport-license		\$ 18.00	\$ 18.00	
<b>TOTAL:</b>			<b><u>\$ 848.66</u></b>	<b><u>\$ 11,216.34</u></b>	<b><u>\$ 12,065.00</u></b>	
Check #	12434	NYS Dept.of Arg. & Mkts		\$ 182.00		
Check #	12409	NYS Health Department		\$ 652.50		
Check #	ET	NYS DEC RAU		\$ 14.16		

Agenda Item #3

**SUBJECT: CHANGE ORDER # 2 - \$0.00**  
**2014 MUNICIPAL SIDEWALK REPLACEMENT PROJECT**

A contract for the above referenced project was awarded to Ventry Concrete Contracting on March 31, 2014 in the amount of \$438,950.00.

After the start of the project, it was determined by field conditions that this year's sidewalk replacement program contained a substantial increase in sidewalk ramps and affected driveway aprons, while simultaneously minimizing the amount of curb work typically undertaken. The amount of overrun on the six (6") inch concrete installations was more than offset by underruns in granite and concrete curbing, allowing more sidewalk to be replaced for no increase in the contract total.

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

Agenda Item #4

*RE:* Niagara County Office for the Aging (NCOFA)

Use of LaSalle Senior Facility

Council Members:

Attached hereto to a copy of a communication to the City Council dated August 27, 2013 regarding the above matter, which was unanimously approved by the City Council during its meeting on September 3, 2013.

The NCOFA operated under budget constraints during calendar years 2013 and 2014 and it is anticipated that these constraints will continue for the foreseeable future. Based upon information provided to her, the City's Senior Citizens Program Coordinator believes that the NCOFA will relocate to a location outside of the City if fees are charged for the program to operate out of the LaSalle Facility. Resident senior citizens benefit greatly from the program being offered by NCOFA at the LaSalle Facility and would be disadvantaged if the program were to cease its operations at the LaSalle Facility. Attached hereto is a copy of a communication to the City Council from the City's Senior Service Program Coordinator in this regard which emphasizes the importance of the program offered by the NCOFA at the LaSalle Facility, hence benefiting the City.

Based upon all this information, it is requested that the City Council waive any fees which may be due from the NCOFA for occupying the LaSalle Facility for years 2014 and for future foreseeable years. The Senior Service Program Coordinator will monitor this on a regular basis and advise if any changes need to be made.

Will the Council so approve?



# City of Niagara Falls, New York

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

OFFICE OF THE MAYOR  
Telephone: (716) 286-4310

August 27, 2013

The City Council  
Niagara Falls, New York

RE: *Niagara County Office For The Aging (NCOFA) use of LaSalle Facility*

Council Members:

For more than 35 years the NCOFA has provided senior citizen residents of the City of Niagara Falls with a nutrition program, including providing high-quality meals, as well as the organization of programs such as bingo, exercise programs and many more. Approximately 30 to 40 seniors benefit from these programs, including the daily lunch program, on a regular basis.

The NCOFA has previously paid the City \$2,431.00 on an annual basis for the use of the LaSalle Facility for this purpose. The NCOFA has requested that this annual fee be eliminated due to adverse budget issues facing the NCOFA. The NCOFA advises that most of their other nutrition sites in other communities have allowed NCOFA to use available space with no payment. NCOFA has advised that it will re-locate to an alternate site outside of the City if this issue is not resolved, which would be detrimental to resident City seniors.

Given the benefit to City seniors by NCOFA every day with no payment from the City, it would appear that sufficient consideration exists to the City and its residents to justify allowing the NCOFA to use the LaSalle Facility during year 2013 for no charge. Attached is a copy of a communication from NCOFA in this regard together with a memo of support from the City's Senior Services Program Coordinator.

Will the Council so approve?

Respectfully submitted,

PAULA A. DYSTER  
Mayor

Anderson \_\_\_\_\_ Fruscione \_\_\_\_\_ Grandinetti \_\_\_\_\_ Walker \_\_\_\_\_ Choolokian \_\_\_\_\_





NIAGARA COUNTY  
OFFICE FOR THE AGING  
Golden Triangle Office Building  
111 Main Street, Suite 101  
Lockport, New York 14094-3718

Yvonne Getewick  
Director

Phone # (716) 438-4020  
Fax # (716) 438-4020  
E-Mail: [OFA@NiagaraCounty.com](mailto:OFA@NiagaraCounty.com)

November 9, 2012

Becky Brooks  
LaSalle Senior Center  
PO Box 69  
Niagara Falls, NY 14302

Dear Becky,

As part of our 2013 budget preparation, we are carefully considering all of our expenses as they relate to our department, including our nutrition program. As part of this analysis, we are looking at the financial impact of the current lease agreements we have with a small group of our nutrition site locations.

Over the past several years we have partnered with the vast majority of our nutrition sites to serve meals to older adults in their locations with no lease payments. This has allowed us to provide high quality meals and other programming to our clients, while minimizing costs to our county taxpayers. Given the increased expenses of providing these services, and the demands of reducing the cost of our programs to assist our county in meeting its budgetary constraints, we are looking to develop this same relationship with our remaining site location partners.

We are asking you to consider eliminating our current annual lease payment of \$2421 for the budget year 2013. This cost savings will allow us to continue to provide high quality meals and other programming to those that attend your site while helping us reduce our operating costs that ultimately are paid by our county taxpayers. We understand the impact this reduction can have on your fiscal budget. It is for this reason that we are approaching you at this time so that you can make any necessary adjustments should you be willing to partner with us in this fiscal initiative for 2013.

We appreciate your consideration in assisting us with this matter as we look forward to continuing to provide nutrition services to your location. Please let us know by no later than Friday November 23<sup>rd</sup> of your decision so that we can reflect it in our budget. Contact me at 716-438-4021 should you have any questions. We look forward to your continuing partnership.

Sincerely,

cc: Jeff Glantz, County Manager



Due to recent changes in the Government and tough economic times, The Niagara County Office for Aging has been forced to make changes. Director of the Office for Aging had to make closings of certain nutrition sites throughout Niagara county. While in process Mr. Genewick, Director of OFA had spoken to me about the closings. The closings included the Summit View site which is approximately 1/2 mile from The City of Niagara Falls LaSalle Facility. We so appreciated all of the efforts taken on behalf of Mr. Genewick and the County Legislatures to keep the working relationship with Niagara Falls; and keeping LaSalle fully functioning with County nutrition.

Budget restrictions have caused the need to also revoke any sites that require rent. Unfortunately this includes The LaSalle Facility. As The Office for The Aging went to great lengths to make sure the LaSalle Facility maintained the nutrition program, I strongly urge The City look at all options to maintain the full functionality of LaSalle. The Senior Citizens, 30-40 daily benefit greatly from the nutrition and companionship of the County meal program. The LaSalle facility is alive with seniors, playing Bingo, Mediation classes, Exercise classes, the LaSalle Artists, AARP Safe Driving and many more individual programs. Most of these participants also take part in the daily lunch program.

The Niagara County Office for Aging contractually pays \$2411.00 yearly, for use of the facility. I strongly urge this rental agreement to be waived for the 2013 year. In securing the County Nutrition Program we are securing the success and vibrancy of the LaSalle Facility. The County made the effort to close the Summit View site, which was already rent free, in order to secure successful working relations with the City. I believe we should reciprocate strong working relations with the County during difficult times and difficult decisions and waive the contractual agreement for 2013. The City of Niagara Falls needs to make sure that we continue a program that has been running out of The LaSalle facility for 35+ years. By waiving the rent we are keeping our city seniors healthy and communicating with peers through the County Nutrition Program. By keeping those attending nutrition our seniors are given a plethora of information and assistance through The City of Niagara Falls Senior Services Department.

If you have any questions Please do not hesitate to call me.

Thank you,

Rebecca Brooks  
City of Niagara Falls Senior Services Program Coordinator  
716-297-9324  
716-550-3358



To: Niagara Falls City Council

From: Rebecca Brooks-Senior Services Program Coordinator

In Regards To: LaSalle Senior Facility Fee Waiver

2/5/2015

In 2013 Niagara County Office of Aging (NCOFA) was been forced to make the very difficult decision to close sites and to merge others, due to budget restrictions. In 2013 Director Ken Genwick requested that the City of Niagara Falls waive the fee that was being incurred for the use of The LaSalle Senior Facility. The Niagara County Office of Aging, as of 2013, was no longer operating their Eat Well Stay Well Dining Program in any facility that they may have to pay to utilize.

It was brought to my attention that a dining site located in Wheatfield, less than 1 mile away from our LaSalle facility, was not charging NCOFA to serve meals. The County eventually took the steps to merge sites and chose to stay in our LaSalle Senior Facility and move the clientele from the closely located Summit View, even though this site was offered fee free. This gesture shows the willingness of the county to keep successful working relations with the City of Niagara Falls. It as well shows their trust in The Senior Services Department, that we can better service clients that are taking part in the County meal program.

The fee which was an annual amount of \$2431.00 was waived in 2013. The meal program has grown since 2013, as well as the after meal participants that our department is servicing. Running in conjunction with NCOFA we have done parties with live music, picnics during lunch and health education forums. Because of the interest in the meal program our attendance after lunch has increased and has also allowed us to have gatherings for social and educational events.

I am requesting that the fee waiver passed in 2013 for the NCOFA use of LaSalle Facility be made permanent. By simply stating "future use" we are solidifying our relationship in the senior community as a partner in assistance with The Niagara County office of Aging.

Thank You for your time and consideration. If you have any questions about this or any other matters please feel free to contact me.

Sincerely,  
Rebecca Brooks  
Senior Service Program Coordinator  
716-297-9324/716-550-3358

Agenda Item #5

**SUBJECT:     Consultant Services Agreement - Hyde Park Ice Pavilion Phase IV - Replacement of Ice Floor, Under Slab Piping & Systems and Dasher Boards for Rinks 1 & 2  
CHANGE ORDER #1**

A contract for the above reference project was awarded to DiDonato Associates, P.E. of Buffalo on July 21, 2014 for professional services and design related tasks in the amount of \$175,000.00.

This new work involves full time Construction Inspection, on-site coordination of multiple Prime contractors and all related testing, for Phase IV of the project.

It is the recommendation of the undersigned that the City extend the existing professional service agreement with DiDonato Associates P.E. in the amount of \$129,876.00 to provide continuing on-site inspection for a new total of \$304,876.00.

This award is contingent on the approval of the Bond Resolution that appears elsewhere on the Council agenda.

Therefore, it is the recommendation of the undersigned that Change Order #1 in the amount of \$304,876.00 be approved.

Will the Council vote to so approve?

Agenda Item #6

**SUBJECT: LETTER OF AWARD FOR HYDE PARK ICE PAVILION PHASE IV – ICE RINK FLOOR AND DASHER BOARD REPLACEMENT (PLUMBING CONTRACT)**

The following was the result of bids received on February 6, 2015, for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>
J.R. Swanson Plumbing, Inc. 413 103 <sup>rd</sup> St. Niagara Falls NY 14304	\$94,800.00
Mollenberg Betz, Inc.	\$108,100.00
Ackerman Plumbing, Inc.	\$119,545.00
Danforth	\$132,300.00

It is the recommendation of the undersigned that this project be awarded to the low bidder, J.R. Swanson Plumbing, Inc., at their Base Bid of \$94,800.00. This award is contingent on the approval of the Bond Resolution that appears elsewhere on the Council agenda.

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

Agenda Item #7

**SUBJECT: LETTER OF AWARD FOR HYDE PARK ICE PAVILION PHASE IV – ICE RINK FLOOR AND DASHER BOARD REPLACEMENT (ELECTRICAL CONTRACT)**

The following was the result of bids received on February 6, 2015, for the above referenced project:

<b><u>CONTRACTOR</u></b>	<b><u>BASE BID</u></b>
South Buffalo Electric Inc. 1250 Broadway St. Buffalo NY 14212	\$83,285.00
M&M Electric Co. Inc.	\$84,900.00
Frey Electric Co.	\$92,700.00
CIR Electric Construction	\$103,200.00

It is the recommendation of the undersigned that this project be awarded to the low bidder, South Buffalo Electric Inc., at their Base Bid of \$83,285.00. This award is contingent on the approval of the Bond Resolution that appears elsewhere on the Council agenda.

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

Agenda Item #8

**SUBJECT: LETTER OF AWARD FOR HYDE PARK ICE PAVILION PHASE IV – ICE RINK FLOOR AND DASHER BOARD REPLACEMENT – (GENERAL CONTRACT)**

The following was the result of bids received on February 6, 2015, for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>	<u>ALT. #2</u>
Scrufari Construction Services Inc. 3925 Hyde Park Blvd. Niagara Falls NY 14305	\$642,000.00	\$18,900.00
Sicoli Construction Services, Inc.	\$748,800.00	\$21,000.00
Sicoli & Massaro, Inc.	\$796,600.00	\$19,700.00
Rodems Construction Co.	\$876,000.00	\$15,300.00
Telco Construction Co.	\$877,000.00	\$15,000.00

It is the recommendation of the undersigned that this project be awarded to the low bidder, Scrufari Construction Services, Inc., at their Total Bid of \$660,900.00. This award is contingent on the approval of the Bond Resolution that appears elsewhere on the Council agenda.

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

Agenda Item #9

**SUBJECT: LETTER OF AWARD FOR HYDE PARK ICE PAVILION PHASE IV - ICE RINK FLOOR AND DASHER BOARD REPLACEMENT – (ICE RINK CONTRACT)**

The following was the result of bids received on February 6, 2015, for the above referenced project:

<b><u>CONTRACTOR</u></b>	<b><u>BASE BID</u></b>
Mollenberg Betz, Inc. 300 Scott St. Buffalo NY 14204	\$1,720,000.00
Total Mechanical Services, Inc.	\$1,729,475.00
Ice Builders, Inc.	\$1,937,000.00
Danforth	\$1,969,000.00

It is the recommendation of the undersigned that this project be awarded to the low bidder, Mollenberg Betz, Inc., at their Base Bid of \$1,720,000.00. This award is contingent on the approval of the Bond Resolution that appears elsewhere on the Council agenda.

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

Agenda Item #10

**SUBJECT: LETTER OF AWARD FOR HYDE PARK ICE PAVILION PHASE IV - ICE RINK FLOOR AND DASHER BOARD REPLACEMENT – (MECHANICAL CONTRACT)**

The following was the result of bids received on February 6, 2015, for the above referenced project:

<b><u>CONTRACTOR</u></b>	<b><u>BASE BID</u></b>
Parise Mechanical, Inc. 1106 Sheridan Drive Tonawanda NY14150	\$18,100.00
J.R. Swanson Plumbing Co.	\$27,425.00
Greater Niagara Mechanical Inc.	\$37,300.00
Mollenberg Betz, Inc.	\$38,800.00
Danforth	\$38,900.00

It is the recommendation of the undersigned that this project be awarded to the low bidder, Parise Mechanical, Inc., at their Base Bid of \$18,100.00. This award is contingent on the approval of the Bond Resolution that appears elsewhere on the Council agenda.

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

Agenda Item #11

The following have requested City Council approval for Commissioner of Deeds for a term from April 1, 2015 to March 31, 2017 .

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

Alvarez, Lorrie	NFPD
Bragg, James	Planning Dept.
Bosi, Shawn	NFPD
Caso, John	DPW
Guiliani, Amy	NFPD
Myers, Jen	DPW
Paonessa, Nicholas	NFPD
Tothill, David	DPW
Travis, Jane	Law Dept.
Wasson, Nadine	City Clerk's Dept.

Crea-Smith, Maria, Dr.	5252 Lewiston Rd., Lewiston, NY 14092
Dyster, Rebecca	626 Orchard Pkwy., Niagara Falls, NY 14301
Enns, Jillian	4215 Lower River Rd., Youngstown, NY 14174
Frame, Peggy	8431 Buffalo Ave., #16, Niag. Falls, NY 14304
Frye-Gallaher, Helen K.	287 West Ave., Lockport, NY
Godzisz, Stephen	1822 Hyde Park Blvd., Niagara Falls, NY 14305
Gallo, Janet	1822 Hyde Park Blvd., Niagara Falls, NY 14305
Jain, Ragini	6700 Lindbergh Ave., Niagara Falls, NY 14304
James, David	4660 Perry Ct., Lewiston, NY 14092
Joyce, James	2744 Thornwood Dr., Niagara Falls, NY 14304
Kelly, Michelle	6921 Nash Rd., North Tonawanda, NY 14120
Kephart, Kathy E.	6425 Sherman Dr., Lockport, NY 14094
Mameli, Vincent	462 77 <sup>th</sup> St., Niagara Falls, NY 14304
Merino, Gail	9365 Rivershore Dr., Niagara Falls, NY 14304
Moore, Allison	2653 Porter Rd., Niagara Falls, NY
Muto, Rozanne	642 19 <sup>th</sup> St., Niagara Falls, NY 14301
Piekarski, Eugene, Sr.	151 Buffalo Ave. #A1412, Niagara Falls, NY 14303
Restaino, Diana	826 College Ave., Niagara Falls, NY 14305
Reynolds, Janice	2490 South Ave., Niagara Falls, NY 14305
Scrivano, Betty	1269 91 <sup>st</sup> St., Niagara Falls, NY 14304
Shaffer, Brian	1401 Lafayette Ave., Niagara Falls, NY 14305
Smith, Pam	628 Chestnut Ave., Niagara Falls, NY 14305
Ubriaco, Randal	837 15 <sup>th</sup> St., Niagara Falls, NY 14301
Virtuoso, Dennis	2703 Independence Ave., Niagara Falls, NY 14301
Weigel, Jennifer	1422 Fort Ave., Niagara Falls, NY 14303

Agenda Item #12

BE IT RESOLVED, that the following individuals are hereby appointed to the City of Niagara Falls Financial Advisory Panel effective immediately, for a term expiring on the date that appears opposite their names:

**APPOINTMENTS**

Janet Baker Scott 12/31/2015  
104-101<sup>st</sup> Street  
Niagara Falls, NY 14304

Francis A. Soda 12/31/2015  
4221 McKoon Avenue  
Niagara Falls, NY 14305

Dr. Jay Walker 12/31/2015  
2419 Independence Avenue  
Niagara Falls, NY 14301

Doreen O'Connor 12/31/2015  
1210 Brandi Drive  
Niagara Falls, NY 14304

Carmen A. Grant 12/31/2015  
8674 Hennepin Avenue  
Niagara Falls, NY 14304

Samuel P. Granieri 12/31/2015  
762-4<sup>th</sup> Street  
Niagara Falls, NY 14301

Lawrence H. Cook II 12/31/2015  
3811 Packard Road  
Niagara Falls, NY 14303

Agenda Item #13

RELATIVE TO HONORING MEMBERS OF THE LASALLE PREPARATORY SCHOOL CHAPTER OF THE NATIONAL JUNIOR HONOR SOCIETY

**WHEREAS**, members of the LaSalle Preparatory School chapter of the National Junior Honor Society have presented to the Niagara Falls City Council on “What Freedom Means to Me”, and

**WHEREAS**, these students have proven themselves to be exemplars of the National Junior Honor Society’s “five pillars,” namely, scholarship, leadership, service, character, and citizenship, and

**WHEREAS**, these students have exhibited **scholarship** by maintaining excellent grades in their schoolwork, and

**WHEREAS**, the members of the LaSalle Preparatory School chapter of the National Junior Honor Society have shown **leadership** by maintaining a positive attitude and a sense of responsibility for their actions and for the well-being of their peers, and

**WHEREAS**, these students have lived out the pillar of **service** by gladly volunteering for various causes, as well as by committing themselves to taking on difficult and inconspicuous responsibilities while at school in a spirit of kindness and a love for their community, and

**WHEREAS**, these students have exhibited **character** by remaining courteous, honest, reliable, and respectful of others, and setting a positive example for their classmates, and

**WHEREAS**, the members of the LaSalle Preparatory School chapter of the National Junior Honor Society have demonstrated **citizenship** through their presentations at the February 17 meeting of the Niagara Falls City Council, and

**WHEREAS**, the City Council of the City of Niagara Falls New York wishes to recognize the students from the LaSalle Preparatory School chapter of the National Junior Honor Society for their exemplary records, now

**THEREFORE, BE IT RESOLVED** that the City Council of the City of Niagara Falls, New York hereby honors the LaSalle Preparatory School chapter of the National Junior Honor Society, wishing them all the best in their future endeavors, and

**BE IT FURTHER RESOLVED** that the City Council of the City of Niagara Falls, New York hereby encourages all city residents to strive to live out the five pillars of the National Junior Honor Society, in order to bring about a better future for our city, country, and world.

Agenda Item #14

BE IT RESOLVED, that the following individual is hereby reappointed to the City of Niagara Falls Historic Preservation Commission effective immediately, for a term expiring on the date that appears opposite his name:

**REAPPOINTMENT**

Christopher M. Stoianoff

12/31/2018

2126 North Avenue

Niagara Falls, NY 14305

Agenda Item #15

RELATIVE TO MEETING TIME CHANGE

**WHEREAS**, during its Council meeting held on the 8th day of December, 2014, this City Council established dates for City Council meetings for calendar year 2015 and also scheduled its Committee-of-the-Whole work sessions to take place at 5:00 p.m. and its legislative sessions to take place at 6:00 p.m.; and

**WHEREAS**, the City Council has received numerous comments from City residents in the form of complaints that the City Council meetings are scheduled too early in the evening which prevents people from attending the meetings if they so desire; and

**WHEREAS**, the City Council is receptive to the concerns of its City residents.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Niagara Falls, New York that for the balance of calendar year 2015, commencing with its meeting on March 2, 2015, and for each and every scheduled meeting thereafter during calendar year 2015, the City Council of the City of Niagara Falls will hold its Committee-of-the-Whole work sessions at 6:00 p.m. and its legislative sessions at 7:00 p.m. on the meeting dates established in the resolution of December 8, 2014.

## Agenda Item #16

RELATIVE TO AUTHORIZING THE ISSUANCE OF \$3,100,000 BONDS OF THE CITY OF NIAGARA FALLS, NIAGARA COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION AND CONSTRUCTION OF IMPROVEMENTS TO THE ICE PAVILION IN AND FOR SAID CITY.

BY: Council Chairman Andrew Touma

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

Section 1. For the purpose of paying the cost of the reconstruction and construction of improvements to the Ice Pavilion in and for the City of Niagara Falls, Niagara County, New York, including original furnishings, equipment, machinery and apparatus, as well as incidental costs, there are hereby authorized to be issued \$3,100,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$3,100,000, which is hereby authorized at said maximum estimated cost.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid purpose is twenty-five years, pursuant to subdivision 12(a)(1) of paragraph (a) of Section 11.00 of the Local Finance Law.

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

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

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

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

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

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) Such obligations are authorized in violation of the provisions of the Constitution.

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