

Item #1

SUBJECT: Bid #33-08 Cargo Van

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

TO: Joe Cecconi's Chrysler Complex
2380 Military Road
Niagara Falls, NY 14304.

FOR: One (1) Dodge Sprinter 2500 cargo van: \$37,608.00

The City Purchasing Agent certifies that all bids were solicited in accordance with Section 103 of the General Municipal Law.

Notice that bids were to be received was advertised in the Niagara Gazette and bids were sent to Six (6) vendors. The above referenced dealer submitted the only bid.

Funds for this expenditure are available in the 2008 Capital budget code:
H0818.2008.0818.0230.000.

Item #2

SUBJECT: Bid #34-08 Six (6) Mid-Size Sedans

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

TO: Vision Ford
4545 Ridge Road West
Rochester, NY 14626

FOR: Six (6) Ford Fusion SE Sedans: \$18,642.00 ea. \$111,852.00

The City Purchasing Agent certifies that all bids were solicited in accordance with Section 103 of the General Municipal Law.

Notice that bids were to be received was advertised in the Niagara Gazette and bids were sent to Sixteen (16) vendors. Eight (8) bids were received. The above referenced dealer submitted the lowest bid.

Funds for this expenditure are available in the 2008 Capital budget code:
H0816.2008.0816.0230.000.

Item #3

**RE: Demolition Contract CD 2008-1
Change Order #2**

Council Members:

At the City's request, National Vacuum, Inc has submitted a change order proposal for the utility abandonment, asbestos abatement and demolition of two additional properties located at 428 7th Street & 428 ½ 7th Street. These properties were to be included in the original bid specifications, however as they were illegally occupied they were deleted from the bid process to allow the premises to be vacated. All of the preliminary work including stub searches and SHPO clearance has been performed.

The contractor has submitted a price of \$27,800 to abate and demolish 428 7th Street and \$22,222 to abate and demolish 428 ½ 7th Street. Funding for this change order is available in Capital Fund (H0815.2008.0815.0449.599)

Will the Council vote to so approve Change Order #2 with National Vacuum in the amount of \$50,022, thereby increasing the total contract amount to \$428,534 and authorize the Director of Community Development to effectuate same.

Item #4

**RE: City Council Agenda Item:
Park Place Historic District \$2,800 Grant
State Certified Local Government Program**

Council Members:

On July 7, 2007, the City Council approved establishment of the Park Place Historic District. The District generally includes Park Place and Fourth Street from Main Street to Cedar Avenue and some lots on the north side of Cedar Avenue.

We have received a State grant for \$2,800.00 under the Certified Local Government Program. The grant funds will be used for a District monument and “topper” signs reading “Park Place Historic District” to be placed on the top of street signs. We will also produce and print a walking tour pamphlet, including GIS mapping. The pamphlet will include information about living in an historic district. The City match of \$2,650.00 will be provided through in-kind services of City employees. We expect to have the entire project complete by late summer, 2009.

Will the Council vote to approve the grant contract as set forth herein, and authorize the Mayor to execute the grant agreement and any documents necessary to effectuate the same?

RE: AGENDA ITEM: Adoption of 2009 Community Development Annual Plan & Budget

Council Members:

Attached is a copy of the proposed 2009 Community Development Department budget including administration and program delivery costs. The proposed budget is part of the City's 2009 Consolidated Annual Plan and Strategy, a HUD mandated planning document that assesses community needs and identifies how the City will address those needs.

The 2009 Annual Plan is the end result of a lengthy and detailed citizen participation process that included neighborhood based meetings designed to encourage comments, suggestions and ideas from various community groups, residents, businesspersons and other interested parties. The planning process began in July and concluded with the expiration of the public comment period on October 17, 2008.

A public hearing was held in the City Council Chambers on September 17, 2008 to review the specifics of the plan and the proposed 2009 budget. A copy of the public hearing minutes and the City's response to comments received during the 30-day comment period are included with this agenda item.

The Department of Community Development will directly administer the federal grant programs listed below. The funding levels indicated are projected revenues for 2009 that may change once Congressional funding appropriations are announced.

Community Development Block Grant	\$2,500,000
CDBG Program Income	385,000
HOME Investment Partnership Program	550,000
HOME Program Income	75,000
Emergency Shelter Grant	110,000
<u>Section 8 Leased Housing Program</u>	<u>3,124,280</u>
PROJECTED FEDERAL REVENUE	\$6,744,280

The Consolidated Plan, including the proposed budgets, must be adopted by City Council and submitted to the U.S. Department of Housing and Urban Development by November 16, 2008. HUD must review and approve the Consolidated Plan in order to establish our letter of credit with the US Treasury. Therefore, Council's approval at this time will represent the officially adopted Community Development, HOME and Emergency Shelter budgets for FY' 2009. The Section 8 Leased Housing Budget is renewed automatically by HUD but must be adopted at this time by City Council.

Will Council vote to so approve the 2009 Annual Plan & Budget and authorize the Mayor to implement all activities specifically identified in the plan? Any activity not specifically identified in the plan will be returned to Council for approval.

Item #6

RE: State Grant for Pistol Range in new Courthouse facility

Council Members:

The City has received a \$100,000 member item grant through the Office of Assemblywoman Francine DelMonte towards the cost of the pistol range in the new Courthouse complex.

There is no required City match for this grant.

Will the Council approve the acceptance of this grant and authorize the Mayor to execute any documents necessary to effectuate same?

Item #7

RE: Renewal of Security Agreement

Council Members:

The current Security Contract between the Unified Court System and the Niagara Falls Police Department is effective for a 5-year term running from April 1, 2008 through March 31, 2009 and is divided into annual 1-year periods. The current period expired March 31, 2008.

Under Section 1(D) of the Security Agreement, we are entering into a Renewal Contract for a 1-year period which shall commence on April 1, 2008 and terminate on March 31, 2009. During this period, all of the terms and conditions of the Security Agreement shall continue to apply, except the maximum compensation for this Renewal Contract period shall be \$653,500.00

Will the Council so approve and authorize the Mayor to sign any required documentation?

Item #8

RE: Tourism Budget

Council Members:

The City spent an additional \$1,719.00 in advertising for the various concert events that it sponsored over the course of the summer and also incurred another expense of \$100.00 for a drum kit rental for the Ontario House Reunion.

Will the Council appropriate \$1,819.00 from the Tourism fund budget in order to pay these expenses?

Item #9

RE: Grant from the New York Power Authority

Council Members:

The City has received a grant in the amount \$25,000.00 from the New York Power Authority towards the purchase of two GEM electric vehicles for the Police Department.

The balance of the total purchase price of \$27,683.60 for the two vehicles is available in the funds appropriated for Green Initiatives.

Will the Council approve the acceptance of the grant and authorize the Mayor to sign any required documentation?

Item #10

RE: SAFER Grant for the Niagara Falls Fire Department

Council Members:

The City has been awarded a Federal Staffing for Adequate Fire and Response (SAFER) grant. This grant would offset some of the cost of hiring eight additional firefighters for a period of four years. During the fifth year, the City would be responsible for 100% of the cost.

The additional firefighters will help the City to increase staffing in accordance with the 2004 agreement with Uniformed Firefighters Local 714 with regard to impact negotiations.

To offset some of the City's cost, Local 714 has agreed to amend the 2004 agreement to reduce the staffing level from 27 to 26 firefighters per shift for the period of the grant.

The City Controller has estimated that the four year cost to the City, in addition to the grant, will be \$2.1 Million. It is requested that the Council designate this matching amount from the Special Projects Fund Balance.

Will the Council approve the acceptance of the grant and authorize the Mayor to execute the grant agreement and to execute an amendment to the 2004 settlement agreement with Uniformed Firefighters Local 714 to reduce the number of firefighters per shift to 26 through December 31, 2013 and to designate \$2.1 Million in the Special Projects Fund Balance for the local costs of the firefighters hired pursuant to the SAFER Grant and to authorize the Mayor to execute any documents necessary to effectuate these items?

Item #11

RE: Budget Amendment for the Department of Public Works

Council Members:

Due to the increased cost of gasoline, it is anticipated that the Parks and Trades operations in the Department of Public Works will be short \$38,717.00 for gasoline purchases.

Will the Council appropriate this amount from Fund Balance and distribute it to the following accounts?

Parks	A7110.3450	\$35,586.00
Trades	A1620.2350	\$ 3,131.00

Item #12

RE: Extension of Use Agreement for Sal Maglie Stadium with the Niagara Falls Board of Education

Council Members:

Attached is a proposed Agreement with the Niagara Falls School District to extend their use of the Sal Maglie Stadium for five years with an additional option for a second five year term.

This extension is for a longer period of time than the prior ones due to the fact that the District is intending to make a sizeable capital investment in putting in a new field.

Will the Council so approve and authorize the Mayor to execute same?

Item #13

**RE: Request for Approval to Settle and Pay Claim of Nicole M. Deal
2244 Pine Avenue, Apt.2, Niagara Falls, NY 14301**

Council Members:

Date Claim Filed:	August 15, 2008
Date Action Commenced:	N/A
Date of Occurrence:	August 12, 2008
Location:	1010 Pine Avenue
Nature of Claim:	Automobile damage sustained in an accident with a City vehicle
Status of Action:	Claim Stage
Recommendation:	Best interests of City to pay claim.
Amount to be Paid:	\$2,883.28
Make Check Payable to:	<i>“Nicole M. Deal”</i>
Conditions:	General Release to City approved by Corporation Counsel.

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

RESOLUTION No. 2008–

RESOLUTION SUPPORTING A REQUEST BY NIAGARA FALLS MEMORIAL MEDICAL CENTER FOR INCREASED STATE PAYMENTS TO OFFSET THE COSTS OF PROVIDING UNCOMPENSATED CARE

BY:

Council Chair Sam Fruscione
Council Member Robert A. Anderson, Jr.
Council Member Steve Fournier
Council Member Chris Robins

WHEREAS, New York State Law requires non-profit hospitals to demonstrate their commitment to providing charity care services and to improve access to healthcare services for the underserved; and

WHEREAS, that law requires non-profit hospitals to prepare annually a statement showing the hospital's resources and what portion of those resources was devoted to free or reduced price services or efforts to increase access; and

WHEREAS, New York operates and administers a Hospital Indigent Care Pool to reimburse hospitals for the free care they provide as well as bad debt incurred with hospitals, other health agencies, Medicaid and insurers paying a percentage of their revenues into a "master pool" from which a portion is allocated for free care/bad debt; and

WHEREAS, hospitals are reimbursed from the pool through a complex formula based in part on the level of unreimbursed care they provided with some funds reserved for "high need hospitals;" and

WHEREAS, Niagara Falls Memorial Medical Center is Niagara County's designated Safety Net Hospital treating all who go there for medical care regardless of their condition or their ability to pay. NFMMC is a regional provider in such specialties as cardiac care and diabetes care. NFMMC has demonstrated sound fiscal stewardship and budgetary management by holding its 2008 expenses to 2007 levels despite absorbing double digit percentage increases in health insurance, utility and bad debt costs while providing high quality medical care to a growing volume of patients; and

WHEREAS, Niagara Falls Memorial Medical Center is nationally recognized by an independent rating firm as the 12th Best Hospital Value in the United States, the Best Hospital Value in Western New York and one of Top 100 Best Kept Hospital Secrets in America. NFMMC provided more than \$6 million of uncompensated care in 2007 and is projected to again provide \$6 million of such care in 2008. NFMMC receives a net annual payment of only \$1 million from the Hospital Indigent Care Pool.

NOW THEREFORE BE IT RESOLVED, that the Niagara County Legislature and the Niagara Falls City Council urge the New York State Legislature and the NYS Department of Health to allocate \$5 Million to NFMMC to reimburse this high need, safety net hospital for a portion of the \$12 million uncompensated care it provided in 2007 and 2008; and

BE IT FURTHER RESOLVED, that the New York State Legislature and the NYS Department of Health reform and restructure the methodology used by the NYS Department of Health so as to increase funding to high need, inner city, safety net hospitals to a level that accurately reflects the costs they incur to deliver care to indigent and medically underserved patients; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the NYS Health Commissioner, Richard M. Daines, M.D.; Senator Charles Schumer; Senator Hillary Rodham Clinton; Congresswoman Louise Slaughter; Governor David Paterson; Senator Antoine Thompson, Senator George Maziarz and Assemblywoman Francine DeMonte.

RESOLUTION No. 2008–

OPPOSING THE PROPOSED CHANGES TO THE PUBLIC HEALTH LAW,
CONSOLIDATING LOCAL REGISTRARS OF VITAL STATISTICS

BY:

Council Chair Sam Fruscione
Council Member Robert A. Anderson, Jr.
Council Member Steve Fournier
Council Member Chris Robins
Council Member Charles Walker

WHEREAS, The New York State Local Government Commission of Efficiency and Competitiveness has made certain recommendations to the Governor which affects the operation of local governments; and

WHEREAS, one of the recommendations of the Commission was to move all Registrar of Vital Statistics duties to the County level under the direction of the New York State Health Commissioner; and

WHEREAS, the NYS Department of Health has developed a program bill that would allow the Commissioner to consolidate the function of the local registrars of vital statistics; and

WHEREAS, the NYS Department of Health has inappropriately attached these proposed changes in the structure of the Registrar of Vital Statistics duties to the “Pandemic Flu and Public Health Emergency Preparedness Law; and

WHEREAS, the Commissioner could consolidate these services without county legislative approval; and

WHEREAS, the local city, town and village Clerks have provided this service professionally and effectively over the years. The Niagara County Municipal Clerks Association has gone on record as opposing this proposal; and

WHEREAS, losing this important function would create a hardship on the residents. The increase of \$20.00 for a certified copy of a needed document and the cost for transportation would create a barrier for many in need of items such as a birth certificate; not to mention the loss of revenue generated by municipalities for providing this function; and

WHEREAS, the local Registrars presently charge \$10.00 per certified copy. However, NYS proposes that the County will charge \$30.00 per certified copy.

NOW THEREFORE BE IT RESOLVED that the Niagara Falls City Council opposes the consolidation of the function of local registrars of vital statistics and that a copy of this resolution be forwarded to Governor David Paterson, State Senators Antoine Thompson and George Maziarz, and Assemblywoman Francine DelMonte.

RESOLUTION No. 2008–

RELATIVE TO HONORING REV. AND MRS. GLEN RAYBON

BY:

Council Chair Sam Fruscione
Council Member Robert A. Anderson, Jr.
Council Member Steve Fournier
Council Member Chris Robins
Council Member Charles Walker

WHEREAS, Rev. and Mrs. Glen Raybon will be celebrating their 50th year of Pastoral Services at Trinity Baptist Church; and

WHEREAS, Rev. Raybon was called to the ministry in May 1954. At that time, Rev. and Mrs. Raybon were residing in Lackawanna, New York. They were members of the Mt. Olive Baptist Church; and

WHEREAS, in order to further his education, Rev. Raybon took courses at Bennett High School in Buffalo. By doing this, Rev. and Mrs. Raybon were better able to continue to study “the word.” He also took classes through the American Baptist Theological Seminary; and

WHEREAS, for over 23 years, Rev. Raybon was President of the Great Lakes Baptist Association Congress of Christian Education. He was instrumental in increasing their attendance from 50 per session to sometimes almost 500; and

WHEREAS, Rev. Raybon began pasturing at Trinity Baptist Church in Niagara Falls, New York on November 4th, 1958. The Church, at that time, was located on 10th Street near East Falls Street. By 1965, the membership had grown and the church purchased the building where they are currently located, 1366 South Avenue, which was formerly owned by the St. James United Methodist Church; and

WHEREAS, Mrs. Raybon has served by her husband’s side faithfully supporting him over the years. She was greatly responsible for forming a youth choir at Trinity and has been supervisor of the choir for a great number of years; and

WHEREAS, Rev. Raybon has not only made tremendous contributions and participations on a local level, but also statewide and nationally in the religious field. Active in the civic and community areas, he was a strong advocate for civil rights and worked diligently with the NAACP, CORE, Niagara Coalition (now the United Way), board member at Niagara Falls Memorial Medical Center, the Niagara Ministerial Council and many others.

NOW THEREFORE BE IT RESOLVED, that the members of the Niagara Falls City Council, along with Mayor Paul A. Dyster, recognize and congratulate Rev. and Mrs. Glen Raybon on celebrating their 50 years of pastoral services at Trinity Baptist Church.