

The following is a report of the licenses issued and collections made in the Office of the City Clerk during the month of May 2013.

			<u>CONTROLLER</u>	<u>TOTAL</u>
A1255-001				
A012	Vital Statistics		\$ 4,314.00	\$ 4,314.00
A1255-004				
A013	Copies of Records		\$ 473.00	\$ 473.00
A1255-004				
A013	Certificates of Marriage		\$ 740.00	\$ 740.00
A2501-006				
A042	Tour Attendant		\$ 400.00	\$ 400.00
A2501-006				
A042	Tour Driver/Guide		\$ 900.00	\$ 900.00
A2501-011				
A044	Peddler		\$ 1,325.00	\$ 1,325.00
A2501-016				
A047	Stationary Engineers		\$ 800.00	\$ 800.00
A2501-016				
A047	Stationary Engineers Test Fee		\$ 560.00	\$ 560.00
A2542-000				
A053	Dogs/NYS Agr.& Mkts	\$ 290.00	\$ -	\$ 290.00
A2542-000				
A053	Additional Dogs		\$ 2,681.00	\$ 2,681.00
A2545-001				
A054	Marriage License/NYSHD	\$ 1,665.00	\$ 555.00	\$ 2,220.00
A1255-002				
A123	Commissioners of Deeds		\$ 115.00	\$ 115.00
A2545-010				
A128	Petroleum - Retail		\$ 420.00	\$ 420.00
A2545-010				
A128	Petroleum - Storage		\$ 180.00	\$ 180.00
A2545-010				
A128	Petroleum - Wholesale		\$ 100.00	\$ 100.00
A2501-599				
A130	Horse Drawn Carriages		\$ 150.00	\$ 150.00
A2545-023				
A318	Hunters/NYS DEC RAU	\$ 692.49	\$ -	\$ 692.49
A2545-023	Hunters Fees		\$ 40.51	\$ 40.51

A318				
A1255-003				
A499	Notary Fee		\$ 6.00	\$ 6.00
A1255-005				
A528	Dog Release		\$ 200.00	\$ 200.00
TA63008				
A597	Marriage Performance		\$ 725.00	\$ 725.00
A1255-006-				
A696	Photos/passport-license		\$ 9.00	\$ 9.00
TOTAL:		<u>\$ 2,647.49</u>	<u>\$ 14,693.51</u>	<u>\$ 17,341.00</u>

Check #	<u>63109</u>	NYS Dept.of Arg. & Mkts	\$ 290.00
Check #	<u>63080</u>	NYS Health Department	\$1,665.00
		NYS DEC	
Check #	<u>ET</u>	RAU	\$ 692.49

Agenda Item #2

RE: Temporary Equipment Operator

Council Members:

The Director of the Department of Public Works (DPW) advises that one of the City's Motor Equipment Operators is off work due to injury and that because of this individual being absent from work, it is difficult for needed tasks to be performed. The Director of DPW is requesting that a temporary Equipment Operator be brought on board to help facilitate the accomplishment of the various tasks that must be done. He is requesting the sum of \$9904.00, inclusive of FICA, for this purpose. Funding is available from A.1990.7630.0449.599 (City Council contingency).

Will the Council so approve?

RE: Overtime for DPW Forestry crew to trim/remove trees

Council Members:

The Director of DPW has become aware of trees in areas of the City that are badly in need of trimming/removal. This is in addition to trees in this condition that he is already aware of. The Director is recommending that the sum of \$4,166.00 inclusive of FICA, be made available for the DPW overtime line in order to accomplish trimming/removal as needed. Funding is available from A.1990.7630.0449.599 (City Council Contingency).

Will the Council so approve?

RE: Request to amend overtime/asphalt zipper work item (May 28, 2013)

Council Members:

During the City Council meeting held on May 28, 2013 the City Council approved the request of the Director of the Department of Public Works (DPW) to make the sum of \$21,530.00 (inclusive of FICA) available in the DPW overtime line in order for City crews to perform asphalt zipper machine work in various locations throughout the City. While this zipper machine work is important and ongoing, it has become apparent to the Director of DPW that other types of street improvements are necessary as well. Therefore, it is requested that the City Council amend its previous Resolution to reallocate the previously approved sum of \$21,530.00 (inclusive of FICA) as follows:

- \$10,765.00 (inclusive of FICA), less any amounts expended between May 29, 2013 and June 24, 2013 to the DPW overtime line for City crews to perform asphalt zipper machine work in various locations throughout the City.
- \$10,765.00 (inclusive of FICA) to the DPW overtime line in order for City crews to perform other street repair work as directed by the Director.

Will the Council so approve?

Agenda Item #5

RE: Agreement with Niagara University, Niagara County Sheriff's Office and Niagara Falls Police Department to operate Police Academy at Niagara University

Council Members:

The NFPD and the Niagara County Sheriff's Office have collaborated on the operation of a police academy for newly hired Sheriff's Deputies and Niagara Falls Police Officers as well as others. The academy has recently relocated to Niagara University. It is desirable to enter into an agreement with the University and the Sheriff's Office that governs the terms and conditions of the Academy's operation at Niagara University. This will be at no cost to the City.

Will the Council so approve and authorize the Mayor to execute an agreement that is satisfactory to the Corporation Counsel?

RE: 2927 Jerauld Avenue, 2939 Jerauld Avenue, 2943 Jerauld Avenue, 2947 Jerauld Avenue, 2951 Jerauld Avenue, 2955 Jerauld Avenue, 2926 North Avenue, 2930 North Avenue, 2934 North Avenue, 2940 North Avenue, 2948 North Avenue (“the premises”)

Council Members:

The School District is the record owner of the above referenced vacant lots. My understanding is that these vacant lots have been maintained by the City and utilized for park/playground purposes. The School District is now desirous of memorializing the City’s utilization of these lots in writing and transferring these lots to the City if a voter referendum is successful. The District is proposing to lease these vacant lots to the City for nominal consideration and then including them in a proposition at an upcoming referendum to transfer these lots to the City for no consideration. Attached (on file in the City Clerk’s Office) is an aerial photograph of these lots. The Planning Board has reviewed this matter and recommends this proposal to the City Council. Attached hereto is a copy of that recommendation.

Will the Council so approve and authorize the Mayor to execute a lease agreement in form satisfactory to the Corporation Counsel and also authorize the City to accept this conveyance from the School District?

RE: Encroachment for 8351 Niagara Falls Boulevard

Council Members:

The City has received a communication from the owner of a business at 8351 Niagara Falls Boulevard to use a portion of the City right-of-way for a patio for outdoor dining. The Planning Board has reviewed this and has made a positive recommendation to the City Council, a copy of which is attached hereto (on file in the City Clerk's Office). The Planning Board will be finalizing the site plan with the owner. The owner must comply with the following conditions:

1. The owner will add the City of Niagara Falls as an additional insured on its liability insurance policy.
2. The owner will defend and indemnify the City from liability related to the patio encroachment
3. The City can revoke the license for the encroachment on sixty (60) days' written notice
4. The owner must apply for and be issued all applicable permits and inspections.

In addition, the patio encroachment must comply with any conditions imposed by the City Engineer with regard to sufficient space for pedestrian passage in the right-of-way and to ensure that no damage occurs to the City's right-of-way.

Will the Council so approve?

RE: Request from Main Street Business and Professional Association to locate apple crate planter boxes at various locations on the Main Street right-of-way

Council Members:

Attached hereto is a copy of a request from the Main Street Business and Professional Association for permission to place apple crate planter boxes at various locations in the Main Street right-of-way. Attached (on file in the City Clerk's Office) is a map showing the various locations. The Planning Board has reviewed this matter and has made a positive recommendation to the City Council, a copy of which is attached hereto. Any approval will be subject to the following conditions:

1. The owner will add the City of Niagara Falls as an additional insured on its liability insurance policy.
2. The owner will defend and indemnify the City from liability related to these encroachments.
3. The City can revoke the license for the encroachments on sixty (60) days' written notice.
4. The owner must apply for and be issued all applicable permits and inspections.
5. The owner will in all respects maintain these apple crate planter boxes.

Will the Council so approve?

RE: School District Parcel with building at Legends Park

Council Members:

The City recently engaged in a real estate exchange with the School District. At that time, the School District excluded from its conveyance a parcel of real estate 56.56 feet by 58.24 feet upon which is constructed a small brick building. Attached is a copy of a portion of a survey showing this parcel. The District now wishes to make this parcel with the building available to the City. The City has a use for this parcel to support Legends Park with comfort stations and a concession stand. The School District proposes to lease this parcel to the City for nominal consideration and then include the parcel on an upcoming referendum to convey the parcel to the City for no consideration. The Planning Board has reviewed this matter and recommends this proposal to the City Council. Attached hereto is a copy of that recommendation.

Will the Council so approve and authorize the Mayor to execute a lease agreement in form satisfactory to the Corporation Counsel and also authorize the City to accept this conveyance from the School District?

SUBJECT: Bid #11-13 Oils & Lubricants

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

TO: NOCO Energy Corporation
2440 Sheridan Drive
Tonawanda, NY 14150

FOR: Items: 1, 2, 3, 11 and 12 per the attached tally sheet.

TO: Superior Lubricants Co., Inc.
32 Ward Road
North Tonawanda, NY 14120

FOR: Items: 4, 5, 6, 7, 8, 9 and 10 per the attached tally sheet.

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 Three (3) vendors. Two (2) bids were received. The above referenced companies submitted the lowest bids for each respective item.

Funds for these expenditures are available in the Central Garage code: MV0055.0000.0414.000.

Will the Council so approve?

Agenda Item #11

SUBJECT: Bid #12-13 Boarding Up of Various Dilapidated and Fire Damaged Buildings

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

TO: Santo Candella Const. Co., Inc.
118 74th Street
Niagara Falls, NY 14304

FOR: Boarding up of various dilapidated and fire damaged structures, privately and publicly owned; deemed hazardous by the Department of Code Enforcement and Fire Department

Price per square foot of sheathing used: \$1.43/sq. ft.

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. In addition to the above mentioned bid one was received from DeCarlo Emergency Enclosures (\$1.46/sq. ft.).

Funds for this expenditure are available in the Department of Code Enforcement code: H0910.2009.0910.0449.599.

RE: Continuation of City paving plan

Council Members:

In an effort to continue the City paving plan it is requested that the sum of \$760,000.00 be transferred into the DPW milling and overlay budget line. The purpose of this is to facilitate the second round of City street paving during the paving season. The source of funds is the 2009 local share of Casino revenue pursuant to the 2010 spending plan. The total spending plan is \$1.5 million. There is presently \$740,000.00 remaining in the milling and overlay budget line. The only amount needed at this time is \$760,000.00.

This request is contingent upon the City's receipt of Casino revenues pursuant to the recently announced resolution of the dispute between the State of New York and the Seneca Nation of Indians.

Will the Council so approve?

**SUBJECT: CHANGE ORDER #2 - \$204,340.00
PIN 5045.24 -RECONSTRUCTION OF RT. 104 MAIN STREET &
LEWISTON ROAD
ADDITIONAL CORRECTIVE ACTION MEASURES**

A contract for the above-referenced project was awarded to Accadia Site Contracting, Inc. on October 1, 2012 in the amount of \$4,359,854.00.

As the Council has been informed, by both the Administration and the Contractor, the need for additional remedial tasks has manifested itself throughout the reconstruction of Lewiston Road. These existing deficiencies have been investigated by consultants and testing agencies retained on behalf of, and by, the City and the Contractor, and a corrective action plan has been developed that has also involved the State's Department of Transportation. The plan developed addresses, to the satisfaction of all parties, the improper slopes, pavement joints and material failures. The cost associated with these remedial tasks is \$204,340.00, bringing the new construction contract total to \$4,694,194.00 and is available from H0421.2001.0421.0449.599.

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

Agenda Item #14

Please be advised that Mayor Paul A> Dyster, on June 18, 2013, duly approved the following:

Resolution 2013-27, relative to Adopting Chapter 737 of the Codified Ordinances entitled "Property and Building Nuisance Reform"

Agenda Item #15

INFORMATIONAL ITEM: 2013 General Assessment Roll

Listed below are the taxable totals of the General Assessment Roll for the City of Niagara Falls, New York, as now constituted and completed by the Board of Assessment Review for the year 2013 and will be filed with the City Clerk on July 1, 2013.

Also, attached (on file in the City Clerk's Office), please find the exemption summary for the 2013 roll.

Total Taxable Assessed Value		\$1,292,390,466
Homestead	\$874,120,819	
Non-Homestead	<u>418,269,647</u>	
Total	\$1,292,390,466	

RELATIVE TO AUTHORIZATION FOR PROJECT APPLICATION
FOR STATE AID FOR RECREATION AND YOUTH SERVICES

BY: Council Chairman Glenn Choolokian
Council Member Robert Anderson, Jr.
Council Member Samuel Fruscione
Council Member Kristen Grandinetti
Council Member Charles A. Walker

BE IT RESOLVED by the City Council of the City of Niagara Falls, New York that it hereby authorizes the application for funds as set forth on the attached (on file in the City Clerk's Office) Project Application/Resolution Certification Form.

Monday June 24, 2013 Council Meeting

PRESENTATIONS:

NONE

ADMINISTRATIVE UPDATE:

NONE