

NIAGARA FALLS CITY COUNCIL
AGENDA FOR MAY 4, 2009

4:05 p.m. - 5:05 P.M. TO EXECUTIVE SESSION

COUNCIL CHAMBERS

COUNCIL CHAMBERS

~~4:00 P.M.~~

ROLL CALL - COUNCIL MEMBERS

ANDERSON X FOURNIER X FRUSCIONE X WALKER X ROBINS X

Approval of minutes from the City Council Meeting of April 20, 2009

VOTE

	yea	nay	yea	nay
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Fruscione	X			
Council Member Walker	X			
Council Chairman Robins	X			
Total:	5	0		

PRESENTATIONS

1. Tom Vitello & George Morreale RE: Update on Niagara Falls Water Board
2. DiDonato Associates, Consultants for the Hyde Park Ice Rink RE: Update

ADMINISTRATIVE UPDATE

1. Courthouse Update

2. Street Paving Information

3. Lewiston Road Update

4. Summer Recreation Plan

REVIEW OF AGENDA ITEMS

LEGISLATIVE MEETING

COUNCIL CHAMBERS

7:02 P.M.

ROLL CALL - COUNCIL MEMBERS

ANDERSON X FOURNIER X FRUSCIONE X WALKER X ROBINS X

PRAYER - WALKER

PLEDGE OF ALLEGIANCE

PUBLIC SPEAKERS (SEE NOTE ON LAST PAGE)

1. AGENDA ITEMS

None

2. FOR THE GOOD OF THE COMMUNITY

- Paul Gromosiak-Robert Moses Parkway removal

- Yvonne Taylor-Park to replace 10th Street park

- Ruth Knepp-Minimum water charge & lower electric rates

- Greg Schnitzer-Park at South Junior site

- Eliza Barnett-Park at South Junior site

- Jeff Street-Park at South Junior site & Police Matrons positions

- Nicholas D'Agostino-Health Dept. emergency response program & naming concession stand at new courthouse in honor of his mother

- Karen Carroll-Park at South Junior site

- Vincent Mameli-Stevenson Avenue skate park; park in LaSalle area for youth; seats on various boards

- Frances Douglas-Park at South Junior site

- Harvey Kelley-Park at South Junior site; Police Matrons positions

- Carl Slenk-Park at South Junior site

- Dennis Winchell-Police Matrons positions

- Randy Heller-Police Matrons positions

- Gloria Dolson-Courthouse on Main Street; conditions in City

- Bill Bradberry-Equal treatment for all; Park at South Junior site; Supervision & more activities in parks; change Diversity Coordinator position to full time and fill that position

- Shawn Rose-Park at South Junior site

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ITEMS FOR COUNCIL ACTION

FROM THE MAYOR

1. Approval of agreement with Valeri Concrete Construction, Inc. for sidewalk replacement at a cost of \$270,000.00

VOTE

	yea	nay	yea	nay
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Fruscione	X			
Council Member Walker	X			
Council Chairman Robins	X			
Total:	5	0		

2. Approval of \$1,037,000.00 Homelessness Prevention & Rapid Re-Housing Program Grant

VOTE

	yea	nay	yea	nay
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Fruscione	X			
Council Member Walker	X			
Council Chairman Robins	X			
Total:	5	0		

3. Approval of \$200,000.00 Neighborhood Stabilization Project Grant

VOTE

	yea	nay	yea	nay
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Fruscione	X			
Council Member Walker	X			
Council Chairman Robins	X			
Total:	5	0		

4. Approval of Bid #20-09 for Asphalt Melter-Applicator with Snowfighting Equipment & Consultants of Buffalo, Inc. for a total of \$56,280.62

VOTE

	yea	nay	yea	nay
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Fruscione	X			
Council Member Walker	X			
Council Chairman Robins	X			
Total:	5	0		

5. Approval to support Niagara Arts & Cultural Center grant application to the New York Main Street Program

VOTE

	yea	nay	yea	nay
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Fruscione	X			
Council Member Walker	X			
Council Chairman Robins	X			
Total:	5	0		

6. Approval to fund \$5,000.00 for the 2009 Memorial Day parade observance from the tourism fund Balance

VOTE

	yea	nay	yea	nay
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Fruscione	X			
Council Member Walker	X			
Council Chairman Robins	X			
Total:	5	0		

7. Approval to fund \$6,000.00 from Tourism Fund balance to Niagara Rises to support its Niagara Homecoming Program activities

VOTE

	yea	nay	yea	nay
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Fruscione	X			
Council Member Walker	X			
Council Chairman Robins	X			
Total:	5	0		

8. Approval to pay \$13,200.00 for emergency sewer repairs at 35th Street & Pine Avenue

VOTE

	yea	nay	yea	nay
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Fruscione	X			
Council Member Walker	X			
Council Chairman Robins	X			
Total:	5	0		

9. Approval to repair fencing at the Hyde Park baseball diamonds and parts of the Golf Course at a cost estimate of \$125,000 available from casino funds

VOTE

	yea	nay	yea	nay
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Fruscione	X			
Council Member Walker	X			
Council Chairman Robins	X			
Total:	5	0		

10. Approval of agreement with the New York Power Authority for Energy Services Program

VOTE

	yea	nay	yea	nay
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Fruscione	X			
Council Member Walker	X			
Council Chairman Robins	X			
Total:	5	0		

FROM THE CORPORATION COUNSEL

11. Approval to settle and pay claim of Stephen Klaczyk in the amount of \$1,436.13

VOTE

	yea	nay	yea	nay
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Fruscione	X			
Council Member Walker	X			
Council Chairman Robins	X			
Total:	5	0		

12. Approval to settle and pay claim of Patricia Schmitz in the amount of \$385.00

VOTE

	yea	nay	yea	nay
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Fruscione	X			
Council Member Walker	X			
Council Chairman Robins	X			
Total:	5	0		

13. Approval to settle and pay claim of PASSCorp. & Rhiannon Kephart & the Ballow Law Firm, P.C. in the amount of \$625,000.00

VOTE

	yea	nay	yea	nay	
Council Member Anderson	X				Council Member Walker explained that it is in the City's best interest to settle this claim
Council Member Fournier	X				
Council Member Fruscione	X				
Council Member Walker	X				
Council Chairman Robins	X				
Total:	5	0			

ADDITIONAL ITEMS

FROM THE PLANNING BOARD

- 14. Referral regarding proposed amendments to Zoning Ordinance R&F
- 15. Referral regarding Generic Environmental Impact Statement R&F
- 16. Referral regarding Comprehensive Plan R&F

RESOLUTIONS

- 17. Relative to Amending Official Zoning Map in Section 1306.04 for
561 Portage Rd. VOTE
BY: Council Member Steve Fournier

		yea	nay	yea	nay
2009-35	Council Member Anderson	X			
	Council Member Fournier	X			
	Council Member Fruscione	X			
	Council Member Walker	X			
	Council Chairman Robins	X			
Total:		5	0		

- 18. Relative to Amending Official Zoning Map in Section 1306.04 for
520 Hyde Park Blvd. VOTE
BY: Council Member Steve Fournier

		yea	nay	yea	nay
2009-36	Council Member Anderson	X			
	Council Member Fournier	X			
	Council Member Fruscione	X			
	Council Member Walker	X			
	Council Chairman Robins	X			
Total:		5	0		

- 19. Relative to Amending Official Zoning Map in Section 1306.04 for
555 39th Street VOTE
BY: Council Member Steve Fournier

		yea	nay	yea	nay
2009-37	Council Member Anderson	X			
	Council Member Fournier	X			
	Council Member Fruscione	X			
	Council Member Walker	X			
	Council Chairman Robins	X			
Total:		5	0		

20. Relative to Notice of Completion of Dgeis & Joint Public Hearing to consider 2009 proposed amendments to Comprehensive Plan & Zoning Ordinance

BY: Council Chairman Chris Robins

VOTE

	AMEND		APPROVE		
	yea	nay	yea	nay	
2009-38 Council Member Anderson	X		X		Amendment is to extend public comment period to June 15, 2009
Council Member Fournier	X		X		
Council Member Fruscione	X		X		
Council Member Walker	X		X		
Council Chairman Robins	X		X		
Total:	5	0	5	0	

21. Approval to appropriate \$1,000,000.00 from special project fund balance for street millings and overlay

VOTE

	ADD TO AGENDA		APPROVE		yea	nay
	yea	nay	yea	nay		
Council Member Anderson	X		X			
Council Member Fournier	X		X			
Council Member Fruscione	X		X			
Council Member Walker	X		X			
Council Chairman Robins	X		X			
Total:	5	0	5	0		

22. Resolution relative to honoring Deanna White

BY: All Council Members

VOTE

	ADD TO AGENDA		APPROVE		yea	nay
	yea	nay	yea	nay		
2009-39 Council Member Anderson	X		X			
Council Member Fournier	X		X			
Council Member Fruscione	X		X			
Council Member Walker	X		X			
Council Chairman Robins	X		X			
Total:	5	0	5	0		

23. Resolution relative to honoring Racine Bedgood

BY: All Council Members

VOTE

	ADD TO AGENDA		APPROVE		yea	nay
	yea	nay	yea	nay		
2009-40 Council Member Anderson	X		X			
Council Member Fournier	X		X			
Council Member Fruscione	X		X			
Council Member Walker	X		X			
Council Chairman Robins	X		X			
Total:	5	0	5	0		

ADJOURNMENT OF MEETING

8:20 P.M.