

NIAGARA FALLS CITY COUNCIL  
AGENDA FOR MAY 19, 2008

4:08 P.M.-5:08P.M.

COUNCIL CHAMBERS

COUNCIL CHAMBERS

~~4:00 P.M.~~

ROLL CALL - COUNCIL MEMBERS

ANDERSON X FOURNIER X ROBINS X WALKER X FRUSCIONE X

PRESENTATIONS

1. Mr. Richard Pope-Niagara County Director of Refuse Disposal RE: Household Hazard Waste Program
2. Mr. Tom Vitello-Council Representative on the Water Board RE: Water Board Update

ADMINISTRATIVE UPDATE

REVIEW OF AGENDA ITEMS

LEGISLATIVE MEETING

COUNCIL CHAMBERS

7:07 P.M.

ROLL CALL - COUNCIL MEMBERS

ANDERSON X FOURNIER X ROBINS X WALKER X FRUSCIONE X

PRAYER - Fruscione

PLEDGE OF ALLEGIANCE

PUBLIC SPEAKERS (SEE NOTE ON LAST PAGE)

1. AGENDA ITEMS

- Audrey Perry-Agenda Item #16
- Rami Gonzalez-Agenda Item #16
- Chris McGovern-Agenda item #16
- Tom Yots-Agenda item #16
- Ken Hamilton-Agenda Item #7, #8, #16
- Penny Addoms-Agenda item #16

2. FOR THE GOOD OF THE COMMUNITY

- Norma Higgs-Beautify Niagara Program
- Ken Hamilton-recycling
- Gerald Skrlin-City Mascot and Bus issues
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INFORMATIONAL ITEMS

FROM THE CITY CLERK

1. City Clerk's report for April, 2008

R&F

2. Claims Report for April, 2008 R&F

3. Mayor's Approval of Resolution 2008-47 R&F

ITEMS FOR COUNCIL ACTION

FROM THE MAYOR

4. Approval of Budget Amendment to transfer \$5,000 into Engineering overtime fund VOTE

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

5. Approval of contract for July 4<sup>th</sup> fireworks display to Premier Pyrotechnics, Inc. for \$25,000.00 VOTE

	TO AMEND		TO APPROVE		
	yea	nay	yea	nay	
Council Member Anderson	X		X		TO USE \$1,000 FROM 2006 Tourism Fund Balance
Council Member Fournier	X		X		
Council Member Robins	X		X		
Council Member Walker	X		X		
Council Chairman Fruscione	X		X		
Total:	5	0	5	0	

6. Approval of contract with Valeri Concrete Construction, Inc. for replacement of sidewalks at various locations VOTE

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

7. Approval of \$250,000.00 Grant from Casino Funds to Family and Children's Service of Niagara for the 1522 Main Street project VOTE

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

8. Approval of amendment to the HOPE VI Casino Revenue grant

VOTE

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

9. Approval to use \$29,075 surplus funds from Department of Parks and Public Works Capital plan funding for purchase of additional items

VOTE

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

10. Approval to appropriate \$5,000 from 2006 Tourism Fund balance to the New York State Rally, Inc. to sponsor Harley rally

VOTE

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

11. Approval of Budget appropriation of \$6,130.16 for retroactive pay in filling vacant police captain position

VOTE

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

12. Approval of 2004-2007 Memorandum of Understanding with the Niagara Falls Police Captains and Lieutenants Association

VOTE

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

13. Approval of 2004-2007 Collective Bargaining Agreement with Niagara Falls Fire Department Officers Association

VOTE

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

FROM THE CORPORATION COUNSEL

14. Approval to settle and pay claim of Charifa M. Lee in the amount of \$2,345.22

VOTE

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

ADDITIONAL ITEMS

From The City Clerk

15. Approval to appoint Commissioner of Deeds for a term from July 1, 2008 to June 30, 2010

VOTE

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

FROM THE HISTORIC PRESERVATION COMMISSION

16. Approval of 1112 South Avenue, the Sacred Heart Roman Catholic Church complex as an historic landmark

VOTE

	TO AMEND		TO APPROVE		TO EXCLUDE THE GARAGE-Councilman Robins noted that this only starts the battle
	yea	nay	yea	nay	
Council Member Anderson	X		X		
Council Member Fournier	X		X		
Council Member Robins	X		X		
Council Member Walker	X		X		
Council Chairman Fruscione	X		X		
Total:	5	0	5	0	

RESOLUTIONS

17. Relative to the removal of the parking meters from downtown City District

BY: Council Chair Sam Fruscione

VOTE

	TO TABLE		yea	nay	TABLED
	yea	nay			
Council Member Anderson		X			
Council Member Fournier	X				
Council Member Robins	X				
Council Member Walker	X				
Council Chairman Fruscione		X			
Total:	3	2			

18. Relative to Appointments to the Niagara Falls Human Rights Commission

BY: Council Member Charles Walker

VOTE

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

19. Relative to removing the 90-Day acceptance moratorium on previously submitted Brownfield Cleanup Program applications

BY: Council Chair Samuel Fruscione

VOTE

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

20. Relative to authorizing the implementation, and funding in the first instance 100% of the Federal-Aid and State "Marchiselli" Program-Aid eligible costs, of a transportation Federal-Aid project, and appropriating funds therefor

BY: Council Chairman Samuel Fruscione

VOTE

		yea	nay	yea	nay
2008-51	Council Member Anderson	X			
	Council Member Fournier	X			
	Council Member Robins	X			
	Council Member Walker	X			
	Council Chairman Fruscione	X			
Total:		5	0		

21. Approval of change order #1 to contract with Patrick Development, Inc. for elevator installation and repairs at LaSalle Library for \$36,852.35

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

22. Resolution relative to calling for a Public Hearing regarding the abandonment of the alley running North/South between 70<sup>th</sup> and 71<sup>st</sup>. Streets, South of Niagara Falls Boulevard

By: Council Chairman Samuel Fruscione

	TO ADD TO AGENDA		TO APPROVE			
	yea	nay	yea	nay	yea	nay
2008-52	Council Member Anderson	X		X		
	Council Member Fournier	X		X		
	Council Member Robins	X		X		
	Council Member Walker	X		X		
	Council Chair Fruscione	X		X		
Total:	5	0	5	0		

23. Approval of amendment to agreement with Photo Violation Technologies Corporation to extend the trial period through November 2008.

	TO ADD TO AGENDA		TO APPROVE		yea	nay
	yea	nay	yea	nay		
Council Member Anderson	X		X			
Council Member Fournier	X		X			
Council Member Robins	X		X			
Council Member Walker	X		X			
Council Chair Fruscione	X			X		
Total:	5	0	4	1		

24. Request to rescind Host Community Standing Committee Protocols VOTE

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

ADJOURNMENT OF MEETING 7:54 P.M.