

NIAGARA FALLS CITY COUNCIL
AGENDA FOR JUNE 29, 2009

COUNCIL CHAMBERS

COUNCIL CHAMBERS

4:07 p.m. - 4:50 p.m.

ROLL CALL - COUNCIL MEMBERS

ANDERSON ___ FOURNIER ___ FRUSCIONE ___ WALKER ___ ROBINS ___

Approval of minutes from the City Council Meeting of June 15, 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

ANNOUNCEMENTS

The Niagara Falls City Council will be accepting applications for one position on the Niagara Falls Civil Service Commission. Applicants must be a resident of the City of Niagara Falls; have some knowledge of Civil Service Law and be able to attend the Open Meetings of the Commission as set by the Human Resources Department.

Please send resumes to:

The Niagara Falls City Council, Attention: Chris Robins, Chairperson, City Hall, PO Box 69, Niagara Falls, NY 14302

ADMINISTRATIVE UPDATE

1. Street Paving Information

2. Pot Hole Progress and Update

3. Lewiston Road Update

4. Golf Dome Update (results of meeting)

5. Hyde Park Ice Rink Update

6. Nor-Loc Park Update

REVIEW OF AGENDA ITEMS

LEGISLATIVE MEETING

COUNCIL CHAMBERS

7:08 P.M.

ROLL CALL - COUNCIL MEMBERS

ANDERSON X FOURNIER X FRUSCIONE X WALKER X ROBINS X

PRAYER - FRUSCIONE

PLEDGE OF ALLEGIANCE

PUBLIC HEARING: RE: abandonment of alley running North/South between Main & 8th Streets, South of Linwood Avenue

NO SPEAKERS

PUBLIC SPEAKERS (SEE NOTE ON LAST PAGE)

1. AGENDA ITEMS

Ron Anderluh-Agenda items #16 & 19
Donna Donohue-Agenda Item #17
Ken Hamilton-Agenda Items #5, 7, 15, 25, 26 & 27

2. FOR THE GOOD OF THE COMMUNITY

Ron Anderluh-Sexual Predators in Niagara Falls
Nicholas D'Agostino-South End sidewalks, park improvements, festivals
Dennis Winchell-Courthouse facility issues
Manny Miller-Sex Offenders in Niagara Falls
Gloria Dolson-Vacant lot next to 1502 Ontario Ave., Youth issues, Mayor's Attendance at Council meetings, use of tasers, hiring African-Americans
Ken Hamilton-Courthouse issues, Library funding, Jonny Flynn, Road repairs, Funding of member items, African-American employment
Micheal Hayes-Police incident
Elease Hayes-Police incident
Mary Pugh-Police incident
Teonna Hayes-Police incident

ITEMS FOR COUNCIL ACTION

FROM THE MAYOR

- 1. Approval of recommendation to award bid for reconstruction of Lewiston Road in the amount of \$7,713,000.00.

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 request to allow access to the US EPA for 3123 and 3001 Highland Avenue for remediation of contamination on the properties.

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 overtime in the amount of \$47,366 for the Police Department for expenses incurred in the move into the new building, to be funded through Casino interest.

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 settlement agreement relative to the City's compliance with the Americans with Disabilities Act of 1990.

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 fund purchase of tables, chairs and barstools for Mulligan's a/k/a Greens Restaurant in the amount of \$9,335, to be funded using 2007 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		

6. Approval of emergency repairs to the Tenth Street Fire Hall Roof in the amount of \$5,800, to be funded from 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 \$1,000 contribution for the African American Festival, to be funded from 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		

8. Approval of \$1,000 contribution for the Gospel Festival, to be funded from 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		

9. Approval of creation of temporary MW-3 position at an estimated cost of \$720 in the Streets Division to assist with the City's in-house paving 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		

10. Approval to accept payment in the sums of \$27,000 and \$7,825 for two parcels of City property for the Rainbow Boulevard Arterial.

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		

11. Approval of use of \$100,000 of 2007 Casino funds for equipment for Municipal Building.

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 of overtime in the amount of \$102,000 for the various divisions of the Department of Public Works, to be funded from the Mayor's Contingency.

VOTE

	AMEND		APPROVE	
	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

13. Approval of request to use \$45,000 from the Phase I of the 2009 Capital Equipment Plan to purchase a second leaf collector.

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		

14. Approval of \$1,000 contribution for the Arts in the Park Program to be funded 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		

15. Approval of change order in the amount of \$1,828,030 in the contract for Consultant Services for the reconstruction of Lewiston Road.

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		

16. Approval of acquisition of property at 446 Third Street for the purchase price of \$54,900, and an additional \$25,000 for demolition costs, both to be funded from 2007 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		

17. Approval of Settlement Agreements with Detention Aides.

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		

18. Approval of use of 2007 Casino funds for improvements to various City entry ways.

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		

ADDITIONAL ITEMS

FROM THE CITY ASSESSOR

19. Approval of Locally-Adjusted Homestead & Non-Homestead Proportions.

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		

20. 2009 General Assessment Roll.

R & F

21. Certification of Homestead & Non-Homestead Adjusted Base Proportions.

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		

RESOLUTIONS

22. Final Generic Environmental Impact Statement (FGEIS).

R & F

23. Relative to Notice of Completion of FGEIS for proposed amendments to Comprehensive Plan and Zoning Ordinance.

BY: Council Chairman Chris Robins

VOTE

		yea	nay	yea	nay
2009-52	Council Member Anderson	X			
	Council Member Fournier	X			
	Council Member Fruscione	X			
	Council Member Walker	X			
	Council Chairman Robins	X			
Total:		5	0		

24. Relative to supporting the Niagara Falls Fire Department's request to seek the Assistance to Firefighters Fire Station Construction Grants (SCG).

BY: All Council Members

VOTE

		yea	nay	yea	nay
2009-53	Council Member Anderson	X			
	Council Member Fournier	X			
	Council Member Fruscione	X			
	Council Member Walker	X			
	Council Chairman Robins	X			
Total:		5	0		

25. Relative to naming the Niagara Falls Veterans Memorial Commission Corporation as the City's sole representative.

BY: Council Member Robert A. Anderson, Jr.
Council Member Sam Fruscione

VOTE

		yea	nay	yea	nay
2009-54	Council Member Anderson	X			
	Council Member Fournier	X			
	Council Member Fruscione	X			
	Council Member Walker	X			
	Council Chairman Robins	X			
Total:		5	0		

26. Relative to appointment of Marriage Officer.

BY: Council Member Robert A. Anderson, Jr.

VOTE

		yea	nay	yea	nay
2009-	Council Member Anderson				
	Council Member Fournier				
	Council Member Fruscione				
	Council Member Walker				
	Council Chairman Robins				
Total:					

PULLED-NO
ACTION TAKEN

27. Relative to calling for a Public Hearing to be held on July 13, 2009, to change the name of Factory Outlet Boulevard to Fashion Outlets Boulevard.

BY: Council Chairman Chris Robins

VOTE

		yea	nay	yea	nay
2009-55	Council Member Anderson	X			
	Council Member Fournier	X			
	Council Member Fruscione	X			
	Council Member Walker	X			
	Council Chairman Robins	X			
Total:		5	0		

28. Resolution relative to honoring Jonny Flynn

BY: All Council Members

VOTE

		ADD TO AGENDA		APPROVE	
		yea	nay	yea	nay
2009-56	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

29. Resolution relative to adopting proposed amendments to Comprehensive Plan & Zoning Ordinance

R & F

		ADD TO AGENDA		yea	nay
		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		

30. Resolution relative to Abandonment of alley running N/S between Main & 8th Streets South of Linwood Avenue

BY: All Council Members

VOTE

		ADD TO AGENDA		APPROVE	
		yea	nay	yea	nay
2009-57	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

31. Approval of Appropriation of Fund Balance for Emergency Cleanup at Royal Avenue Fire hall **VOTE**

	ADD TO AENDA		APPROVE	
	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

ADJOURNMENT OF MEETING 8:40.PM