

NIAGARA FALLS CITY COUNCIL  
AGENDA FOR SEPTEMBER 8, 2008

4:08 P.M. - 5:30 P.M.

COUNCIL CHAMBERS

COUNCIL CHAMBERS

~~4:00 P.M.~~

ROLL CALL - COUNCIL MEMBERS

ANDERSON X FOURNIER X ROBINS X WALKER X FRUSCIONE X

Approval of minutes from the City Council Meeting of July 28, 2008

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		

PRESENTATIONS

1. Paul Fedorsak, NYS HOG Site Coordinator  
Re: HOG Rally update & presentation
2. Tom Vitello & George Morreale-Members of the NF Water Board  
RE: Water Board Update
3. Dr. James Klyczek, President of NCCC  
NCCC Culinary Institute update

ADMINISTRATIVE UPDATE

REVIEW OF AGENDA ITEMS

LEGISLATIVE MEETING

COUNCIL CHAMBERS

7:03 P.M.

~~7:00 P.M.~~

ROLL CALL - COUNCIL MEMBERS

ANDERSON X FOURNIER X ROBINS X WALKER X FRUSCIONE X

PRAYER - ANDERSON

PLEDGE OF ALLEGIANCE

PUBLIC SPEAKERS (SEE NOTE ON LAST PAGE)

1. AGENDA ITEMS

- Stephen Dojka - Agenda Items #21 & #22
- Maryanne Schultz - Agenda Items #21 & #22
- Yazbeck Sarkees - Agenda Items #21 & #22
- Mike Parsnick - Agenda Items #21 & #22
- Ken Hamilton - Agenda Item #6
- Harry DeBan - Agenda Items #21 & #22
- Frances Douglas - Agenda Item #13
- Candace Corsaro - Agenda Item #6

- Remi Gonzalez - Agenda Items #21 & #22
- Mary Claire Erias - Agenda Item #6
- Walter Schultz - Agenda Items #21 & #22
- Mike Esposito - Agenda Item #6

2. FOR THE GOOD OF THE COMMUNITY

- Roger Spurbach - Dilapidated housing in the City
- Ken Hamilton - Economic development
- Steven Latchford - No basketball courts at NOR LOC Park
- Norma Higgs - Housing concerns
- David Bieksza - Housing concerns
- Robert Miller - Housing concerns and basketball courts
- Elliott White - Opposed to Economic Development & Tourism Development positions

INFORMATIONAL ITEMS

FROM THE CITY CLERK

- |  |     |
|--|-----|
| 1. Claims Report for July, 2008          | R&F |
| 2. Claims Report for August, 2008        | R&F |
| 3. Mayor's Approval of Ordinance 15-2008 | R&F |
| 4. City Clerk's Report for July, 2008    | R&F |

ITEMS FOR COUNCIL ACTION

FROM THE MAYOR

- |  |      |
|--|------|
| 5. Approval of contract with American Glass & Mirror Co., Inc. for \$47,000 for entrance installation & modifications at the Library | VOTE |
|--|------|

	<u>yea</u>	<u>nay</u>	<u>yea</u>	<u>nay</u>
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Robins	X			
Council Member Walker	X			
Council Chairman Fruscione	X			
Total:	5	0		

- |   |      |
|---|------|
| 6. Approval of contract with Mark Cerrone, Inc. in the amount of \$52,518.20 for new basketball court at Lockport St. & North Avenue playground | VOTE |
|---|------|

	<u>TO TABLE</u>			
	<u>yea</u>	<u>nay</u>	<u>yea</u>	<u>nay</u>
Council Member Anderson	X			
Council Member Fournier	X			
Council Member Robins	X			
Council Member Walker	X			
Council Chairman Fruscione	X			
Total:	5	0		

TABLED

7. Approval of acquisition of 448 Third Street for the sum of \$75,000 for an arcade walk-through

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 agreement with GHI for administrative services to provide dental coverage for City retirees

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 appropriate casino funds in the amounts of \$15,000 for sidewalks and \$150,000 for paving so that additional work can be done

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 \$1,914.00 from Casino interest for replacement blinds for the Council Chambers

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 to amend the 2008 budget to increase overtime line in Engineering Budget by \$5,000.00

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 to allocate \$380,000.00 of casino funds to budget NFC, Economic Development Zone, URA Economic Development Specialist and Tourism Coordinator for the 2009 fiscal year

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:	2	3		

DEFEATED

13. Approval to create Economic Development Director position at a salary of \$100,000 with \$60,000 funded by the City and balance by the Community Foundation for Greater Buffalo's Build a better Niagara Fund and to amend budget accordingly

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:	3	2		

14. Approval of budget amendment of \$150,000 from fund balance to cover Budget shortfalls in Department of Public Works

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

15. Approval to settle and pay claim of Liberty Mutual Insurance Company a/s/o Renee Fiorentini in the amount of \$50,000

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		

16. Approval to settle and pay claim of Liberty Mutual Insurance Company a/s/o Phyllis Simone in the amount of \$50,000

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		

17. Approval to pay medical expenses of Kim Roberts in the amount of \$29.66

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		

18. Approval of sale of 402 70<sup>th</sup> Street to Laurie Hill for \$100.00

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		

19. Approval to settle and pay claim of Rickey Rodgers in the amount of \$50,000

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

20. Approval of appointment of Commissioners of Deeds for a term from October 1, 2008 to September 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 COMMITTEE

21. Approval of Historic Designation of St. George's Roman Catholic Church and rectory building Exteriors and Interior Public Areas of Church

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		

22. Approval of Historic Designation of Our Lady of Lebanon Catholic Church and Rectory Building Exteriors and Interior Public Areas of Church

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		

RESOLUTIONS

23. Relative to honoring John "Spider" Martin, Saxophonist-Composer-Arranger-Educator

BY: All Council Members

VOTE

	yea	nay	yea	nay
2008-77 Council Member Anderson	X			
Council Member Fournier	X			
Council Member Robins	X			
Council Member Walker	X			
Council Chairman Fruscione	X			
Total:	5	0		

24. Relative to honoring members of the Niagara Falls Police Department for their overseas military service

BY: All Council Members

VOTE

	yea	nay	yea	nay
2008-78 Council Member Anderson	X			
Council Member Fournier	X			
Council Member Robins	X			
Council Member Walker	X			
Council Chairman Fruscione	X			
Total:	5	0		

25. Relative to honoring the Centennial Seniors of Niagara County

BY: All Council Members

VOTE

	yea	nay	yea	nay
2008-79 Council Member Anderson	X			
Council Member Fournier	X			
Council Member Robins	X			
Council Member Walker	X			
Council Chairman Fruscione	X			
Total:	5	0		

26. Relative to the 100<sup>th</sup> Anniversary of the NAACP

BY: All Council Members

VOTE

	yea	nay	yea	nay
2008-80 Council Member Anderson	X			
Council Member Fournier	X			
Council Member Robins	X			
Council Member Walker	X			
Council Chairman Fruscione	X			
Total:	5	0		

27. Relative to honoring the Memory of Glenda Glover

BY: All Council Members

VOTE

		yea	nay	yea	nay
2008-81	Council Member Anderson	X			
	Council Member Fournier	X			
	Council Member Robins	X			
	Council Member Walker	X			
	Council Chairman Fruscione	X			
Total:		5	0		

28. Relative to amending Chapter 1308 of the Codified Ordinances entitled "District Exceptions, Modifications, and Amendments"

BY: Council Member Chris Robins

VOTE

		yea	nay	yea	nay
2008-82	Council Member Anderson	X			
	Council Member Fournier	X			
	Council Member Robins	X			
	Council Member Walker	X			
	Council Chairman Fruscione	X			
Total:		5	0		

29. Relative to amending Chapter 361 of the Codified Ordinances entitled "Stationary Engineers and Fireman"

BY: Council Chairman Samuel Fruscione

VOTE

		yea	nay	yea	nay
2008-83	Council Member Anderson	X			
	Council Member Fournier	X			
	Council Member Robins	X			
	Council Member Walker	X			
	Council Chairman Fruscione	X			
Total:		5	0		

30. Relative to Amending Chapter 303 of the Codified Ordinances entitled "Licensing & Regulations of Coin-Operated Vending Machines"

BY: Council Chairman Samuel Fruscione

VOTE

		yea	nay	yea	nay
2008-84	Council Member Anderson	X			
	Council Member Fournier	X			
	Council Member Robins	X			
	Council Member Walker	X			
	Council Chairman Fruscione	X			
Total:		5	0		

31. Relative to amending Chapter 1107 of the Codified Ordinances entitled "Permits, Fees and Certificates" and Chapter 1111 entitled "Plumbing Code of the City of Niagara Falls, New York"

BY: Council Chairman Samuel Fruscione

VOTE

		yea	nay	yea	nay
2008-85	Council Member Anderson	X			
	Council Member Fournier	X			
	Council Member Robins	X			
	Council Member Walker	X			
	Council Chairman Fruscione	X			
Total:		5	0		

32. Approval of contract with Yarussi Construction Co., Inc. in the amount of \$1,718,420.00 for the reconstruction of 77<sup>th</sup> Street between Stephenson Avenue and Niagara Falls Boulevard

VOTE

	ADD TO AGENDA		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		

33. Approval of additional expenses for the Ontario Jazz Reunion

VOTE

	ADD TO AGENDA		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		

34. Approval of creation and funding for new temporary City position of North Star Project Coordinator

VOTE

	ADD TO AGENDA		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 8:45 P.M.