

NIAGARA FALLS CITY COUNCIL
AGENDA FOR September 8, 2009

4:08 P.M. - 5:45 P.M.

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 Meetings of July 13, 2009,
July 27, 2009 and Special Meeting of August 17, 2009

VOTE

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

PRESENTATIONS

1. Don Masocco - Main Street Business Association - Update
2. Phil Buffone - United way of Niagara - Holiday Lights of Niagara
3. Capt. John DeMarco - Mayor Dyster, City Council - presentation of award to Devon Hedgemond

ADMINISTRATIVE UPDATE

1. Tennis Courts (entire scope and sequence status)

2. Abate Basketball Courts - naming of court

3. Status of Engineering Department

4. City Hall Repairs (i.e. air conditioning, etc.)

5. Lewiston Road - Tree Issue

6. Lewiston Road - Update on the progress of the reconstruction

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 - Anderson

PLEDGE OF ALLEGIANCE

PUBLIC SPEAKERS (SEE NOTE ON LAST PAGE)

Chairman Robins welcomed Senator George Maziarz who spoke on the transfer of \$550 million dollars from the NY Power Authority to the State's general fund and encouraged the Council to support the Niagara County Legislatures resolution opposing this transfer.

1. AGENDA ITEMS

- Candace Corsaro-Agenda Item #4
- Ken Hamilton-Agenda item #4
- Vince Sandonato-Agenda item #4
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2. FOR THE GOOD OF THE COMMUNITY

- Bill MacKay-Support for Buffalo Fire dept.and Citywide 911 service
- Candace Corsaro-rebuild quality of life in Niagara Falls, professional conduct
- Ken Hamilton-Niagara Falls vs. LaSalle High School reunion game, downtown tax free zone to compete with casino
- Vince Sandonato-development on Cayuga Island "Keep it Simple"
-
-

INFORMATIONAL ITEMS

FROM THE CITY CLERK

- | | |
|---------------------------------------|-----|
| 1. Claims Report for July, 2009 | R&F |
| 2. City Clerk's Report for July, 2009 | R&F |
| 3. Claims Report for August, 2009 | R&F |

ITEMS FOR COUNCIL ACTION

FROM THE MAYOR

4. Approval to appropriate \$1 Million in 2008 casino revenues for HOPE VI Ash Remediation VOTE

	yea	nay	yea	nay	
Council Member Anderson	-	-			
Council Member Fournier		X			Anderson abstained
Council Member Fruscione	X				
Council Member Walker	X				
Council Chairman Robins	X				
Total:	3	1			

5. Approval of Amendment to contract with Wendel Duchscherer, Architects and Engineers, PC regarding the LaSalle Waterfront Park site in the amount of \$6,650.00 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		

6. Approval of Appropriation of 2007 Casino Funds in the amount of \$5,754.00 for the Royal Avenue Fire Hall 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 of the Corrective Action Plan in response to New York State Comptroller's Examination and Report of City of Niagara Falls Economic Development Agreements VOTE

	yea	nay	yea	nay	
Council Member Anderson	X				Chairman Robins said the City needs to take this corrective action
Council Member Fournier	X				
Council Member Fruscione	X				
Council Member Walker	X				
Council Chairman Robins	X				
Total:	5	0			

8. Approval of the Agreement with the Niagara Falls Water Board regarding
Lewiston Road-Main Street Reconstruction Project

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 Agreement with Family and Children's Services for an
Employee Assistance 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 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 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 Judith E. Abrams in the amount of
\$350.57

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 Jason P. Shanks in the amount of \$ 172.56

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 CLERK

13. Notice of Mayor's approval of Resolution 2009-66 R&F

14. Notice of Mayor's approval of Resolution 2009-67 R&F

15. Approval of Commissioner of Deeds Appointments for a term from October 1, 2009 to September 30, 2011 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

16. Relative to the Appointments and Reappointment to the Human Rights Commission
 BY: Council Chairman Chris Robins and Council Member Charles A. Walker VOTE

	AMEND		APPROVE		yea	nay
	yea	nay	yea	nay		
2009-68 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		

Amendment added an additional name

17. Relative to Amending Chapter 178 of the Codified Ordinances entitled "City of Niagara Falls Discrimination and Harassment Policy"

BY: Council Chairman Chris Robins

VOTE

		yea	nay	yea	nay
2009-69	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 Adopting Chapter 179 of the Codified Ordinances entitled "City of Niagara Falls, New York Policy Concerning Individuals with Disabilities"

BY: Council Chairman Chris Robins

VOTE

		yea	nay	yea	nay
2009-70	Council Member Anderson	x			
	Council Member Fournier	x			
	Council Member Fruscione	x			
	Council Member Walker	x			
	Council Chairman Robins	x			
Total:		5	0		

19. Approval of Letter of Award to Watts Architecture & Engineering, P.C. for Consultant Services for City Hall Storm Event Flooding Study in the amount of \$21,500

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		

20. Approval of Letter of Award to Foit Albert Associates for Consultant Services for Americans with Disabilities Act Settlement Agreement in the amount of \$280,000

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		

21. Approval of Letter of Award to Liro Engineers Inc. for Consultant Services for the 11th Street Basketball Courts in the amount of \$28,000

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. Approval of Letter of Award to Yarussi Construction, Inc. for the Community Development 2009 Street Resurfacing Project in the amount of \$472,430

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		

23. Approval of the Homeless Prevention and Rapid Re-Housing Program Sub-Grantee Contract Awards

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		

24. Relative to Historic Property Preservation and Planning Program- Environmental Protection Fund Application for City Hall Exterior Restoration Project

BY: Council Chairman Chris Robins

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		

25. Relative to Local Waterfront Revitalization Program-Environmental Protection Fund Application for LaSalle Waterfront Park
 BY: Council Chairman Chris Robins VOTE

		ADD TO AGENDA		APPROVE			
		yea	nay	yea	nay	yea	Nay
2009-72	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		

26. Relative to Parks Development and Planning-Environmental Protection Fund Application for LaSalle Waterfront Park
 BY: Council Chairman Chris Robins VOTE

		ADD TO AGENDA		APPROVE			
		yea	nay	yea	nay	yea	Nay
2009-73	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		

27. Relative to the Application for Transportation Investment Generating Economic Recover Grant
 BY: Council Chairman Chris Robins VOTE

		yea	nay	yea	nay	yea	nay
2009-74	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		

28. Approval of funding for repairs to the Hyde Park Ice Pavilion fire alarm system in an amount not to exceed \$20,500 VOTE

		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		

ADJOURNMENT OF MEETING 7:55 p.m.