

Agenda Item #1

The following claims have been filed in the Office of the City Clerk during the month of March, 2013 the claims were subsequently referred to the Office of the Corporation Counsel.

NOTICE OF CLAIM

Harris, Tessia c/o Geico	Automobile damages sustained from accident with City truck.
Viccica, DeVan 3809 Macklem Ave.	Automobile damages sustained from hitting pothole
Allen, Alicia c/o Statefarm Insurance	Automobile damages sustained from being hit by snowplow.
Harris, Tessia C. c/o Cellino & Barnes	Personal injuries sustained from an automobile accident with a city vehicle.
Stearns, Janie and Colafranceschi, Daniel c/o Richard A. Nicotra, Esq,	Automobile damages sustained from an accident.
Florence, Kathleen G. 4800 Lewiston Rd	Property damages sustained from capped off drain line.

SUMMONS

Bak, William as son and next best friend of Bak, Josephine, his mother c/o David J. Seeger, Esq.	#13 CV 0215-S
Great Lakes Environmental & Safety Consultants, Inc. c/o Harry E. Werner	Index# 149247
Swygert, Antonia c/o James P. Verrastro, Esq.	Index# I2013-338
Ellsberry, Margaret c/o Edward J. Schwendler, III, Esq.	Index# E149425/2013

Agenda Item #2

The following is a report of the licenses issued and collections made in the Office of the City Clerk during the month of March, 2013.

			<u>CONTROLLER</u>	<u>TOTAL</u>
A1255-001				
A012	Vital Statistics		\$ 4,982.00	\$ 4,982.00
A1255-004				
A013	Copies of Records		\$ 842.22	\$ 842.22
A1255-004				
A013	Certificates of Marriage		\$ 520.00	\$ 520.00
A2501-006				
A042	Tour Agency		\$ 1,750.00	\$ 1,750.00
A2501-006				
A042	Tour Agency Additional Site		\$ 200.00	\$ 200.00
A2501-006				
A042	Tour Driver/Guide		\$ 500.00	\$ 500.00
A2542-000				
A053	Dogs/NYS Agr.& Mkts	\$ 282.00	\$ -	\$ 282.00
A2542-000				
A053	Additional Dogs		\$ 2,888.00	\$ 2,888.00
A2545-001				
A054	Marriage License/NYSHD	\$ 1,170.00	\$ 390.00	\$ 1,560.00
A2550-001				
A056	Loading Zone		\$ 55.00	\$ 55.00
A1255-002				
A123	Commissioners of Deeds		\$ 25.00	\$ 25.00
A2501-005				
A126	Junk Dealers		\$ 300.00	\$ 300.00
A2545-010				
A128	Petroleum - Retail		\$ 140.00	\$ 140.00
A2545-010				
A128	Petroleum - Storage		\$ 240.00	\$ 240.00
A2545-010				
A128	Petroleum - Wholesale		\$ 200.00	\$ 200.00
A2501-599				
A130	Theatre		\$ 100.00	\$ 100.00
A2545-023	Hunters/NYS DEC RAU	\$ 165.32	\$ -	\$ 165.32

A318				
A2545-023				
A318	Hunters Fees		\$ 9.68	\$ 9.68
A1255-003				
A499	Notary Fee		\$ 12.00	\$ 12.00
A1255-005				
A528	Dog Release		\$ 250.00	\$ 250.00
TA63008				
A597	Marriage Performance		\$ 1,100.00	\$ 1,100.00
A1255-006-				
A696	Photos/passport-license		\$ 36.00	\$ 36.00
TOTAL:			<u>\$ 1,617.32</u>	<u>\$ 14,539.90</u>
				<u>\$ 16,157.22</u>

Check #	<u>62325</u>	NYS Dept.of Arg. & Mkts	\$ 282.00
Check #	<u>62306</u>	NYS Health Department	\$1,170.00
Check #	<u>ET</u>	NYS DEC RAU	\$ 165.32

Agenda Item #3

SUBJECT: Bid #02-13 Meals for Prisoners

We respectfully request you award the above referenced bid as follows:

TO: Frankies Donuts, Inc.
717 Portage Road
Niagara Falls, NY 14301

FOR: Meals for prisoners at the Municipal Svcs. Building: Breakfast (est. 3,000) \$1.00
 Lunch (est. 6,700) 1.75
 Supper (est. 2,200): 1.75

The City Purchasing Division certifies that all bids were solicited in accordance with Section 103 of the General Municipal Law.

Notice that bids were to be received was advertised in the Niagara Gazette and bids were sent to Four (4) vendors. Four (4) bids were received. The above referenced company submitted the overall lowest bid to meet the City's specifications.

Funds for this expenditure are available in A3120.0001.0449.010.

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Bid #02-13 Meals for Prisoners

	Breakfast Est. 3,000/yr.	Lunch Est. 6,700/yr.	Supper Est. 2,200/yr.
Frankies Donuts, Inc. ² 717 Portage Road Niagara Falls, NY	\$1.00 ea. 3,000 total	\$1.75ea. 11,725.00 total	\$1.75ea. 3,850.00 total
GRAND TOTAL:	\$18,575.00		
PSNF, Inc. (McDonalds) ² 1726 Pine Avenue Niagara Falls, NY	\$1.00 ea. 3,000.00 total	\$1.75 ea. 11,725.00 total	\$1.75 3,850.00 total
GRAND TOTAL:	\$18,575.00		

Bee's Place ¹ City Hall, 745 Main Street Niagara Falls, NY	1.55 ea. 4,650.00 total	\$1.55 ea. 10,385.00 total	\$1.55 ea. 3,410.00 total
GRAND TOTAL:	\$18,445.00		
Burger King Carols, LLC 1611 Main Street Niagara Falls, NY	1.00 ea. 3,000.00 total	\$1.95 ea. 13,065.00 total	\$1.95 4,290.00 total
GRAND TOTAL:	\$20,355.00		

1. In its bid request, the City stated that meals are to be provided every day of the year including all weekends and holidays. Bee's Place would be providing the meals out of the City Hall location where she presently operates the City Hall Snack Stand. City Hall is not open weekends, holidays and evening hours that the bid requires meals be provided. Therefore, their bid received for this service cannot be considered for award.
2. Tie bid. Tie bids are determined by flip of a coin.

**CITY OF NIAGARA FALLS
NEW YORK**

DATE: April 15, 2013
TO: The City Council
FROM: Mayor Paul Dyster
Chief Executive Officer

James R. Bird
City Assessor

SUBJ: AGENDA ITEM – Certification of Base Percentages, Current Percentages and
Current Base Proportions for Homestead & Non-Homestead Assessment Roll

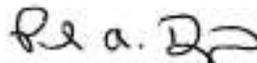
In accordance with Section 1903 of the Real Property Tax Law, the City Council must certify the attached referenced percentages and proportions.

Assessing units using Article 19 Homestead option must certify percentages and proportions when final class equalization rates are established by the Office of Real Property Services.

The certification is now due and the attached represents the necessary certifications.

Will Council certify the attached percentages and proportions?

Respectfully,



Mayor Paul Dyster
Chief Executive Officer



James R. Bird
City Assessor

Choolokian _____ Anderson _____ Grandinetti _____ Walker _____
Fruscione _____

RP-6701

NEW YORK STATE OFFICE OF REAL PROPERTY SERVICES
16 SHERIDAN AVENUE, ALBANY, NY 12210-2714

04/01/13

CERTIFICATE OF BASE PERCENTAGES, CURRENT PERCENTAGES AND
CURRENT BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPTL, FOR THE
LEVY OF TAXES ON THE 2013 ASSESSMENT ROLL

Approved Assessing Unit
Name of Portion

City of Niagara Falls, 291100
City of Niagara Falls, 291100

CERTIFICATION

DETERMINATION OF BASE PERCENTAGES

Section I	(A) 1989 Taxable Assessed Value	(B) 1989 Class Equalization Rate	(C) Estimated Market Value A/(B*100)	(D) Base Percentages (C/sum of C)
Class				
Homestead	527,758,862	89.89	587,116,100	57.88167
Nonhomestead	379,459,055	88.82	427,222,534	42.11833
Total	907,217,717		1,014,338,634	100.00000

DETERMINATION OF CURRENT PERCENTAGES

Section II	(E) Prior Year Taxable Assessed Value Including Special Franchisee	(F) Prior Year Class Equalization Rate	(G) Estimated Market Value E/(F*100)	(H) Current Percentages (G/sum of G)
Class				
Homestead	889,075,293.00	92.00	944,647,058	65.72343
Nonhomestead	418,760,506.00	85.00	492,659,419	34.27657
Total	1,287,835,799		1,437,306,478	100.00000

DETERMINATION OF CURRENT BASE PROPORTIONS

Section III	(I) Local Base Proportion for the 1990 Assessment Roll	(J) Updated Local Base Proportion	(K) Prospective Current Base Proportion Part (J) Prorated to 100.00	(L) Adjusted Base Proportion used for Prior Tax Levy	(M) % difference between prior Adjusted Base Proportion and Prospective Current Base Proportion ((K/L)-1)*100	(N) Maximum Current Base Proportion (L*1.05)	(O) Current Base Proportions
Class		I/(H*100)	(J/sum of J)				
Homestead	40.12162	45.55726	48.31752	54.61976	-11.54		52.35075
Nonhomestead	58.87838	48.72998	51.68248	45.38024	13.89	47.64925	47.64925
Total	100.00000	94.28725	100.00000	100.00000			100.00000

I, the clerk of the legislative body of the approved assessing unit identified above, hereby certify that the legislative body determined on _____ base percentages, current percentages, and current base proportions as set forth herein for the assessment roll and portion as identified above.

signature

title

date

Agenda Item #5

**SUBJECT: BUFFALO AVENUE RECONSTRUCTION PROJECT FROM
VETERANS DRIVE TO 63RD STREET
PIN 5460.28 – R.P. 175
CHANGE ORDER # 2 - \$0.00**

A contract for the above referenced project was awarded to CATCO on May 29, 2012 in the amount of \$9,979,999.00.

As the project progresses, additional groundwater handling and disposal costs continue to amass, and are paid for on a quarterly basis. The costs associated with groundwater handling this quarter (ending March 31, 2013) is an additional not to exceed amount of \$ 215,000.00.

However, sufficient funding presently exists for contractual items not currently installed which will allow for a net \$0.00 change to the contract at this time.

Will the Council vote to approve and authorize the Mayor to execute a change order in a form acceptable to the Corporation Counsel?

Agenda Item #6

RE: Niagara Frontier Transportation Authority - Trolley Service

Council Members:

It is desirable to reinstitute again this year Trolley Service in the City in cooperation with the Niagara Frontier Transportation Authority. It is recommended that Trolley Service commence on May 17, 2013 and conclude December 31, 2013. During the months of May and December, 2013 the Trolley Service will operate on weekends only (Friday, Saturday and Sunday). Trolley service from June 1, 2013 through November 30, 2013 will be on a daily basis. The cost to the City for this service will be \$512,294.00. This will be subject to the terms and conditions contained in an agreement subject to approval by the Corporation Counsel which will also contain a route for service. Funding is available from the Tourism Fund.

Will the Council so approve?

Agenda Item #7

RE: Reorganization of Command Staff in Niagara Falls Police Department

Council Members:

The Superintendent of Police is recommending the creation of two Acting Deputy Superintendent of Police positions. Attached is a proposed chart of organization. One Acting Deputy Superintendent of Police position will be in charge of the Office of Professional Standards. The duties assigned will be to oversee all police internal investigations, oversee internal City investigations, be in charge of police community relations and outreach, as well as recruiting. The salary for this position is proposed to be \$59,779.82. The other Acting Deputy Superintendent of Police position will oversee Operations, including police administration, budget and personnel. The salary for this position is proposed to be \$69,595.33.

The Superintendent of Police proposes to name as Acting Deputy Superintendent of Police in charge of Professional Standards a detective whose present salary is \$59,779.82. The Superintendent of Police proposes to name as Acting Deputy Superintendent of Police in charge of Operations a detective lieutenant whose present salary is \$69,595.33.

Both of these individuals will receive the same salaries in their new positions as they presently receive in their current positions and the budget will be amended to reflect a salary of \$1.00 for the detective lieutenant position and \$1.00 for the detective position. This reorganization will result in no cost to the City.

Both individuals in the "Acting" Deputy Superintendent of Police positions will be entitled to receive the same salary and benefits they presently receive, inclusive of overtime.

Will the Council so approve?

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Both individuals in the "Acting" Deputy Superintendent of Police positions will be entitled to receive the same salary and benefits they presently receive, inclusive of overtime.

Will the Council so approve?

Agenda Item #8

RE: Wood Chip & Wood Waste Agreement

Council Members:

The Director of the Department of Public Works is recommending that the City enter into another agreement with J.F. Krantz Nursery, Inc. (“Krantz”), which will allow Krantz to remove wood waste substances from the DPW dumpsite on Porter Road and use those substances for its own purposes in exchange for the City receiving from Krantz 60 cubic yards of organic topsoil and colored mulch at no cost each year during the term of this agreement. The term is proposed to be for three years.

Will the Council so approve and authorize the Mayor to execute an agreement satisfactory to the Corporation Counsel?

Agenda Item #9

RE: Niagara Frontier Transportation Authority - Trolley Service

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It is desirable to reinstitute again this year Trolley Service in the City in cooperation with the Niagara Frontier Transportation Authority. It is recommended that Trolley Service commence on May 17, 2013 and conclude December 31, 2013. During the months of May and December, 2013 the Trolley Service will operate on weekends only (Friday, Saturday and Sunday). Trolley service from June 1, 2013 through November 30, 2013 will be on a daily basis. The cost to the City for this service will be \$512,294.00. This will be subject to the terms and conditions contained in an agreement subject to approval by the Corporation Counsel which will also contain a route for service. Funding is available from the Tourism Fund.

Will the Council so approve?

Agenda Item #10

Please be advised that, Mayor Paul A. Dyster, on April 2, 2013, duly approved the following:

Resolution 2013-15, relative to Amending Chapter 178 of the Codified Ordinances entitled “City of Niagara Falls Policy Against Discrimination and Harassment”

Agenda Item #11

RELATIVE TO NIAGARA COUNTY
EMERGENCY SERVICES MUTUAL AID PLAN

BY:

Council Chairman Glenn Choolokian
Council Member Robert Anderson, Jr.
Council Member Samuel Fruscione
Council Member Kristen Grandinetti
Council Member Charles Walker

WHEREAS, the Fire Chief has reviewed the Niagara County Emergency Services Mutual Aid Plan and has participated in the revision of that Plan; and

WHEREAS, by communication dated March 27, 2013, the Fire Chief is recommending that the Niagara Falls Fire Department be authorized to participate in the Niagara County Emergency Services Mutual Aid Plan; and

WHEREAS, this City Council is permitted to authorize such participation pursuant to Section 209 of the General Municipal Law.

NOW THEREFORE BE IT RESOLVED, that this City Council encourages the participation by the Niagara Falls Fire Department in the Niagara County Emergency Services Mutual Aid Plan as now in force and as amended from time to time, and certifies to the Niagara County Legislature through its County Fire Coordinator that no restriction exists against “outside service” by the Niagara Falls Fire Department within the meaning of Section 209 of the General Municipal Law, which would affect the power of the Niagara Falls Fire Department to participate in such Plan; and be it further

RESOLVED, that a copy of this resolution be filed with the County Fire Coordinator.

Monday April 15, 2013 - Council Meeting

PRESENTATIONS:

ADMINISTRATIVE UPDATE:

1. Municipal Building - retail component
2. Public Safety Building - use and expense
3. Balloon Parcel