



City of Niagara Falls, New York

P.O. Box 69, Niagara Falls, NY 14302-0069

DATE: October 2, 2017
TO: Council Members
FROM: Lisa A. Vitello, City Clerk

RECEIVED
CITY OF
NIAGARA FALLS
CITY CLERK'S OFFICE
2017 OCT -1 AM 8:44

The following claims have been filed in the Office of the City Clerk during the month of September 2017. The claims were subsequently referred to the Office of the Corporation Counsel.

NOTICE OF CLAIM

Tovtin, Jaclyn M.
380 Ventura Drive
Youngstown, Ohio 44505

In reference to sewage being dumped while touring the Falls.

Geico Indemnity Company
Policyholder: Diedre Ray

In reference to claim number 051689922-0101-069 Submission for Subrogation.

Bailey, Douglas J.
103 Marlin Ct.
Grand Island, NY 14072

In reference to vehicle damage caused by a pothole.

Shaneece Sands, Individually and
as Parent and Natural Guardian of
Gino Sands, an Infant
c/o Lipsitz, Green, Scime & Cambria LLP

In reference to personal injuries.

Gatto, Donna
2229 Linwood Ave

In reference to vehicle damage caused by a pothole.

Sedgwick Claims Management
P. O. Box 14670
Lexington, KY 40512
Employee/Victim: Donald J. Hicks

In reference to personal injuries.

Tripi, Carmen
8809 Lindbergh Avenue

In reference to chipped paint on vehicle caused by city weed whacking.

Voyton, Barbara & Bernard
881 Willow St.
Lockport, NY 14094

In reference to large tree limb from city tree causing property damage to 1622 & 1624 Linwood Avenue.

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1 cont.

Strange, Shawn & Shannon
303 76th Street

In reference to vehicle damage caused by two
branches from a City tree.

Kinney, Joseph
2636 Ontario Avenue

In reference to vehicle tire being slashed in parking
lot at 740 10th Street next to firehouse.

Mayes, Patrick D.
c/o Ethan M. Lyle, Esq.
Black, Lyle & Habberfield, LLP

In reference to personal injuries.

SUMMONS

Robert Lynch, Individually, and as
png of Alyssa Lynch
2569 Joann Court

Index # E162646/2017

Roseanne Ruh, Individually, and as
Png of Alyssa Lynch
908 92nd Street

Yours truly,



Lisa A. Vitello

LAV/cs



City of Niagara Falls, New York

P.O. Box 69, Niagara Falls, NY 14302-0069

TO: The City Council
 FROM: Lisa A. Vitello, City Clerk
 RE: Informational Item: City Clerk's Report
 DATE: October 1, 2017

Council Members:

The following is a report of the licenses issued and collections made in the Office of the City Clerk during the month of September 2017.

		<u>CONTROLLER</u>	<u>TOTAL</u>
A1255-001 A012	Vital Statistics	\$ 3,566.00	\$ 3,566.00
A1255-004 A013	Copies of Records	\$ 554.25	\$ 554.25
A1255-004 A013	Certificates of Marriage	\$ 800.00	\$ 800.00
A2501-006 A042	Tour Agency Additional Site	\$ 100.00	\$ 100.00
A2501-011 A044	Peddler	\$ 100.00	\$ 100.00
A2542-000 A053	Dogs/NYS Agr. & Mkts \$ 248.00	\$ -	\$ 248.00
A2542-000 A053	Additional Dogs	\$ 2,342.00	\$ 2,342.00
A2545-001 A054	Marriage License/NYSHD \$ 1,800.00	\$ 600.00	\$ 2,400.00
A2501-599 A130	Pawn Broker	\$ 450.00	\$ 450.00
A2545-023 A318	Hunters/NYS DEC RAU \$ 2,095.68	\$ -	\$ 2,095.68
A2545-023 A318	Hunters Fees	\$ 122.32	\$ 122.32
A1255-005 A528	Dog Release	\$ 50.00	\$ 50.00
TA63008 A597	Marriage Performance	\$ 1,650.00	\$ 1,650.00
TOTAL:		<u>\$ 10,334.57</u>	<u>\$ 14,478.25</u>

Check #	<u>26538</u>	NYS Dept. of Arg. & Mkts	\$ 248.00
Check #	<u>26522</u>	NYS Health Department	\$ 1,800.00
Check #	<u>ET</u>	NYS DEC RAU	\$ 2,095.68

Lisa A. Vitello
 Lisa A. Vitello

LAV/lgl

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RAF



City of Niagara Falls, New York

PO Box 69, Niagara Falls, NY 14302-0069

Purchasing Division

(716) 286-4370

TO: The Council

FROM: Mayor Paul A. Dyster

DATE: October 3, 2017

SUBJECT: Bid #2017-27 Purchase of Fire Apparatus (1500 GMP Pumper Truck)

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

TO: Empire Emergency Apparatus, Inc. 3995 Lockport Road <u>Niagara Falls, New York 14305</u>	
FOR: One (1) 1500 GMP Pumper Truck:	\$ 474,139.00
Less deduct of \$ 8900.00	<u>-8,900.00</u>
	\$ 465,239.00

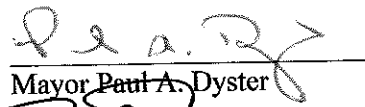
The City Purchasing Agent certifies that all bids were solicited in accordance with Section 103 of the General Municipal Law. Notice that bids were to be received was advertised in the Niagara Gazette and bids were sent to-nineteen (19) vendors. Three (3) bids were received. The above referenced company submitted the lowest bid.

The above listed deduction is available if payment for the chassis is made when it arrives at the apparatus assembly plant. The City has successfully utilized this option in a number of prior purchases to save costs.

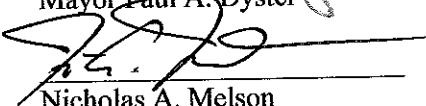
Funds for this expenditure are in H0818.2008.0818.0230.000

Will the Council so approve?


Respectfully submitted,



Mayor Paul A. Dyster

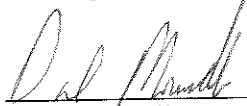


Nicholas A. Melson
City Administrator



Douglas A. Janese, Jr.
Purchasing Agent

Funding Approval:



Daniel Morello
City Controller

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2017 OCT -3 PM 2:12

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CITY OF NIAGARA FALLS
NEW YORK

October 5, 2017

TO: City Council

FROM: Mayor Paul A. Dyster

SUBJECT: NF International Railway Station & Transportation Ctr. Project
CHANGE ORDER #8

A contract for the above referenced project was awarded to Scrufari Construction Company Inc., 4800 Hyde Park Blvd. 3925 Hyde Park Blvd., Niagara Falls, NY, on April 14, 2014 in an amount of \$22,691,000.00. Approved change orders to date bring the total contract amount to \$24,546,429.83

This Change Order is comprised of various construction changes, tenant modifications and code requirements to the original 'scope of work' for unanticipated but necessary work.

These items are composed of Change Requests that have been reviewed and recommended by the City's consultant Wendel Engineers and the City's Engineering Department.

A portion of this Change Order is also for uncompleted rail and bridge work and the associated Rail Flagging required under our work agreement with Amtrak.

The cost of Change Order #8, is in the amount of \$230,308.99 bringing the total overall contract amount to \$24,776,738.84. Funding for this change order would be from excess funds available in the Train Station project.

Therefore, it is the recommendation of the undersigned that Change Order #8 be approved.

Will the council vote to so approve?

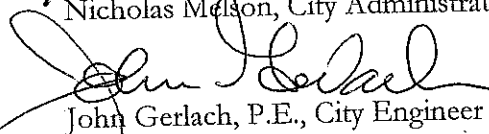
Respectfully submitted,



Mayor Paul A Dyster



Nicholas Mellon, City Administrator



John Gerlach, P.E., City Engineer

Funding Approval:



OCT 16 2017

Daniel Morello, City Controller
City Council Meeting: October 16, 2017

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CITY OF NIAGARA FALLS
NEW YORK

October 4, 2017

TO: City Council
FROM: Mayor Paul A. Dyster

SUBJECT: CHANGE ORDER #5 – Consultant Services during the
Construction Phase of (NFITC) Train Station Project

A contract for the above reference project was awarded to Wendel Companies, 375 Essjay Road, Suite 200, Williamsville, NY, on April 14, 2014 for Construction Phase Services and related legal support.

Change Order #5 is a reallocation of existing consultant designated funds to the project's general fund. This transfer of funds is within the existing "Project Funding" and will allow for a reallocation for the completion of the project's mandatory bridge repairs and all other outstanding contractor change requests.

The net result of Change Order #5 will be a credit of \$800,000.00 from Wendel back to the City's Train Station's general project fund.

Therefore, it is the recommendation of the undersigned that this credit Change Order#5 be approved.

Will the council vote to so approve?

Respectfully submitted,



Mayor Paul A Dyster

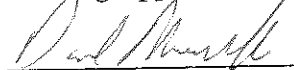


Nicholas Melson, City Administrator



John Gerlach P.E., City Engineer

Funding Approval:



Daniel Morello, City Controller

City Council Meeting: October 16, 2017

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City of Niagara Falls
New York

October 10, 2017

To: City Council

From: Mayor Paul Dyster

**SUBJECT: LETTER OF AWARD for Parking Lot Repairs, Sealing and Striping
at 3625 Highland Avenue Business Park**

The following was the result of bids solicited for the above reference project.

CONTRACTOR

Louis Del Prince & Sons, Inc.
580 Cayuga Rd.
Cheektowaga, N.Y. 14225

It is the recommendation of the undersigned that this Purchase Order for the above described work be awarded to vendor Louis Del Prince & Sons, Inc. at their estimate price not to exceed \$20,000.00.

Funding for this project will be available from casino funds.

Additionally partial reimbursement from New York State Grant will offset some of the cost associated with this project.

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

Respectfully submitted,



Mayor Paul A. Dyster

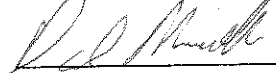


Nicholas Molson, City Administrator



John Gerlach P.E., City Engineer

Funding Approval:



Daniel Morello, City Controller

City Council Meeting: October 16, 2017

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City of Niagara Falls
New York

October 2, 2017

To: City Council

From: Mayor Paul Dyster

SUBJECT: LETTER OF AWARD for Fire Extinguishers & Signs
at 3625 Highland Avenue Business Park

The following was the result of bids solicited for the above referenced project:

CONTRACTOR

Niagara Fire Extinguisher Services, Inc.
7512 Porter Rd.
Niagara Falls, NY 14304

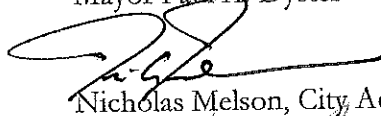
It is the recommendation of the undersigned that these services be awarded to the City's current vendor at their bid price \$664.00. Funding is available from Casino Funds.

Additionally partial reimbursement from New York State Grant, will offset some of the cost associated with this project.

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

Respectfully submitted,



Mayor Paul A. Dyster


Nicholas Melson, City Administrator


FOR: John Gerlach P.E., City Engineer

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Funding Approval:



Daniel Morello, City Controller
City Council Meeting: October 16, 2017

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CITY OF NIAGARA FALLS
NEW YORK

October 2, 2017

TO: City Council
FROM: Mayor Paul A. Dyster
SUBJECT: Replacement of Windows and Doors at 3625 Highland Avenue
CHANGE ORDER #1

A contract for the above referenced project was awarded to Allstate General Contracting Inc. 31 Ransier Drive West Seneca, NY, on April 17, 2017 in the amount of \$364,204.00.


This Change Order is a result of an inspection by the Department of Code Enforcement and the requirement to install additional door closers and pull handles necessary to meet the 2015 International Building Code. The original 'scope of work' did not include this unanticipated work required to complete the project and to allow for the City to obtain a Certification of Occupancy.

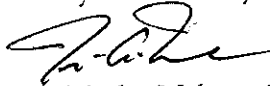
Funding for this Change Order is available from Casino Funds. Additionally, partial reimbursement from a New York State ESD Grant is available to offset project cost.

Therefore, it is the recommendation of the undersigned that **Change Order #2** in the amount of \$1,801.73 be approved; bringing the new contract total to \$366,005.73.

Will the council vote to so approve?

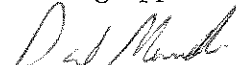
Respectfully submitted,


Mayor Paul A Dyster


Nicholas Melson, City Administrator

FOR: 
John Gerlach P.E., City Engineer

Funding Approval:



Daniel Morello, City Controller
City Council Meeting: October 16, 2017

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CITY OF NIAGARA FALLS

TO: City Council

FROM: Chairman
Traffic Advisory Commission

DATE: October 5, 2017

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on October 2, 2017 the Commission recommended **APPROVAL** of the following item:

**INSTALL ALTERNATE OVERNIGHT PARKING ON 88TH STREET
FROM CAYUGA DRIVE NORTH TO THE DEAD END**

A Petition from the residents of this block was received with 74.1% of signatures.

Submitted By: Tammy DiLaura, 1217 - 88th Street and Petition/Residents of Block

It is requested that City Council approve this recommendation.

Stephen Urbaniak
Stephen Urbaniak, Chairman
Traffic Advisory Commission

jlm
cc: City Administrator
Director of Public Works
Traffic Planner

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CITY OF NIAGARA FALLS

TO: City Council

FROM: Chairman
Traffic Advisory Commission

DATE: October 5, 2017

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on October 2, 2017 the Commission recommended **APPROVAL** of the following item:

**INSTALL ALTERNATE OVERNIGHT PARKING ON CALUMET AVENUE
BETWEEN AARON GRIFFIN WAY & DIAMOND PARK LANE**

A Petition from the residents of this block was received with 69.2% of signatures.

Submitted By: Pastor Jimmie Hardaway, Jr., 1552 Calumet Avenue and
Petition/Residents of Block

It is requested that City Council approve this recommendation.

Stephen Urbaniak
Stephen Urbaniak, Chairman
Traffic Advisory Commission

jlm
cc: City Administrator
Director of Public Works
Traffic Planner

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GRANDINETTI ___ SCOTT ___ TOMPKINS ___ TOUMA ___ WALKER ___

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CITY OF NIAGARA FALLS

TO: City Council

FROM: Chairman
Traffic Advisory Commission

DATE: October 5, 2017

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on October 2, 2017 the Commission recommended **APPROVAL** of the following item:

**INSTALL ALTERNATE OVERNIGHT PARKING ON BEECH AVENUE
BETWEEN AARON GRIFFIN WAY & DIAMOND PARK LANE**

A Petition from the residents of this block was received with 66.7% of signatures.

Submitted By: Pastor Jimmie Hardaway, Jr., 1552 Calumet Avenue and
Petition/Residents of Block

It is requested that City Council approve this recommendation.

Stephen Urbaniak
Stephen Urbaniak, Chairman
Traffic Advisory Commission

jlm
cc: City Administrator
Director of Public Works
Traffic Planner

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CITY OF NIAGARA FALLS

TO: City Council

FROM: Chairman
Traffic Advisory Commission

DATE: October 5, 2017

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on October 2, 2017 the Commission recommended **APPROVAL** of the following item:

**INSTALL A 5' HANDICAPPED ACCESS SPACE
IN FRONT OF 637 - 25th STREET**

[Physician verification of wheelchair dependency and/or severe restriction of movement, has been received]

Submitted By: Winnifred Doxtator, 637 - 25th Street

It is requested that City Council approve this recommendation.

Stephen Urbaniak
Stephen Urbaniak, Chairman
Traffic Advisory Commission

jlm
cc: City Administrator
Director of Public Works
Traffic Planner

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13



CITY OF NIAGARA FALLS

TO: City Council

FROM: Chairman
Traffic Advisory Commission

DATE: October 5, 2017

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on October 2, 2017 the Commission recommended **APPROVAL** of the following item:

**INSTALL A 5' HANDICAPPED ACCESS SPACE
IN FRONT OF 616 - 28th STREET**

**[Physician verification of wheelchair dependency and/or severe
restriction of movement, has been received]**

Submitted By: Mary Agnes Strott, 616 - 28th Street

It is requested that City Council approve this recommendation.

Stephen Urbaniak
Stephen Urbaniak, Chairman
Traffic Advisory Commission

jlm
cc: City Administrator
Director of Public Works
Traffic Planner

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CITY OF NIAGARA FALLS

TO: City Council

FROM: Chairman
Traffic Advisory Commission

DATE: October 5, 2017

SUBJECT: AGENDA ITEM:

At the Traffic Advisory Commission meeting held on October 2, 2017 the Commission recommended **APPROVAL** of the following item:

**INSTALL A 5' HANDICAPPED ACCESS SPACE
IN FRONT OF 2220 GRAND AVENUE**

**[Physician verification of wheelchair dependency and/or severe
restriction of movement, has been received]**

Submitted By: Phillip Cafarella, 2220 Grand Avenue

It is requested that City Council approve this recommendation.

Stephen Urbaniak
Stephen Urbaniak, Chairman
Traffic Advisory Commission

jlm
cc: City Administrator
Director of Public Works
Traffic Planner

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CITY OF NIAGARA FALLS

TO: City Council

FROM: Chairman
Traffic Advisory Commission

DATE: October 5, 2017

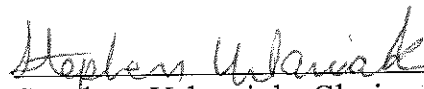
SUBJECT: INFORMATIONAL ITEM

At the Traffic Advisory Commission meeting held on October 2, 2017, the Commission:

DENIED:

- 1) Request submitted by Petition/residents of Elmwood Avenue, between 17th Street and 19th Street to **INSTALL OVERNIGHT PARKING ON THE NORTH SIDE ONLY WITH "NO PARKING WEDNESDAY 7 AM TO 1 PM" RESTRICTION ON ELMWOOD AVENUE BETWEEN 17TH STREET & 19TH STREET**

This petition only had 38.5% of signatures, which is far short of the percentage required for approval. In addition the supposed requesting party (this petition was submitted anonymously) no longer lives in this block and could not be contacted. Therefore this request was denied.


 Stephen Urbaniak, Chairman
 Traffic Advisory Commission

jlm
 cc: City Administrator
 Director of Public Works
 Traffic Planner

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no vote
~~GRANDINETTI~~ ~~SCOTT~~ ~~TOMPKINS~~ ~~TOUMA~~ ~~WALKER~~



City of Niagara Falls, New York

P.O. Box 69, Niagara Falls, NY 14302-0069

October 6, 2017

The City Council
Niagara Falls, New York

RE: Request for Approval to Settle and Pay Claim of Joseph J. Kinney of 2636 Ontario Avenue, Niagara Falls, NY 14305

Council Members:

Date Claim Filed: September 28, 2017

Date Action Commenced: N/A

Date of Occurrence: August 22 – 23, 2017

Location: Parking lot next to Firehouse at 740 10th Street

Nature of Claim: Vehicle was vandalized while it was parked in the parking lot and he was working

City Driver: N/A

Status of Action: Claim Stage

Recommendation/Reason: Best interests of City to pay claim/reimbursement is recommended pursuant to section 4.13 of the Uniformed Fire Fighters Local 714 Contract

Amount to be Paid: \$289.90

Make Check Payable to: Joseph J. Kinney

Conditions: General Release to City approved by Corporation Counsel.

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It is the recommendation of this Department that the above claim be paid under the terms set forth above. Will the Council so approve?

Respectfully submitted,

CRAIG H. JOHNSON
Corporation Counsel

OCT 16 2017

Grandinetti _____ Scott _____ Tompkins _____ Touma _____ Walker _____



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City of Niagara Falls, New York

P.O. Box 69, Niagara Falls, NY 14302-0069

October 10, 2017

The City Council
Niagara Falls, New York

RE: Request for Approval to Settle and Pay Claim of Carmen Tripi of 8809 Lindbergh Avenue, Niagara Falls, NY 14304

Council Members:

Date Claim Filed:	September 19, 2017
Date Action Commenced:	N/A
Date of Occurrence:	September 12, 2017
Location:	1785 New Road (DPW parking lot)
Nature of Claim:	Trades were weed wacking and stones flew up and hit parked vehicle.
City Driver:	N/A
Status of Action:	Claim Stage
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$1324.89
Make Check Payable to:	Carmen Tripi
Conditions:	General Release to City received by Corporation Counsel.

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It is the recommendation of this Department that the above claim be paid under the terms set forth above. Will the Council so approve?

Respectfully submitted

CRAIG H. JOHNSON
Corporation Counsel

WAF

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Grandinetti _____ Scott _____ Tompkins _____ Touma _____ Walker _____



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RESOLUTION No. 2017-

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE FOR PIN 5761.44 ROUTE 384 OVER CAYUGA CREEK BRIDGE REPAIRS

BY:

Council Chairman Charles Walker
Council Member Kristen Grandinetti
Council Member Kenneth M. Tompkins

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WHEREAS, a Project for the Route 384 over Cayuga Creek Bridge Repairs P.I.N. 5761.44 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Niagara Falls desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Project's Construction/Construction Inspection phase of Route 384 over Cayuga Creek Bridge Repairs PIN 5761.44.

NOW, THEREFORE, the City Council of the City of Niagara Falls, New York, duly convened does hereby

RESOLVED, that the City Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the City Council hereby authorizes the City of Niagara Falls to pay in the first instance 100% of the federal and non-federal share of the cost of work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$42,700.00 is hereby appropriated from bond funds and made available to cover the cost of participation in the above phase of the Project; and it is further

OCT 16 2017

Grandinetti _____ Scott _____ Tompkins _____ Touma _____ Walker _____

18 cont

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the City Council of Niagara Falls shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the City of Niagara Falls be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Niagara Falls with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

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RESOLUTION No. 2017-

**AMENDING BUDGET AMENDMENT MEETINGS RELATIVE TO 2018
PROPOSED BUDGET**

BY:

Council Member Kristen Grandinetti
Council Member Andrew Touma

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WHEREAS, by Resolution adopted by the City Council on September 18, 2017, budget amendment meetings were scheduled to commence at 5:00 p.m. in the City Council Chambers on November 6, November 8, November 15 and November 20, 2017; and

WHEREAS, this City Council wishes to reschedule the budget amendment meetings scheduled for November 6 and November 8, 2017.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York that the budget amendment meeting scheduled for November 6, 2017 is hereby cancelled and rescheduled to take place on November 16, 2017 and the budget amendment meeting scheduled for November 8, 2017 is hereby cancelled and rescheduled to take place on November 21, 2017; and

BE IT FURTHER RESOLVED that a copy of this Resolution calling for rescheduling budget amendment meetings be duly published and otherwise made available to the public.

OCT 16 2017

Grandinetti _____ Scott _____ Tompkins _____ Touma _____ Walker _____