



Requests for presentations - 10/30 council meeting

Charles CHA Walker, Andrew P Touma,
Seth A Piccirillo to: KRISTEN M. GRANDINETTI, Kenny
Tompkins, Ezra Scott

10/25/2017 08:23 AM

Cc: Nicholas Melson, Meghan Rossman, Jaclyn Palovick, Lisa Vitello

Hi All - with Bridgette out, I am sending these presentation requests to the entire council, for next Monday's meeting.

Presentation #1 - Niagara Falls Community Development Zombie Fight Project Update - Christine Marino

Presentation #2 - Niagara Falls Community Development Code Enforcement Presentation - Seth Piccirillo

Seth Piccirillo, Director
Niagara Falls Community Development
www.nf-cd.org

③ Dr. Yonghong Tong of
Niagara University
Mobile App

④ College Simulation
Experience
April Baskin & Krysta
Ehassz

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CITY OF NIAGARA FALLS, NEW YORK

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2017 OCT 23 PM 1:57

TO: City Council
FROM: Mayor Paul A. Dyster
DATE: October 30, 2017
RE: City Council Agenda Item:
Center City Neighborhood Development Corporation
Community Housing Development Organization (CHDO) Agreement
2113 Tenth Street

Council Members:

HUD regulation requires that at least 10% of the City's HOME grant be spent for CDHO activities. Center City qualifies as a Community Housing Development Organization. These funds are available to CCNDC for rehabilitation of properties owned by Center City.

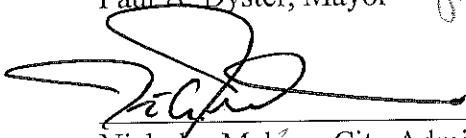
Center City has proposed renovation of 2113 Tenth Street, which is a two-family home, under the CHDO program. The City will enter into an agreement with Center City which will require, among other things, that the renovated property is available to low income tenants for 15 years, and that rents are limited under HUD rent limitations.

Center City will use \$60,000.00 of prior year CHDO funds for the 2113 Tenth Street rehabilitation. While the funds have been appropriated for this purpose in prior years, each specific CHDO contract requires City Council approval.

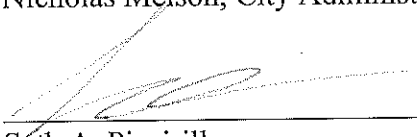
Will the Council vote to approve the 2113 Tenth Street CHDO agreement with Center City as set forth herein, and authorize the Mayor to execute any documents necessary to effectuate the same?



Paul A. Dyster, Mayor



Nicholas Melson, City Administrator



Seth A. Piccirillo
Director of Community Development

OCT 30 2017

Grandinetti _____ Scott _____ Tompkins _____ Touma _____ Chairman Walker _____

2
City of Niagara Falls
New York

October 19, 2017

To: City Council

From: Mayor Paul Dyster

**SUBJECT: LETTER OF AWARD for Transportation and Disposal of
Various Hazardous Waste at 3625 Highland Avenue Business Park**

The following was the result of bids solicited for the above reference project.
(Note: actual cost could be slightly higher based on container waste not identified)

<u>CONTRACTOR</u>	<u>BASE BID</u>
Veolia North America 360 Woodward Rd. Tonawanda, N.Y. 14150	\$7,764.00
Tonawanda Environmental Corp.	\$9,077.00
ESG Environmental	\$10,500.00

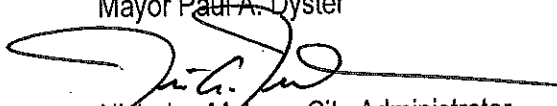
It is the recommendation of the undersigned that this Purchase Order for the above described work be awarded to the vendor Veolia North America at a price not to exceed \$10,000.00. Funding is available from Casino Funds.

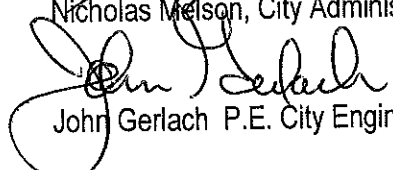
Additionally partial reimbursement from New York State Grant will offset some of the cost associated with this project.

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


John Gerlach P.E. City Engineer

Funding Approval:



Daniel Morello, City Controller

City Council Meeting: October 30, 2017

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CITY OF NIAGARA FALLS, NEW YORK

TO: City Council
FROM: Mayor Paul A. Dyster
DATE: October 30, 2017
RE: **City Council Agenda Item:**
Fellowship House
2016 Emergency Solutions Grant Reprogramming

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Council Members:

On May 1, the City Council approved reprogramming \$10,000.00 of 2015 Emergency Solutions Grant (ESG) funds to Community Missions and YWCA of the Niagara Frontier-Carolyn's House. The funds were originally budgeted for Fellowship House. We found out that Fellowship House is no longer in operation. We have not budgeted funds to Fellowship House for 2017.

The 2016 ESG grant to Fellowship House also needs to be reprogrammed. In the last several months, Community Development staff has been working with the HUD Buffalo field office to improve its homelessness prevention programs. Now that this process is complete, the \$10,000 2016 Fellowship House ESG grant can be reprogrammed to Cazenovia Recovery Systems, Inc., the organization that took over operation of Fellowship House, to administer a homelessness prevention program that is within the guidelines established by HUD and by CD.

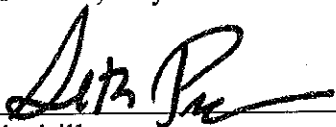
Will the Council vote to approve the reprogramming of 2016 ESG funds as presented herein and to authorize the Mayor to execute any documents necessary to effectuate the same?

Respectfully submitted,



Paul A. Dyster, Mayor

Nicholas Melson, City Administrator



Seth A. Piccirillo
Director of Community Development

OCT 30 2017

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CITY OF NIAGARA FALLS
NEW YORK

October 19, 2017

TO: City Council
FROM: Mayor Paul A. Dyster
SUBJECT: Restroom Renovations at the Stone Comfort Building
Hyde Park Ice Rink: Kitchen Make-up Air
CHANGE ORDER #2 (Mechanical Contract)

A contract for the above referenced project was awarded to DWC Mechanical Inc., 100 John Glenn Drive, Amherst, NY, on March 6, 2017. Including Change Order #1, the total cost approved by City Council is \$39,300.00.

Subsequent to the close out of the above reference project, the City requested quotes for new work not included under the present contract. This work involves the addition of a new make-up air system required by New York State Building Code. The contractor being registered and licensed, supplied an estimate of \$29,215.00 which was the exact cost previously estimated by the City's consultant.

Therefore, it is the recommendation of the undersigned that **Change Order #2** in the amount not to exceed \$30,000.00 be approved by City Council.

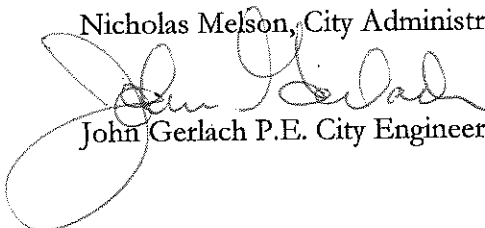
Sufficient funding remains in the original budget used for Stone Comfort Building project through the NYS Consolidated Funding Application (CFA) Grant and Greenway Funds.

Will the Council vote to so approve?

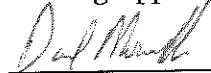
Respectfully submitted,


Mayor Paul A Dyster

Nicholas Melson, City Administrator


John Gerlach P.E. City Engineer

Funding Approval:


Daniel Morello, City Controller
October 30, 2017

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CITY OF NIAGARA FALLS
NEW YORK

September 25, 2017

To: City Council

From: Mayor Paul Dyster

**SUBJECT: LETTER OF AWARD FOR REHABILITATION OF BUFFALO AVENUE BRIDGE
OVER CAYUGA CREEK - PIN 5761.44**

The following was the result of bids received on August 30, 2017 for the above referenced project.

<u>CONTRACTOR</u>	<u>BASE BID</u>
4 th Generation Construction, Inc. 5650 Simmons Ave. Niagara Falls, NY 14304	\$563,493.50
Hunting Valley Construction, Inc.	\$566,348.00
Nichols, Long & Moore Construction Corp.	\$749,912.50

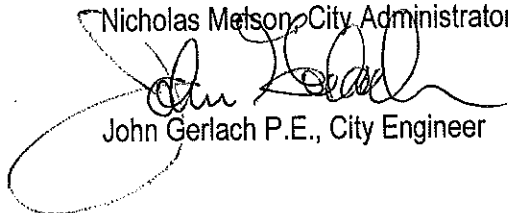
Our design consultant C&S Engineers, Inc. has reviewed the bid package and recommended award of this project to 4th Generation Construction, Inc. Similarly, the New York State Department of Transportation has reviewed the proposal package and has also found the bid award package acceptable. Please note that the City is receiving 80% reimbursement of all project cost from Federal Highway Administration, 15% State Marchiselli Funding, and a 5% Local share funding match. This funding was previously approved by the Council via Bond resolution at its July 10, 2017 meeting.

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 Merson, City Administrator


John Gerlach P.E., City Engineer

Funding Approval:



Daniel Morello, City Controller
Council Meeting: October 30, 2017

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City of Niagara Falls, New York

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

OFFICE OF THE MAYOR
Telephone: (716) 286-4310

October 25, 2017

The City Council
Niagara Falls, New York

RE: Grant for construction of fire training tower

Council Members:

Some time ago the Fire Chief developed an initiative to construct a fire training tower and could only do so if the City were able to obtain site control of the location where the tower is to be constructed and obtain a grant in the amount of \$500,000.00 in order to construct it. Site control was obtained for the property commonly known as 1746 James Avenue, Niagara Falls, NY as a result of a transfer of that property from Niagara County to the City. The Fire Chief had also applied to the Dormitory Authority of the State of New York ("DASNY") for a grant in the amount of \$500,000.00 in order to construct the fire training tower.

The Fire Chief now reports that the grant has been obtained. Attached hereto is a copy of the grant award letter.

Will the Council so approve and authorize the Mayor to execute any documents required to be executed in order to accept and obtain this grant provided the same are in form and content satisfactory to the Corporation Counsel?

Respectfully submitted,

PAUL A. DYSTER
Mayor

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DASNY

ANDREW M. CUOMO
Governor

ALFONSO L. CARNEY, JR.
Chair

GERRARD P. BUSHELL, Ph.D.
President & CEO

October 19, 2017

VIA OVERNIGHT MAIL

Mr. Thomas Colangelo
Fire Chief
City of Niagara Falls
745 Main Street
Niagara Falls, NY 14301

Re: *State and Municipal Facilities Program ("SAM")
Construction of a Fire Training Tower
Project ID: # 7681*

Dear Mr. Colangelo:

As you are aware, City of Niagara Falls has been selected in accordance with procedures required to receive a State and Municipal Facilities Program ("SAM") grant in the amount of \$500,000. The project for which the Grant will be utilized is the Construction of a Fire Training Tower.

Our records indicate that you have fulfilled all of the criteria necessary to receive a SAM Grant as set forth in the authorizing legislation for SAM.

Enclosed please find two (2) execution copies of the Grant Disbursement Agreement (the "GDA"). For your convenience a *Grant Disbursement Agreement Checklist* is being provided to assist you. Please execute and date two (2) original GDAs and return them in their entirety to:

Grants Administration
DASNY
515 Broadway
Albany, New York 12207

Please note that certain exhibits to the GDA must be completed prior to the disbursement of any grant funds, including:

CORPORATE HEADQUARTERS
515 Broadway
Albany, NY 12207-2964

T 518-257-3000
F 518-257-3100

NEW YORK CITY OFFICE
One Penn Plaza, 52nd Floor
New York, NY 10119-0098

T 212-273-5000
F 212-273-6121

BUFFALO OFFICE
539 Franklin Street
Buffalo, NY 14202-1109

T 716-884-9780
F 716-884-9787

DORMITORY AUTHORITY STATE OF NEW YORK

**WE FINANCE, BUILD AND
DELIVER.**

www.dasny.org



DASNY

Page 2

Exhibit A: Project Budget: Please verify that the purpose and use of the Grant funds as described substantially comply with the description and budget provided by the City of Niagara Falls in its Preliminary Application. Any deviation in purpose or use must be separately indicated and explained. Failure to do so may delay the processing of the GDA. **Please be sure to include anticipated project start and end dates relating to each task.**

Exhibit B: Opinion of Counsel: Please be sure that the opinion of counsel returned by the grantee substantially conforms to the template provided in Exhibit B and contains an original signature on the Attorney's letterhead.

Once the execution copies and the completed exhibits are returned to the Dormitory Authority of the State of New York ("DASNY"), we will ensure that they are completed properly and continue to satisfy the requirements of the SAM program. Upon DASNY's satisfactory review, a fully executed GDA will be returned to you. It is at that time you may begin the requisition process.

Should you or your attorney have any questions concerning the enclosed document, please call (518) 257-3177.

Thank you.

Sincerely,

Sarah D. Antonacci
Senior Grant Administrator

b cont.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK
("DASNY")
Grant Disbursement Agreement Checklist

Page 11

Did an Authorized Signatory of the Grantee sign two GDAs?	
Is the name and title of the Authorized Signatory of the Grantee clearly identified and printed?	
Did you insert the date when the Authorized Signatory of the Grantee executed the GDAs?	
Are the signatures original on each GDA?	

Page 13

Exhibit A: Project Budget:

Did you review the task description(s)?	
Do the task(s) conform to the project identified in your Preliminary Application or Project Information Sheet?	
Did you identify (month/year) when each task began or is expected to begin in the column Anticipated Date, Start?	
Did you identify (month/year) when each task was or will be completed in the column Anticipated Date, End?	
Do you agree with the allocation of the grant proceeds entered in the column DASNY Share (or) have you allocated the grant proceeds among your eligible tasks in accordance with your Preliminary Application or Project Information Sheet in the column DASNY Share? Please NOTE: Any substantial deviation in purpose or use must be separately indicated and explained.	
Does the column DASNY Share total the amount of your grant?	
Does the column SOURCES In-Kind/Equity/Sponsor identify the source name and amount that your organization will contribute to each task, if any?	
Does the column SOURCES Other Sources identify the entity name and amount that you have, or will receive, for each task through other donations, grants, loans, etc.?	
If you do not have a SOURCES In-Kind/Equity/Sponsor or Other Sources, did you so indicate by entering zero (\$0)?	
Do the total sources of project funding total across the rows and down each column and reflect the overall project?	

Exhibit B: Opinion of Counsel

Does the form of the Opinion of Counsel conform to the template provided in Exhibit B? Please note: If the Opinion of Counsel is not in the form of Exhibit B, this may delay the processing of your grant.	
Did your attorney provide one executed original Opinion of Counsel on his/her letterhead?	
Is your attorney's Opinion of Counsel dated the same date, or after the date, the GDA was signed by the Authorized Signatory on page 11?	
In the body of the Opinion of Counsel letter, did your attorney correctly indicate the date the GDA was signed by the Authorized Signatory on page 11 of the GDA?	
In the Opinion of Counsel letter, did your attorney remove one of the following statements? The Grantee is duly organized, validly existing and in good standing under the laws of the State of New York for is duly organized and validly existing under the laws of another jurisdiction and is authorized to do business and is in good standing in the State of New York]	
Is your attorney's signature original?	

PRIOR TO RETURNING GDA TO DASNY:

The two original GDAs that are being returned to DASNY, do they contain pages 1-23? NOTE: Completion of the requisition exhibits (Exhibits E, E-1 and E-2) and submission of back up documentation is not necessary when returning the GDAs to DASNY for execution, however, the pages should remain as a part of the contract.	
Is the envelope, with the two GDAs enclosed, addressed to the appropriate individual at DASNY?	



City of Niagara Falls, New York

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

OFFICE OF THE MAYOR
Telephone: (716) 286-4310

October 25, 2017

The City Council
Niagara Falls, New York

RE: Renewal of Shared Services Agreement with Town of Wilson, NY for Assessor's Services

Council Members:

The City has had in place for quite some time a Shared Services Agreement with the Town of Wilson which, among other things, calls for the City to make its Assessor available to the Town of Wilson a certain number of hours each week in order to perform assessing services. The Town of Wilson then pays the City a designated amount for this service. It is therefore requested that a new agreement be entered into with the Town of Wilson for a ten (10) year period of time which calls for the Assessor to devote at least six (6) hours per week during normal business hours to the Town of Wilson to perform those services. In exchange, the Town of Wilson agrees to pay the City the sum of \$25,000.00 to make the City Assessor available to perform those services. Attached hereto is a copy of the draft agreement.

The City is in the process of negotiating a stipend to be paid to the Assessor in order to perform these additional services. Once the amount of this stipend is agreed upon there will be an additional communication to the City Council in this regard.

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

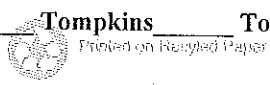
Respectfully submitted,

PAUL A. DYSTER
Mayor

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OCT 30 2017

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AGREEMENT

THIS AGREEMENT made and entered into this ____ day of November, 2017
by and between:

THE City of Niagara Falls, New York with offices at City Hall, 745 Main Street, Niagara Falls, New York, 14302, a municipal corporation as defined by General Municipal Law, Section 119-N (a) of the State of New York, party of the first part, and hereinafter referred to as "Niagara Falls",

And

THE Town of Wilson, with offices at 375 Lake Street, Wilson, New York, 14172, a municipal corporation as defined by the aforesaid statute, party of the second part, hereinafter referred to as "Wilson".

WITNESSETH:

WHEREAS, Niagara Falls and Wilson are empowered to enter into agreement on contractual basis for the provision of an Assessor and assessing services to Wilson pursuant to Section 119-0 of the General Municipal Law of the State of New York, subject to approval by both the City Council of Niagara Falls and the Town Council of Wilson; and

WHEREAS, the following provisions have been duly approved by a majority vote of the City Council of Niagara Falls and by a majority vote of the Town Council of Wilson, the parties agree as follows:

(1). Statement of Agreement: Niagara Falls agrees to provide its Assessor and his assessing services to Wilson during the term of this Agreement, and Wilson agrees to engage Niagara Falls by and through its Assessor to provide such service in accordance with the terms of this Agreement.

(2). Legal Basis: This Agreement is authorized pursuant to and by Article 5-G, Section 119-0, of the General Municipal Law of the State of New York.

(3). Delivery of Services:

(a) Service Area: Niagara Falls shall provide its city Assessor to assess all real property located within the Town of Wilson, including the Village of Wilson.

(b) Assessing Responsibilities: The Assessor shall provide Wilson an assessment roll in accordance with the provisions of the Town and Real Property Tax Laws. Assessor shall supervise all staff in the town assessor's office and review and advise the Town Council and Town Attorney concerning any tax certiorari suits

1 cont

commenced against the Town. The Niagara Falls Assessor shall attend any and all meetings of the Board of Assessment Review of Wilson, as Wilson shall require and at such meetings submit all such information as may be necessary to support any assessment or assessments determined by the Assessor which may be under review by Wilson's Board of Assessment Review.

(c) Personnel Policies: The Assessor shall direct, supervise and oversee all employee(s) of the Wilson assessor's office and be responsible for overall administration of the department.

(d) Dispute Resolution: Any conflict between the parties concerning the extent or manner of the performance of assessing service delivered to Wilson not set out in the agreement shall be resolved through mediation by the Regional director of the NYS Office of Real Property Services in Batavia, NY.

(e) Dedication of Time: Assessor shall devote at least 6 hours per week during normal business hours to Wilson assessing and shall be present at Wilson's offices or in the field for its benefit for such time period.

(4). Resources:

(a) Unless otherwise set out herein, Wilson shall furnish all other required personnel, office equipment, office space, utilities, postage and supplies required to provide assessing services for Wilson. The Assessor shall only be reimbursed for necessary mileage incurred after having first reported to the Wilson office.

(b) Individual Ownership: Niagara Falls shall retain title to all property which it has acquired in the operation of its assessing department, and which it hereafter acquires during the term of this Agreement, to fulfill its obligations under this Agreement.

(c) Expenses to be paid by Wilson: Wilson shall pay any and all costs associated with providing it and the Assessor with a computerized printing of Wilson's assessment roll and any and all incidental charges for notebooks, delivery and revision to such printed roll. Wilson shall also bear any and all costs for any postage for notices required to be sent to owners of property located within the Town of Wilson relative to any change in assessment and the cost of any publication of any and all notices required by law to be published relative to the preparation of the assessment roll.

(d) Liabilities of Wilson: Wilson shall bear all liabilities associated with any erroneous, illegal, or inappropriate assessment made by Assessor while performing his duties pursuant to this Agreement, and shall hold Niagara Falls harmless with respect thereto.

Wilson shall pay any and all costs associated with any revaluation of Wilson property ordered by any Court or which may be ordered by the Town Council of Wilson, on any and all real property located within Wilson. Wilson shall be solely responsible for any and all legal expenses incurred in defending any litigation which may accrue as a result of any assessment imposed by Assessor and/or Board of Assessment Review of Wilson, and shall further pay any and all costs associated with any appraisal of real property located in Wilson ordered by the Assessor, after consultation with the Town Board of Wilson, to supplement any assessment determination made by the Assessor.

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(e) Records of Wilson: All assessing records of Wilson shall be maintained at, and all assessing functions of Wilson shall be conducted by the Assessor at Wilson's office during regular office hours.

(f) Designation of Assessor: The Assessor of Niagara Falls, James R. Bird, shall by resolution of Wilson remain as Wilson's Assessor.

(5) Fees:

(a) Total Sum: Wilson shall pay to Niagara Falls the annual sum of Twenty Five Thousand Dollars (\$25,000.00). In addition the Town of Wilson shall be billed any retirement and social security contribution on the above amount that Niagara Falls incurs. Worker's compensation shall be the responsibility of Niagara Falls (self insured).

(b) Manner of Payment: Wilson shall be billed twice annually in equal installments by Niagara Falls with payments due on June 30th and December 31st during each fiscal year for the length of this agreement.

(c) Delinquency: In the event that Wilson does not make payment within ten (10) days after the date due, Niagara Falls may terminate this Agreement. Wilson shall be liable for assessing services rendered to the time of termination on prorated basis.

(6) Term: The term of the Agreement shall be for a period of 120 months, commencing on January 1, 2018. Either party may terminate this agreement after 36 months with 6 months written notice holding neither party liable.

(7) Authorization: This Agreement is made and executed pursuant to a resolution of the City Council of the City of Niagara Falls adopted on _____ 2017, and the Town of Wilson adopted on _____, 2017.

(8) Notices: Any notices under this agreement shall be sent to the Mayor of the City of Niagara Falls and the Supervisor of the Town of Wilson.

(9) Execution: The parties hereto have executed this Agreement the day and year first above written.

Mayor, City of Niagara Falls
City Hall
745 Main Street
Niagara Falls NY 14302

Supervisor, Town of Wilson
Town Hall
375 Lake Street
Wilson, NY 14172

By _____

By _____

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City of Niagara Falls, New York

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

October 30, 2017

The City Council
Niagara Falls, New York

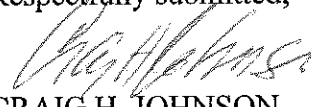
RE: Request for Approval to Settle and Pay Claim of GEICO General Insurance Company
a/s/o Patricia Czaplak, 1 Geico Blvd, Fredericksburg, VA 22412

Council Members:

Date Claim Filed:	March 6, 2017
Date Action Commenced:	N/A
Date of Occurrence:	February 1, 2017
Location:	Porter Road
Nature of Claim:	City vehicle hit another vehicle in the rear.
City Driver:	Marquis D. Lowery
Status of Action:	Claim Stage
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$4126.43
Make Check Payable to:	GEICO Direct as subrogee of Patricia Czaplak
Conditions:	General Release to City approved by Corporation Counsel.

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

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9

RESOLUTION No.

RELATIVE TO DECLARING NOVEMBER
SMALL BUSINESS MONTH IN THE CITY OF NIAGARA FALLS

BY:

Council Chairman Charles A. Walker
Council Member Kristen Grandinetti
Council Member Ezra Scott, Jr.
Council Member Ken Tompkins
Council Member Andrew Touma

October 30, 2017

WHEREAS, "Small Business Saturday," is a nation wide event wherein shoppers are encouraged to patronize small, local, brick and mortar businesses, will fall on November 25 in 2017, and

WHEREAS, "Small Business Saturday" has grown into a nationally recognized event in recent years, drawing attention to the importance of small businesses to the local and national economy, and

WHEREAS, the Niagara Falls Departments of Economic & Community Development are designated "Small Business Saturday Neighborhood Champions," and

WHEREAS, a number of the city's business associations are coordinating with one another to hold events and rallies that spotlight local small businesses, and

WHEREAS, the City Council of the City of Niagara Falls wishes to promote the vitality of small businesses in the Cataract City, now

THEREFORE, BE IT RESOLVED, that the City Council of the City of Niagara Falls, New York hereby declares the month of November in 2017 to be "Small Business Month" in Niagara Falls, New York, and

BE IT FURTHER RESOLVED, that the City Council of Niagara Falls, New York wishes to recognize the hardworking men and women that operate small businesses in the city, and encourages the citizens of Niagara Falls to participate in Small Business Week by patronizing small businesses and by participating in events and rallies that highlight their contributions to our city.

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