

NIAGARA FALLS CITY COUNCIL
AGENDA FOR MAY 5, 2008

4:07 P.M. - 5:05 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 April 21, 2008

VOTE

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

PRESENTATIONS

1. Mr. Paul Fedorsak & Carl Calabrese RE: HOG Motorcycle Rally, July 2008
2. Bob Murray - Ascension Industries, Inc.
3. Fred Mitchell - Photo Violations

ADMINISTRATIVE UPDATE

REVIEW OF AGENDA ITEMS

LEGISLATIVE MEETING

COUNCIL CHAMBERS

7:00 P.M.

ROLL CALL - COUNCIL MEMBERS

ANDERSON X Fournier X ROBINS X WALKER X FRUSCIONE X

PRAYER - WALKER

PLEDGE OF ALLEGIANCE

PUBLIC SPEAKERS (SEE NOTE ON LAST PAGE)

1. AGENDA ITEMS

- Ron Anderluh - Agenda Item #6 & #20
- Ken Hamilton - Agenda Item #8, #18, #24 & #25
- Mary Borgognoni - Agenda Item #9
- Candace Corsaro - Agenda Item #9
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2. FOR THE GOOD OF THE COMMUNITY

- Ron Anderluh - need to enforce maximum penalties and controls as to copper thefts
- Rick Smith - Water Board accountable & reports from Council Representative
- Jerry Genova - City cleanliness & maximum fines if not accountable; additional funding for local tourism
- Ken Hamilton - park and youth facilities; scrap dealers
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INFORMATIONAL ITEMS

FROM THE CITY CLERK

ITEMS FOR COUNCIL ACTION

FROM THE MAYOR

1. Approval of Bid #11-08 for rental of equipment from various vendors 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		

2. Approval of Bid #12-08 for clearing of vacant lots with Niagara Grass Cutting 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		

3. Approval to appropriate \$46,100 from fund balance for Health Insurance opt-out Arbitration Award 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		

4. Approval of contract with Fox Fence, Inc. for \$65,400.00 for fence replacement at various City ballfields

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		

5. Approval to execute Memorandum of Understanding with Niagara International Transportation Technology Coalition

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		

6. Approval of Budget Amendment for Tourism events of \$1,000 each to Main Street Business Association, Pine Avenue Business Association and Niagara Street Business Association

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		

7. Approval of Budget Amendment of \$15,000 for renovations to the Mayor's Office

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 to establish \$110,000 as salary for new City Administrator and Budget Appropriation of ~~\$18,000~~ from contingency fund to cover that salary 15,000

VOTE

	TO AMEND		APPROVE AS AMENDED		CORRECTED AM'T TO \$15,000-Council Member Robins noted that balance of \$75,000 would be paid by Build a Better Niagara fund for the balance of the 4 years
	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 Chairman Fruscione	X		X		
Total:	5	0	5	0	

9. Approval of agreement with Niagara University and the Northend Block Club for restoration of Northend playground

VOTE

	yea	nay	yea	nay	Council Members Robins and Walker thanked Niagara University for their partnership and also Candace Corsaro for her diligence in seeing this project thru
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 of Bid #09-08 with Hunter Buffalo Peterbilt for two chassis with hooklift system and plow equipment for \$313,776.00

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		

11. Approval of agreement with Patch Management, Inc. for one month rental of three Pothole Killer Trucks for \$110,000.00

VOTE

	yea	nay	yea	nay	Council Member Robins encouraged the public to continue to report potholes & to monitor the repairs done by these trucks to see how well the repairs hold up
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

12. Approval to settle and pay claim of Paul and Annette Jaroszewski in the amount of \$339.00

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		

13. Approval to settle and pay claim of Huston Carter in the amount of \$1,328.18

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		

14. Approval to settle and pay claim of Daniel F. Harrigan in the amount of \$1,265.00

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		

15. Approval to settle and pay claim of Laila Nader in the amount of \$2,854.63

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

16. Relative to the Federal Waterfront Brownfields Revitalization Act
BY: All Council Members

VOTE

		yea	nay	yea	nay
	Council Member Anderson	X			
2008-41	Council Member Fournier	X			
	Council Member Robins	X			
	Council Member Walker	X			
	Council Chairman Fruscione	X			
	Total:	5	0		

17. Relative to the LaSalle Business & Professional Association Annual Dinner
BY: All Council Members

VOTE

		yea	nay	yea	nay
	Council Member Anderson	X			
2008-42	Council Member Fournier	X			
	Council Member Robins	X			
	Council Member Walker	X			
	Council Chairman Fruscione	X			
	Total:	5	0		

18. Relative to the Safe Haven Supervised Visitation Center of Niagara, Inc.
BY: All Council Members

VOTE

		yea	nay	yea	nay
	Council Member Anderson	X			
2008-43	Council Member Fournier	X			
	Council Member Robins	X			
	Council Member Walker	X			
	Council Chairman Fruscione	X			
	Total:	5	0		

19. Relative to Preservation League of New York Application for Main Street Heritage Study
BY: All Council Members

VOTE

		yea	nay	yea	nay
	Council Member Anderson	X			
2008-44	Council Member Fournier	X			
	Council Member Robins	X			
	Council Member Walker	X			
	Council Chairman Fruscione	X			
	Total:	5	0		

20. Relative to the Clean Up of Downtown Commercial District
BY: Council Chair Sam Fruscione

VOTE

2008-45	Council Member Anderson	yea	nay	yea	nay
	Council Member Fournier	X			
	Council Member Robins	X			
	Council Member Walker	X			
	Council Chairman Fruscione	X			
	Total:	5	0		

21. Relative to the Niagara USA/NTCC Visitor Center
BY: Council Chair Sam Fruscione

VOTE

2008-46		TO AMEND		TO APPROVE AS AMENDED	
		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 Chairman Fruscione	X		X	
	Total:	5	0	5	0

AMENDED BY STRIKING
"AT THE FORMER FLIGHT
OF ANGELS SITE"

22. Relative to amending Chapter 502 of the Codified Ordinances entitled
"Towing-Rules and Regulations"

BY: Council Member Steve Fournier

VOTE

2008-47		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		

23. Approval of SPCA Contract

		TO ADD TO AGENDA		TO REMOVE FROM TABLE		TO APPROVE	
		yea	nay	yea	nay	yea	nay
	Council Member Anderson	X		X		X	
	Council Member Fournier	X		X		X	
	Council Member Robins	X		X		X	
	Council Member Walker	X		X		X	
	Council Chair Fruscione	X		X		X	
	Total:	5	0	5	0	5	0

24. Resolution Relative to determination of Significance Pursuant to the State

Environmental Quality Review Act (SEQRA) for Ascension Industries, Inc.

BY: Council Chair Samuel Fruscione

		TO ADD TO AGENDA		TO REMOVE FROM TABLE		TO APPROVE	
		yea	nay	yea	nay	yea	nay
2008-	Council Member Anderson	X		X		X	
48	Council Member Fournier	X		X		X	
	Council Member Robins	X		X		X	
	Council Member Walker	X		X		X	
	Council Chair Fruscione	X		X		X	
	Total:	5	0	5	0	5	0

25. Approval of Local Law to amend City Charter in relation to properties to be located in the Empire Zone

		TO ADD TO AGENDA		TO REMOVE FROM TABLE		TO APPROVE	
		yea	nay	yea	nay	yea	nay
2008-	Council Member Anderson	X		X		X	
1	Council Member Fournier	X		X		X	
	Council Member Robins	X		X		X	
	Council Member Walker	X		X		X	
	Council Chair Fruscione	X		X		X	
	Total:	5	0	5	0	5	0

ADJOURNMENT OF MEETING 7:25 P.M.