

Monday – June 12, 2017 Council Meeting

**PRESENTATIONS:**

1. 2017 Community Development Participatory Budget Project - Jarrett Steffen
2. National Home Ownership Month Update/Impact of President Trump's Proposed 2018 Federal Budget - Seth Piccirillo, NF Community Development Director

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**ADMINISTRATIVE UPDATE:**

None

JUN 12 2017

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# City of Niagara Falls, New York

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

**DATE:** June 1, 2017  
**TO:** Council Members  
**FROM:** Lisa A. Vitello, City Clerk

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

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2017 JUN -1 AM 8:51

## NOTICE OF CLAIM

USAA Casualty Insurance Company  
a/s/o Kyle Meyers  
c/o Clerkin, Sinclair & Mahfouz, LLP  
530 B Street, 8<sup>th</sup> Floor  
San Diego, CA 92101

In reference to property damage as a result of a collision with a city snowplow.

Miller, Ryan B.  
P. O. Box 721

In reference to personal issues.

Mahogany Hall as Parent and  
Natural Guardian of  
Nyshaun Jordan an Infant  
c/o Matthew T. Mosher, Esq.

In reference to personal injuries.

Dykes, Kamilah  
1158 Garden Avenue

In reference to vehicle damage caused by a pothole.

Fadel, Mike &  
Vanuden, Amanda  
4633 Lewiston Road

In reference to property damage caused by a city tree branch.

Noye, Judy  
1122 Cleveland Avenue

In reference to property damage caused by a city tree during wind storm.

Torres, Alejandrina  
c/o Joseph R. Bergen, Esq.  
Bergen & Schiffmacher, LLP  
403 Main Street, Suite 715  
Buffalo, NY 14203

In reference to a collision with a Niagara Falls Police vehicle resulting in personal injuries, property damage and economic loss.

Maye, Janice  
738 15<sup>th</sup> Street

In reference to sewer issues caused by city tree roots in sewer line.

Murray, Shakina  
729 Augustus Place

In reference to vehicle damage caused by a city street sweeper.

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160nt.  
Smith-Oke, Anitha M.  
450 12<sup>th</sup> Street, #2 Upper

In reference to vehicle damage caused by a  
City tree.

Boersig, Randall C.  
c/o Christopher D. Smith, Esq.  
Smith & Messina LLP  
3990 McKinley Parkway  
Suite 3  
Blasdell, NY 14219

In reference to personal property loaned to  
City of Niagara Falls ,

Wilson, Irene  
2246 Weston Avenue

In reference to vehicle damage caused by a  
sewer cover that had fallen into sewer.

Tardibuono, Tom  
1046 97<sup>th</sup> Street

In reference to vehicle damage caused by a  
a pothole.

Sky, Erwin T.  
1632 Linwood Avenue

In reference to property damage and  
personal injury to left foot caused by a city  
tree.

Meyers, Kyle  
c/o Viola, Cummings & Lindsay LLP  
770 Main Street  
Niagara Falls, NY 14301

In reference to personal injuries.

McGinty, Diane  
155 67<sup>th</sup> Street

In reference to vehicle damage caused by a  
pothole.

**NOTICE OF COMMENCEMENT OF ACTION SUBJECT TO MANDATORY  
ELECTRONIC FILING**

Josephine Briglio and Arthur Briglio

Index No. E161590/2017

Mark Hamilton and Lisa Hamilton, for  
themselves and as Parents and Natural  
Guardians of A.H.

Index No. E806318/2017

Yours truly,



Lisa A. Vitello

LAV/cs

2

CITY OF NIAGARA FALLS  
NEW YORK

June 2, 2017

TO: City Council

FROM: Mayor Paul A. Dyster

SUBJECT: Bridge Washing and Deck Sealing – Various Locations  
PIN 5761.42  
CHANGE ORDER #1

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2017 JUN -5 AM 10:41

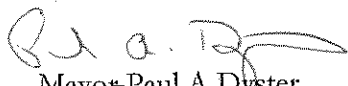
A contract for the above referenced project was awarded to Hunting Valley Construction Inc., 825 Rein Road, Cheektowaga NY, on May 30, 2017 in an amount of \$104,639.80.

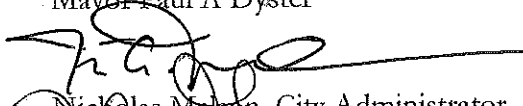
Prior to bidding, the City's bridge consultant CHA Companies Inc. identified a serious deficiency on Porter Road Bridge over CSX Railroad. The concrete around the existing pier joint of the west-bound lane is completely missing, and is in imminent danger of falling out. Since it would be the responsibility of the City to repair, we negotiated a price under this contract with Hunting Valley to perform the out of scope work. The total cost is under the original budgeted amount and is 80% federally reimbursable.

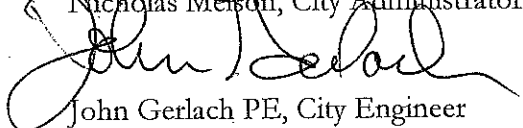
Therefore, it is the recommendation of the undersigned that **Change Order #1** in the amount of **\$30,305.00** be approved, bring the new contract total to \$134,944.80 funding is available under funding code H112.

Will the council vote to so approve?

Respectfully submitted,

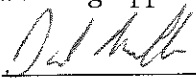
  
Mayor Paul A Dyster

  
Nicholas Melson, City Administrator

  
John Gerlach PE, City Engineer

JUN 12 2017

Funding Approval:

  
Daniel Morello, City Controller  
Council Meeting: June 12, 2017

Grandinetti \_\_\_\_\_ Scott \_\_\_\_\_ Tompkins \_\_\_\_\_ Touma \_\_\_\_\_ Walker \_\_\_\_\_

3

CITY OF NIAGARA FALLS  
NEW YORK

June 6, 2017

**TO:** City Council

**FROM:** Mayor Paul A. Dyster

**SUBJECT:** Restroom Renovations at the Stone Comfort Building  
Hyde Park Ice Rink  
CHANGE ORDER #1 (Plumbing Contract)

A contract for the above referenced project was awarded to PCS Plumbing & Heating, One Carter Street, Buffalo, NY on March 6, 2017 in an amount of \$36,630.00.

During the course of work, the contractor identified additional repair work that was not known before construction started. The additional cost amount to \$1,301.12, increasing the contract total to \$37,931.12.

Therefore, it is the recommendation of the undersigned that **Change Order #1** in the amount of \$1,301.12 be approved by City Council.

Sufficient funds presently exist 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  
Council Meeting: June 12, 2017

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4

CITY OF NIAGARA FALLS  
NEW YORK

June 6, 2017

**TO:** City Council

**FROM:** Mayor Paul A. Dyster

**SUBJECT:** Request for Quotations for Asbestos Floor Tile Abatement  
At 3625 Highland Avenue


Quotes were submitted to the City Engineering Department for Asbestos Floor Tile Abatement on June 6, 2017.

<u>CONTRACTOR</u>	<u>QUOTE AMOUNT</u>
Regional Environmental Demolition Inc. 6281 Wendt Drive Niagara Falls, NY 14304	\$21,800.00
Mark Cerrone Inc.	\$33,600.00
Metro Environmental	\$37,257.00

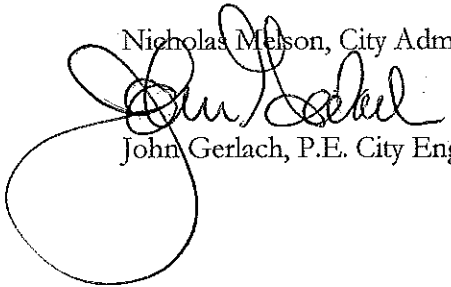
It is the recommendation of the undersigned that a Purchase Order for this work be awarded at their quote of \$21,800.00. Funding is available from Casino Funds for the Highland Avenue Business Park Project.

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

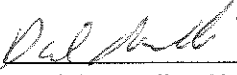
Respectfully submitted,

  
Mayor Paul A. Dyster

Nicholas Melson, City Administrator

  
John Gerlach, P.E. City Engineer

Funding Approval:

  
Daniel Morello, City Controller  
Council Meeting: June 12, 2017

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CITY OF NIAGARA FALLS  
NEW YORK  
Engineering Department

June 6, 2017

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TO: City Council

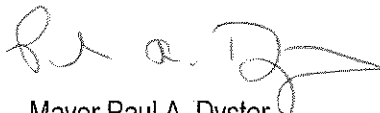
FROM: Mayor Paul A. Dyster

SUBJECT: LETTER OF AWARD FOR CONSULTANT SERVICES -  
PARKING LOT #31 THIRD STREET - BETWEEN MAIN ST. & WALNUT AVE.  
SOIL BORINGS AND GEOTECHNICAL SURVEY

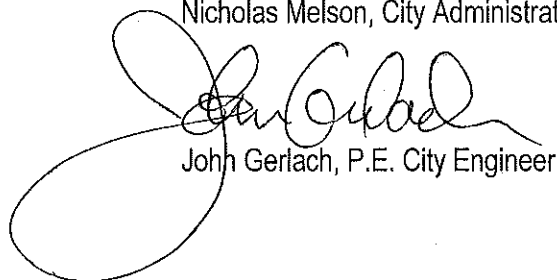
It is the recommendation of the undersigned that the firm Glynn Group Engineering & Architecture, LLC perform the requisite review and approvals for above-referenced program at a not to exceed amount of \$2,865.00. Funding is available in the Engineering Department's Consultant services budget line.

Will the Council vote to so 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  
Council Meeting: June 12, 2017

JUN 12 2017

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6

CITY OF NIAGARA FALLS  
NEW YORK

June 7, 2017

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TO: City Council  
FROM: Mayor Paul A. Dyster  
SUBJECT: CHANGE ORDER #1 & FINAL \$37,589.11  
WATER SERVICE REPLACEMENT PROJECT INDEPENDENCE AVENUE  
(R2-FALL 2016)

A contract for the above referenced project was awarded to Yarussi Construction, Inc. 5650 Simmons Ave. Niagara Falls NY on September 14, 2016 in the amount of \$76,200.00.

Subsequent to the start of the project, the City was approached numerous times by residents who were not included in the 2015 listing of homes having experienced the inconvenience of a frozen water service. In order to accommodate as many taxpayers as possible while on-site/in the neighborhood, all those with documentation of past weather-related issues were also replaced. This amounted to an additional six (6) water service replacements at an additional cost of \$37,589.11 per competitively-obtained item prices. This brought the contract total to \$113,789.11. Casino funds will be source of funding.

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

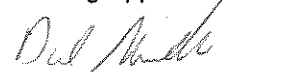
Respectfully submitted,

  
Mayor Paul A. Dyster

Nicholas Melson, City Administrator

  
John Gerlach, P.E., City Engineer

Funding Approval:



Daniel Morello, City Controller

Council Meeting: June 12, 2017

JUN 12 2017

Grandinetti \_\_\_\_\_ Scott \_\_\_\_\_ Tompkins \_\_\_\_\_ Touma \_\_\_\_\_ Walker \_\_\_\_\_





# City of Niagara Falls, New York

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

OFFICE OF THE MAYOR

Telephone: (716) 286-4310

June 6, 2017

The City Council  
Niagara Falls, New York

*RE: Temporary License to the State of New York Acting Through State Parks*

Council Members:

As part of the interim transit hub on Old Main Street, State Parks is requesting a temporary license in order to allow it to proceed to make certain improvements in the right-of-way. Attached hereto is a form of license prepared by State Parks.

Will the Council authorize the Mayor to execute this temporary license in order to allow the work to be commenced by State Parks to proceed?

Respectfully submitted,

PAUL A. DYSTER  
Mayor

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7 cont

Contract Number: \_\_\_\_\_

## GRANT OF LICENSE

This License is dated \_\_\_\_\_, and is between the CITY OF NIAGARA FALLS (**Grantor**) and the STATE OF NEW YORK, acting by and through the Office of Parks, Recreation and Historic Preservation (**State Parks**).

## RECITALS

The land constituting Niagara Falls State Park in the City of Niagara Falls, New York (**Park**) is owned by the People of the State of New York and under the jurisdiction of State Parks.

Grantor has title to certain real property adjacent to the Park known as Old Main Street (the **Property**).

In order to undertake several minor improvements to the right of way of Old Main Street in order to implement an interim transit hub at the entrance to the Park, State Parks requires the right to use and occupy on a temporary basis a portion of the Property for such construction (the **Project**).

The Parties therefore agree as follows:

### Section 1. Grant of License

- (a) Grantor hereby grants to State Parks and its employees, agents, and contractors a non-transferable License to use and occupy the portion of the Property shown in Attachment A (the **Premises**) for the sole purpose of designing, constructing and inspecting the improvements and staging equipment and materials during project work hours.
- (b) This License does not convey to State Parks any interest in the Premises or the Property other than a license to use the same for the purposes described above. This license creates only a license and State Parks is not granted, and shall not have, any other estate or other real estate rights in or with respect to the Property or any part thereof. This License does not constitute an encumbrance on or with respect to the land or other interests of Grantor.
- (c) This License shall not be assigned or transferred without the prior written approval of Grantor.

### Section 2. Term

This License begins on June 13, 2017 and expires on July 13, 2017.

### Section 3. Fees and Other Charges

State Parks shall pay to Grantor One Dollar (\$1.00) and other good and valuable consideration.

### Section 4. Conditions of Use

- (a) State Parks shall remove and dispose of all waste and refuse generated by its use and occupancy of the Premises.

7 cont

- (b) Attachment A – “Description of the Licensed Premises”
- (c) Appendix A – “Standard Clauses for New York State Contracts”

**Section 8. Indemnification and Insurance**

State Parks shall require its contractors to name Grantor as an additional insured on any policies of insurance required under the State Parks contracts relating to the design and construction of the Licensed Premises. In addition, State Parks will require the contractors to indemnify, defend and hold Grantor harmless to the same extent it/they indemnify, defend and hold State Parks harmless.

**\*Signature Page Follows\***

7 cont

Contract Number: \_\_\_\_\_

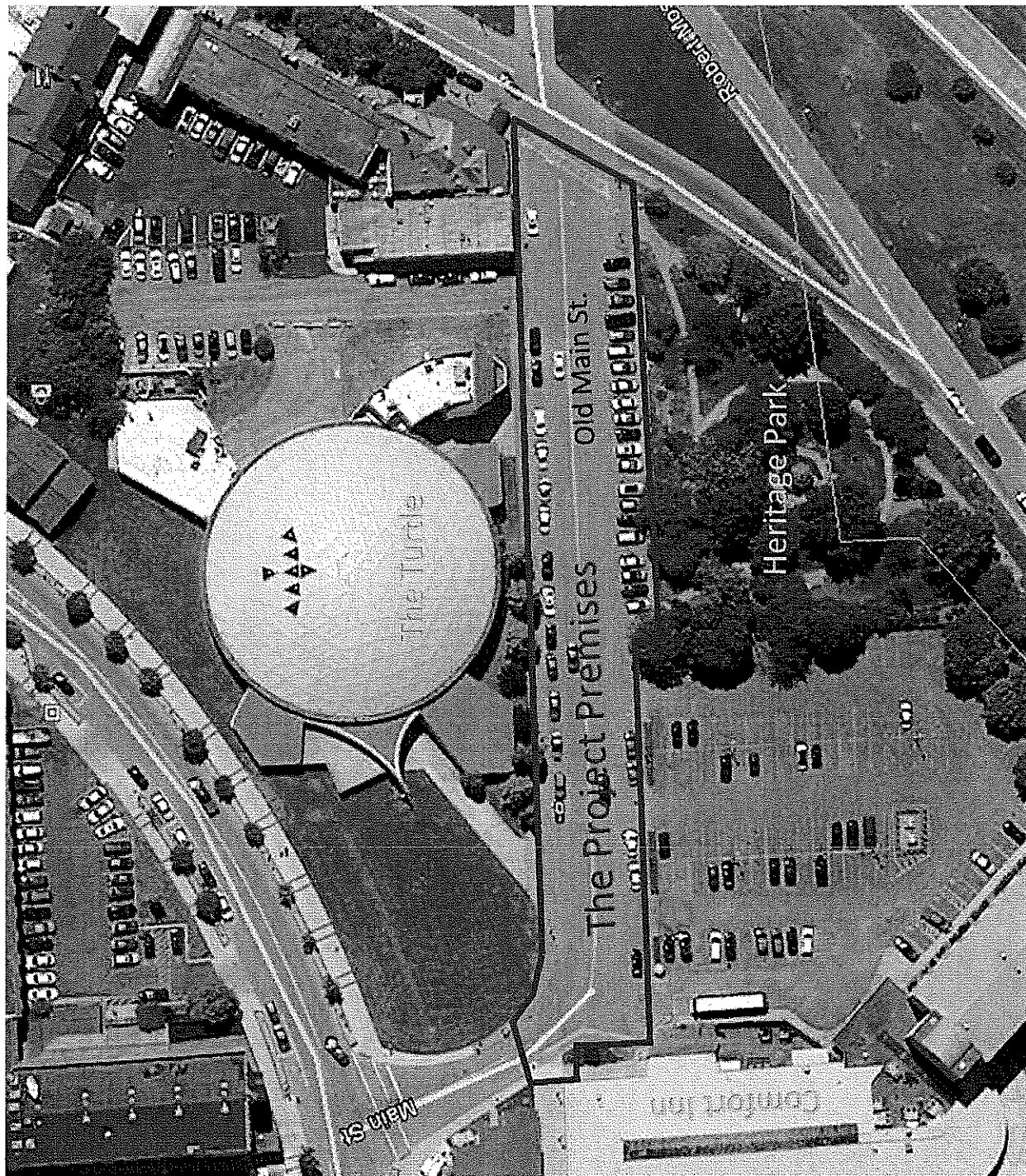
**Attachment A**

**DESCRIPTION OF THE LICENSED PREMISES**

[Map]

7 cont

# Attachment "A"



understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.

**7. NON-COLLUSIVE BIDDING CERTIFICATION.** In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

**8. INTERNATIONAL BOYCOTT PROHIBITION.** In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

**9. SET-OFF RIGHTS.** The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

**10. RECORDS.** The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in

which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

**11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION.**

(a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

**19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES.**

In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

**20. OMNIBUS PROCUREMENT ACT OF 1992.** It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development  
Division for Small Business  
Albany, New York 12245  
Telephone: 518-292-5100  
Fax: 518-292-5884  
email: [opa@esd.ny.gov](mailto:opa@esd.ny.gov)

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development  
Division of Minority and Women's Business Development  
633 Third Avenue  
New York, NY 10017  
212-803-2414  
email: [mwbecertification@esd.ny.gov](mailto:mwbecertification@esd.ny.gov)

<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp>

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

**21. RECIPROCITY AND SANCTIONS PROVISIONS.**

Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

**22. COMPLIANCE WITH NEW YORK STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT.** Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208).

**23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW.** If this is a contract for consulting

8

# CITY OF NIAGARA FALLS

## OFFICE OF THE CITY CLERK

**TO:** City Council Members

**FROM:** Lisa A. Vitello  
City Clerk

**DATE:** May 31, 2017

**RE:** Resolution 2017-51

Please be advised that, Mayor Paul A. Dyster, on May 30, 2017, duly approved the following:

Resolution 2017-51, relative to Amending Chapter 501.15 of the Codified Ordinances entitled "Designated Motor Coach Bus Zones in the Downtown Area."

Section A. "Definition"

Section B. "Description and Purpose"

Section F. "Map of Motor Coach Bus Zones in the Downtown Area"



Lisa A. Vitello  
City Clerk

JUN 12 2017

RdF

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2017 JUN -7 AM 11:00



9

**CITY OF NIAGARA FALLS  
NEW YORK**

DATE: June 12, 2017  
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

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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.

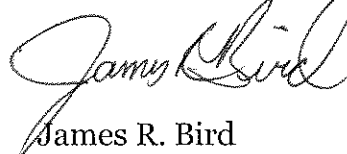
The certification is now due and the attached represents the necessary certifications.

Will Council certify the attached percentages and proportions?

Respectfully,



Mayor Paul Dyster  
Chief Executive Officer



James R. Bird  
City Assessor

JUN 12 2017

Grandinetti \_\_\_\_\_ Scott \_\_\_\_\_ Tompkins \_\_\_\_\_ Touma \_\_\_\_\_ Walker \_\_\_\_\_

9000

06/06/17

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

CERTIFICATE OF BASE PERCENTAGES, CURRENT PERCENTAGES AND  
CURRENT BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPTL, FOR THE  
LEVY OF TAXES ON THE 2017 ASSESSMENT ROLL

CERTIFICATION

Approved Assessing Unit City of Niagara Falls, 291100  
Name of Portion City of Niagara Falls, 291100

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)
Homestead	527,758,862	89.89	587,116,100	57.88167
Nonhomestead	379,459,055	88.82	427,222,534	42.11833
Total	907,217,917		1,014,338,634	100.00000

DETERMINATION OF CURRENT PERCENTAGES

Section II	(E) Prior Year Taxable Assessed Value Including Special Franchise	(F) Prior Year Class Equalization Rate	(G) Estimated Market Value E/(F/100)	(H) Current Percentages (G/sum of G)
Homestead	874,922,720	91.51	956,095,203	58.24848
Nonhomestead	406,184,965	59.27	685,312,915	41.75152
Total	1,281,107,685		1,641,408,118	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.

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
Homestead	40.12162	40.37588	40.48406	52.81316	-23.34		50.45382
Nonhomestead	59.87838	59.35690	59.51594	47.18684	26.13		49.54618
Total	100.00000	99.73278	100.00000	100.00000			100.00000

signature

title

date



# City of Niagara Falls, New York

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

June 6, 2017

The City Council  
Niagara Falls, New York

RE: Request for Approval to Settle and Pay Claim of Shavone L. Crayton residing at  
2218 21<sup>st</sup> Street, Niagara Falls, NY 14305

Council Members:

Date Claim Filed:	January 26, 2006
Date Action Commenced:	January 25, 2007
Date of Occurrence:	December 11, 2005
Nature of Claim:	Negligent and careless manner by police investigating, in issuing a warrant and placing Plaintiff's photo in the Niagara Gazette.
City Driver:	N/A
Status of Action:	Pre Trial Stage
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$15,000.00
Make Check Payable to:	Viola, Cummins and Lindsay, LLP as attorneys and Shavone L. Crayton
Conditions:	Stipulation of Discontinuance and 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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JUN 12 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

June 6, 2017

The City Council  
Niagara Falls, New York

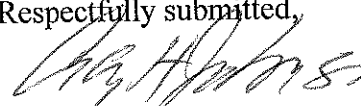
RE: Request for Approval to Settle and Pay Claim of William Carter Jr. residing at 1007  
Calumet Avenue, Niagara Falls, NY 14305

## Council Members:

Date Claim Filed:	March 20, 2017
Date Action Commenced:	N/A
Date of Occurrence:	March 8, 2017
Location:	1007 Centre Avenue
Nature of Claim:	City owned tree fell and tore all of the electric wires off of the house.
City Driver:	N/A
Status of Action:	Claim Stage
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$735.00
Make Check Payable to:	William Carter Jr.
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

waf

JUN 12 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

June 6, 2017

The City Council  
Niagara Falls, New York


RE: Request for Approval to Settle and Pay Claim of Donna Rosemary Chute residing at  
8718 Point Avenue Apt 1, Niagara Falls, NY 14304

## Council Members:

Date Claim Filed:	March 17, 2017
Date Action Commenced:	N/A
Date of Occurrence:	March 17, 2017
Location:	500 Block of 22 <sup>nd</sup> Street
Nature of Claim:	Automobile damage when City plow struck the parked vehicle.
City Driver:	N/A
Status of Action:	Claim Stage
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$1424.37
Make Check Payable to:	Donna Rosemary Chute
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

waf

JUN 12 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

June 6, 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 Lawrence Hawkins, PO Box 9111 Macon, GA 31208

## Council Members:

Date Claim Filed:	January 31, 2017
Date Action Commenced:	N/A
Date of Occurrence:	December 19, 2016
Location:	Niagara Falls Blvd & 80 <sup>th</sup> Street
Nature of Claim:	City vehicle hit another vehicle in the rear.
City Driver:	Joseph S. Urso
Status of Action:	Claim Stage
Recommendation/Reason:	Best interests of City to pay claim.
Amount to be Paid:	\$1535.69
Make Check Payable to:	GEICO Direct as subrogee of Lawrence Hawkins
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?

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Respectfully submitted,

CRAIG H. JOHNSON  
Corporation Counsel

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RESOLUTION No. 2017

**RELATIVE TO RECOGNIZING COMMUNITY MEMBERS FOR THEIR  
COMMUNITY PROJECTS THROUGHOUT THE CITY OF NIAGARA FALLS  
MARC DAUL, ROBERT LYNCH & RICHARD CLARK**

BY:

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

**WHEREAS**, the City of Niagara Falls wishes to recognize three Niagara Falls Teacher's Community Service Award recipients for their dedication and hard work; and

**WHEREAS**, Richard Clark started the First Annual Gaskill Preparatory School Turkey Trot, encouraging both the staff and students who never ran before to try it out on a smaller scale. Mr. Clarke also participated in the Niagara Falls "My School Color Run", a unique event hosted by high seniors, the community and elected officials; and

**WHEREAS**, Marc Daul has been a volunteer with the Police Athletic League (PAL) since the tender age of 10, he began playing football for the PAL Knights and PAL National Travel Basketball Team, later becoming a Volunteer Coordinator, Member of the Board of Directors, and Coordinator for the PAL/NFCSD Elementary Basketball League; and

**WHEREAS**, Robert Lynch, Art Alley, Historic Chilton Block Club, Chilton Corner Gardens are just a few community projects that Mr. Lynch has been involved in. With great collaborations with Greenprint, Tom Lowe & Seth Piccirillo, Mr. Lynch has been able to create Lilac Park and the Art Alley, turning both into tourist destinations. Mr. Lynch is an embodiment of turning blight into beauty.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Niagara Falls, New York that this City Council does hereby recognize these individuals for their contributions and inspiration of helping others as well as the City of Niagara Falls. We appreciate these individuals for continuing the cycle of giving back to our community.

JUN 12 2017

Grandinetti \_\_\_\_\_ Scott \_\_\_\_\_ Tompkins \_\_\_\_\_ Touma \_\_\_\_\_ Walker \_\_\_\_\_

15

RESOLUTION No. 2017

**RELATIVE TO RENTAL FEE WAIVER OF HYDE PARK SPLASH PAD FOR  
FAMILY & CHILDREN'S SERVICES OF NIAGARA  
EIGHTH ANNUAL FESTIVAL OF FATHERS EVENT**

BY:

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

**WHEREAS**, the Family & Children's Services of Niagara will celebrate its Eighth Annual Festival of Fathers event on June 23, 2017 from 12pm – 2pm at the Hyde Park Splash Pad; and

**WHEREAS**, the Festival of Fathers event, encourages positive father-child interaction by providing an opportunity for fathers to interact with their child (ren) in unique ways; and

**WHEREAS**, this event is free and open to the public.

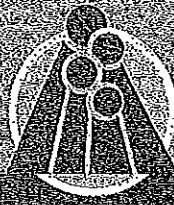
**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Niagara Falls, New York that this City Council does hereby waive fees in the amount of \$150.00 for the rental of the Hyde Park Splash Pad for Family & Children's Services of Niagara for their Eighth Annual Festival of Fathers Event scheduled to take place on June 23, 2017 from 12pm– 2:00pm.

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Grandinetti \_\_\_\_\_ Scott \_\_\_\_\_ Tompkins \_\_\_\_\_ Touma \_\_\_\_\_ Walker \_\_\_\_\_





Family & Children's  
Service of Niagara

Strengthening Niagara... One Person. One Family at a Time since 1895.

## Festival of Fathers

January 31, 2017

We are hoping to celebrate the eighth annual *Festival of Fathers*, sponsored by Healthy Families Niagara, on Friday, June 23, 2017, at the Hyde Park Spray Park. The event would officially take place from 12 to 2 pm, but we would be setting up at 9am and cleaning up until around 3pm.

Healthy Families Niagara, a program of Family & Children's Service of Niagara, is a child abuse prevention program that focuses on the well being of children, while supporting and encouraging the family during pregnancy and continuing through the first five years.

The Festival of Fathers encourages positive father-child interaction by providing an opportunity for fathers with to interact with their child (ren) in unique ways. The Festival is **FREE** to the public and will feature a variety of games, crafts, prizes and activities, including a fishing derby. In addition, those attending will have the opportunity to interact with and obtain valuable information from many other local and state human service agencies.

In the past four years, the event has averaged well over 300 parents, children and caregivers. We are expecting an increase in attendance this year due to moving the event from the same day as Niagara Falls High School Graduation.

If you would like more information on the Festival of Fathers, please contact me at 716-285-6984 ext. 250 or 716-531-6487.

Thank you.

Joseph Zach  
Supervisor/ Father Advocate  
Healthy Families Niagara  
jzach@niagarafamily.org



16

RESOLUTION No. 2017

**RELATIVE TO RENTAL FEE WAIVER OF HYDE PARK SPLASH PAD FOR  
NIAGARA FALLS CITY SCHOOL DISTRICT, GERALDINE J. MANN  
ELEMENTARY SCHOOL  
END OF THE YEAR CELEBRATIONS FOR PRE-K CLASSES**

BY:

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

**WHEREAS**, the Niagara Falls City School District – Geraldine J. Mann Elementary School Pre - K classes would like to celebrate the end of the year at the Hyde Park Splash Pad on June 19, 2017 from 10:15am – 1:15pm; and

**WHEREAS**, due to funding limitations, they are requesting that fees of \$150.00 for the rental of the Splash Pad be waived.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Niagara Falls, New York that this City Council does hereby waive fees for the rental of the Hyde Park Splash Pad for the Niagara Falls City School District – Geraldine J. Mann Elementary School, for the end of the year celebration for Pre-K classes on June 19, 2017 from 10:15am – 1:15pm.

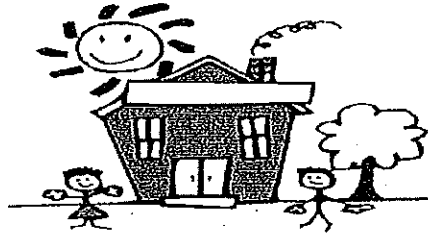
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Grandinetti \_\_\_\_\_ Scott \_\_\_\_\_ Tompkins \_\_\_\_\_ Touma \_\_\_\_\_ Walker \_\_\_\_\_

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**Fax: 278-7946**



May 24, 2017.

Hello, my name is Amy Burkestone, I am a Pre-K teacher at GJ Mann Elementary School. The Pre-K classes here at GJ Mann would like to come on an end of the year field trip to the Hyde Park Splash Pad. We brought our classes there last year to celebrate our school year and the children (and parents) loved it! We are hoping to come on Monday, June 19<sup>th</sup> from approximately 10:15am-1:15pm. Our classes will have to pay for a bus to transport us to Hyde Park and back, I am requesting a fee waiver for the Splash Pad due to funding limitations.

Sincerely,

Margaret Rhodes  
Margaret Rhodes

PC: Mayor Paul Dyster