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The Organizational Meeting of January 1, 2020, Niagara Falls City Council Meeting, was called to order by Council Chairman Andrew Touma at 11:00 A.M. in the Council Chambers.

Members of the Niagara Falls Police Department Color Guard posted the Flag.

The Prayer was said by Fr. Jacek

Chairman Touma welcomed Lt. Governor Kathy Hochul, who congratulated the New Mayor and new Council Member and spoke of the great things happening in the City.

Judge Danielle Restaino administered the Oath of Office to Mayor Robert Restaino, while Mayor Restaino’s wife held the Bible. Mayor Restaino then addressed the Council and the citizens.

Assemblyman Angelo Morinello administered the Oath of Office to new Council Member John Spanbauer and returning Council Member Kenny Tompkins.

Council Chairman Touma then asked the City Clerk to call the Roll. Present: Council Chairman Touma, Council Members William Kennedy, John Spanbauer, Kenny Tompkins, Chris Voccio.

Chairman Touma then asked if there were any nominations for Council Chairman 2020. Council Member Kennedy nominated Kenny Tompkins. Council Member Spanbauer nominated Chris Voccio. Chairman Touma then called for a Vote to be taken. Council Members Kennedy and Touma voted for Kenny Tompkins, Council Members Spanbauer, Tompkins and Voccio voted for Chris Voccio. The Vote was three for Chris Voccio and two for Kenny Tompkins, Chris Voccio was elected as Council Chairman for 2020. Assemblyman Angelo Morinello then administered the Oath of Office to Chairman Voccio.

The Meeting then proceeded to the Agenda.

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE MAYOR

CITY CLERK: KATHLEEN LIGAMMARI, APPOINTMENT

Agenda Item #1
Pursuant to the power vested in me by Section 2.3 of the Charter of the City of Niagara Falls, New York, I hereby appoint Kathleen Ligammari as City Clerk of the City of Niagara Falls, New York. Will the Council kindly confirm such appointment?

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yea 5
Nay 0

APPROVED

Oath of Office was administered by Judge Danielle Restaino
CITY CONTROLLER: DANIEL R. MORELLO, APPOINTMENT

Agenda Item #2
Pursuant to the power vested in me by Section 2.3 of the Charter of the City of Niagara Falls, New York, I hereby appoint Daniel R. Morello as City Controller of the City of Niagara Falls, New York.
Will the Council kindly confirm such appointment?
Council Member Spanbauer moved that the communication be received and filed and the recommendation approved.
Yea 5
Nay 0
APPROVED
Oath of Office was administered by Judge Danielle Restaino

CORPORATION COUNSEL: CHRISTOPHER M. MAZUR, APPOINTMENT

Agenda Item #3
Pursuant to the power vested in me by Section 2.3 of the Charter of the City of Niagara Falls, New York, I hereby appoint Christopher M. Mazur as Corporation Counsel of the City of Niagara Falls, New York.
Will the Council kindly confirm such appointment?
Council Member Tompkins moved that the communication be received and filed and the recommendation approved.
Yea 5
Nay 0
APPROVED
Oath of Office was administered by Judge Danielle Restaino

RESOLUTION: 2020 COUNCIL MEETING SCHEDULE, 2020-1
BY: ALL COUNCIL MEMBERS

Agenda Item #4
BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York, that it hereby adopt the schedule of dates below as the official schedule of meeting dates for the Niagara Falls City Council for 2020; and
BE IT FURTHER RESOLVED, That the City Council of the City of Niagara Falls, New York will hold its work session in conjunction with legislative sessions at 6:00 p.m. on the dates listed below.

<table>
<thead>
<tr>
<th>January 1 (11:00 am)</th>
<th>April 22</th>
<th>July 29</th>
<th>November 18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reorganization Mtg</td>
<td>May 6</td>
<td>August Recess</td>
<td>December 9</td>
</tr>
<tr>
<td>January 15</td>
<td>May 20</td>
<td>September 2</td>
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<tr>
<td>January 29</td>
<td>June 3</td>
<td>September 16</td>
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<tr>
<td>February 13 (Thurs)</td>
<td>June 17</td>
<td>October 7</td>
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<tr>
<td>February 26</td>
<td>July 1</td>
<td>October 21</td>
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<tr>
<td>March 11</td>
<td>July 15</td>
<td>November 4</td>
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<tr>
<td>March 25</td>
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</table>

Yea 5
Nay 0
ADOPTED
RESOLUTION: NIAGARA GAZETTE, OFFICIAL NEWSPAPER, 2020-2
BY: ALL COUNCIL MEMBERS

Agenda Item #5

BE IT RESOLVED, by the City Council of Niagara Falls, New York, that the designation of the Niagara Gazette as the official newspaper of the City of Niagara Falls, New York for purposes of printing and/or publishing of all legal notices, public hearing notices and any other matters required by law or by the City Council or the Boards of the City to be printed and/or published is hereby continued.

BE IT FURTHER RESOLVED, that this designation shall be in effect for the year 2020, but such designation shall not thereafter lapse until superseded.

Yeas 5
Nays 0
ADOPTED

Oath of Office was administered to County Officials, Mark Grozio, Chris Robbins, Owen T. Steed and Dennis Virtuoso

MEETING ADJOURNED AT 12:00 PM

Kathleen Ligammari
City Clerk
The Legislative session of the January 15, 2020 Niagara Falls City Council Meeting was called to order by Council Chairman Chris Voccio at 6:00 P.M. in the Council Chambers.

Present: Council Members William Kennedy, John Spanbauer, Kenny Tompkins, Andrew Touma, Council Chairman Chris Voccio

Also present: Mayor Robert M. Restaino, City Administrator Anthony Restaino, Corporation Counsel Chris Mazur, Deputy Corporation Counsel Thomas O’Donnell and City Controller Daniel Morello.

Council Chairman Voccio said the Prayer and led the gathering in the Pledge of Allegiance to the Flag.

Council Member Tompkins moved to approve the Minutes from the Organizational Meeting of January 1, 2020

Yeas 5
Nays 0
APPROVED

The Chairman asked if anyone wished to speak on Agenda Items or Community Interests, and the following spoke:

Merle Smouse  Agenda Item #15
Ron Anderluh  Congratulations to new Mayor, City Administrator, new Council Members, City Clerk; Parking; working meters
Merle Smouse  Derelict houses; vehicle break-ins; 3rd St. District security
Rev. Fred Chambers  African Americans ignored; City Hall lacking diversity
Gloria Dolson  Parking revenue; lack of diversity in City Government; residential yards full of junk: Law Enforcement needs to work more closely with the Community
Alysia Welch-Chester  Parking revenue; plans ride-along observations of Buffalo Parking operations to aid in improvements with NF operations

Presentations: None

Mayor Update:
State of City comments delayed due to continued reorganization efforts.

Administrative Update: None

Controllers Report:
Pre audited parking revenue detailed for year end 2019 (detailed slides included)

Chris Mazur, Corporation Counsel, presented a Walk-on item concerning Public Speaking Rules to be added

Yeas 5  Nays 0
APPROVED

Item was added to the Agenda as Agenda Item #17
Agenda item #11, honoring Debra Aloian, was moved to the beginning of the Council Meeting. The Proclamation was read by City Clerk Kathleen Ligammari Dennis Virtuoso, Niagara County Legislature, presented a County Proclamation. Ms. Aloian thanked everyone for the observance.

Items 6-9, Settlements of claims against City, Councilman Touma requested tracking of city employees named in multiple incidents. Item 13, Waiver of residency requirements, Councilman Kennedy takes exception to naming individuals in the resolution. Prefers referring to position only.

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE CITY CLERK

CITY CLERK’S REPORT FOR THE MONTH OF NOVEMBER 2019

Agenda Item #1
THIS ITEM WAS RECEIVED AND FILED

CITY CLERK CLAIM’S FOR THE MONTH OF DECEMBER 2019

Agenda Item #2
THIS ITEM WAS RECEIVED AND FILED

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE CITY CLERK

LOCAL LAW #2 APPROVAL

Agenda Item #3
Please be advised that Local Law #2 of the Law of 2019 of the City of Niagara Falls Moratorium on Multi-Tenant/Supportative Housing Projects within the Highland Avenue, North End area of the City of Niagara Falls as these dwellings pose an adverse affect in the Revitalization of the Highland Avenue Community and the Suspension Bridge District Downtown Revitalization Project was adopted by the City Council on November 13, 2019 and duly approved by Mayor Paul A. Dyster on November 26, 2019, was received and filed by the New York State Department of State for the year 2019 on December 3, 2019.
THIS ITEM WAS RECEIVED AND FILED

LOCAL LAW #3 APPROVAL

Agenda Item #4
Please be advised that Local Law #3 for the year 2019, a Local Law to amend the Niagara Falls City Charter as amended by adding Section 10.37 and by appealing Section 10.9 of Article X of the Charter, entitled “Taxation and Assessment”, which was adopted by City Council on November 21, 2019 and duly approved by Mayor Paul A. Dyster on December 4, 2019, was received and filed by the New York State Department of State on December 10, 2019.
THIS ITEM WAS RECEIVED AND FILED

COMMISSIONER OF DEEDS, APPROVAL

Agenda Item #5
The following have requested City Council approval for Commissioner of Deeds for a term from January 16, 2020 to Dec. 31, 2021. This is in accordance with provision of the Niagara Falls City Charter, Article II, Section 7, Subdivision 5.

Kathleen M. Ligammari City Clerk
Kelly L. Colucci 2303 Pine Avenue, Niagara Falls, NY 14301
Karen Quarantiillo 2303 Pine Avenue, Niagara Falls, NY 14301
Lisa A. Smith 226 78th St., Niagara Falls, NY 14301
Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE CORPORATION COUNSEL

CLAIM: JOSEPH L. LEONE, JR., AS GUARDIAN OF L.S., AN INFANT

Agenda Item #6
Date Claim Filed: July 22, 2016
Date Action Commenced: December 5, 2016
Date of Occurrence: April 26, 2016
Location: Hyde Park Boulevard, near intersection with North Avenue
Nature of Claim: Motor vehicle accident
City Driver: James R. Shaughnessy
Status of Action: Trial will be scheduled if not settled
Recommendation/Reason: Best interest of City
Amount to be Paid: $5,000.00
Make Check Payable to: Shaw & Shaw, PC, as attorneys for Joseph L. Leone, Jr.
Conditions: Stipulation of Discontinuance as to all parties and General Release to City must be approved by Corporation Counsel

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

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 4
Spanbauer, Tompkins, Touma, Chairman Voccio
Nays 1
Kennedy
APPROVED

CLAIM: CHRISTINA M. SANCHEZ

Agenda Item #7
Date Claim Filed: March 24, 2016
Date Action Commenced: June 28, 2016
Date of Occurrence: February 29, 2016
Location: Packard Road and Niagara Falls Boulevard
Nature of Claim: Motor vehicle accident
City Driver: Ronald J. Cirrito
Status of Action: Trial will be scheduled if not settled
Recommendation/Reason: Best interest of City
Amount to be Paid: $20,000.00
Make Check Payable to: Lipsitz Green Scime Cambria LLP, as attorneys for Christina M. Sanchez
Conditions: Stipulation of Discontinuance as to all parties and General Release to City must be approved by Corporation Counsel

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

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 4
Spanbauer, Tompkins, Touma, Chairman Voccio
Nays 1
Kennedy
APPROVED
CLAIM: AARON BORDEN

Agenda Item #8
Date Claim Filed: April 7, 2014
Date Action Commenced: December 5, 2014
Date of Occurrence: February 23, 2014
Location: Public Safety Building, 1925 Main Street
Nature of Claim: Premises Liability – slip and fall
City Driver: N/A
Status of Action: Trial will be scheduled if not settled
Recommendation/Reason: Best interest of City
Amount to be Paid: $3,000.00
Make Check Payable to: William Mattar Law Offices, as attorneys for Aaron Borden
Conditions: Stipulation of Discontinuance as to all parties and General Release to City must be approved by Corporation Counsel

It is the recommendation of this Department that the above settlement be paid under the terms set forth above. Will the Council so approve?
Council Member Tompkins moved that the communication be received and the recommendation approved.
Yeas 4
Spanbauer, Tompkins, Touma, Chairman Voccio
Nays 1
Kennedy

APPROVED

JUDGEMENT: GEICO, AS SUBROGEE OF TESSIA C. HARRIS

Agenda Item #9
Date Claim Filed: Notice of Claim requirement not applicable
Date Action Commenced: Petition to confirm arbitration award filed March 29, 2019
Date of Occurrence: Multiple dates of PIP payments to GEICO insured
Location: N/A
Nature of Claim: PIP Subrogation – Mandatory Arbitration
Status of Action: Judgment in favor of Petitioner, GEICO
Recommendation/Reason: Satisfaction of Judgment
Amount to be Paid: $2,875.00
Make Check Payable to: GEICO Insurance Company
Conditions: Satisfaction of Judgment to be approved by Corporation Counsel prior to filing.

It is the recommendation of this Department that the above settlement be paid under the terms set forth above. Will the Council so approve?
Council Member Tompkins moved that the communication be received and the recommendation approved.
Yeas 4
Spanbauer, Tompkins, Touma, Chairman Voccio
Nays 1
Kennedy

APPROVED

RESOLUTION: MARRIAGE OFFICERS, APPOINTMENT, REAPPOINTMENT, CANCELLATION, 2020-3
BY: COUNCIL CHAIRMAN VOCCIO

Agenda Item #10
WHEREAS, Niagara Falls has an international reputation as The Honeymoon Capitol; and
WHEREAS, Couples arrive at the City Clerk’s Office from all over the World to obtain a Marriage License; and
WHEREAS, it is advantageous for the City and convenient for the couples to have these marriages solemnized within the confines of the City of Niagara Falls; and
WHEREAS, the Council finds it appropriate to appoint and re-appoint Marriage Officers,
NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York that in accordance with Section 11-c of the New York Domestic Relations Law, the following employees in the City Clerk’s Office, Kathleen Ligammari, City Clerk, be appointed as Marriage Officer and Leonard Lapp, Jr. be re-appointed as Marriage Officer for the City of Niagara Falls for a term of four years. Also, to remove Lisa A. Vitello as Marriage Officer.

Yeas 5
Nays 0
ADOPTED

RESOLUTION: ALOIAN, DEBRA, HONORING, 2020-4
BY; ALL COUNCIL MEMBERS, MAYOR RESTAINO

Agenda Item #11
WHEREAS, Debra Aloian has been a lifelong resident of the City of Niagara Falls, daughter of Joseph and Mary Schiro, sister to Lawrence and Joseph Schiro, mother to Peter, Joseph and Theresa Aloian, widow of Richard Aloian; and
WHEREAS, Debra started her work career at Niagara Falls Memorial Medical Center at various Departments, followed by time working at Milestone Rehab Center; and
WHEREAS, for the past 28 years, Debra has dedicated her life to the Passage House, a fifteen bed Domestic Violence Shelter serving Niagara Falls, North Tonawanda and Western Niagara County, assisting survivors of abuse and their families; and
WHEREAS, Debra has made an impact on hundreds and hundreds of individuals in our Community, working through Pinnacle Community Services;
NOW, THEREFORE, BE IT RESOLVED that both the City Council and Mayor Robert M. Restaino of the City of Niagara Falls wish to honor Debra Aloian for her years of community service.
THANK YOU for making a positive difference in so many lives here in Niagara Falls.
Yeas 5
Nays 0
ADOPTED

RESOLUTION: BOARD OF APPEALS, APPOINTMENT, 2020-5
BY: ALL COUNCIL MEMBERS

Agenda Item #12
BE IT RESOLVED that the following individual is hereby appointed to the City of Niagara Falls Zoning Board of Appeals for the term expiring on the date which appears opposite his name:

<table>
<thead>
<tr>
<th>Appointment</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earl Smeal</td>
<td>12/31/2022</td>
</tr>
<tr>
<td>8494 W. Rivershore Drive</td>
<td>Niagara Falls, NY 14304</td>
</tr>
</tbody>
</table>

Yeas 5
Nays 0
ADOPTED

RESOLUTION: RESIDENCY REQUIREMENT, WAIVER, 2020-6
BY: COUNCIL MEMBERS SPANBAUER, TOMPKINS, TOUMA, CHAIRMAN VOCCIO

Agenda Item #13
WHEREAS, on February 6, 2017, the Niagara Falls City Council authorized, by resolution, that City Engineer John A. Gerlach was exempted from the residency requirements contained in Local Law #7, for the Year 1984, as amended; and
WHEREAS, at that time, the City Council determined that it was in
the best interests of the City to waive the residency requirements of
the Local Law as there were a lack of qualified applicants for the
City Engineer position residing within the City and that several
suitable applicants for the position were unwilling to accept the
position if required to comply with the residency requirement; and

WHEREAS, Mr. Gerlach continues to reside in Youngstown, New York
and is unable to relocate due to personal and family circumstances; and

WHEREAS, based upon his qualifications and proven work record with
the City, newly elected Mayor Robert Restaino re-appointed John
Gerlach as City Engineer on January 1, 2020; and

WHEREAS, for the purposes of continuity and for the same reasons
that necessitated the City Council’s previous residency waiver in
February 2017, it is in the best interests of the City to again exempt
Mr. Gerlach from the requirements of the Local Law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City
of Niagara Falls, New York, duly convened, does hereby grant a waiver
pursuant to Section 6 of Local Law #7, for the Year 1984, as amended,
to John A. Gerlach, exempting him from the residency requirements
contained in said Local Law for the specific purpose of retaining John
A. Gerlach as City Engineer, and it is further

RESOLVED, that this waiver with respect to Mr. Gerlach’s employment with the City, and it is further
RESOLVED, that the Mayor and the acting City Administrator of the
City of Niagara Falls, New York are hereby authorized to

effectuate said waiver in relation to the employment of John A. Gerlach
as Niagara Falls City Engineer.

Yeas
Spanbauer, Tompkins, Touma, Chairman Voccio
Nays
Kennedy

ADOPTED

RESOLUTION: PARKLAND IMPROVEMENTS, DISCOVERY WAY RECONSTRUCTION,
TROLLEY PATH, NEW BICYCLE/PEDESTRIAN PATHS RECONSTRUCTION, 2020-7
BY: COUNCIL MEMBERS TOMPKINS, TOUMA, CHAIRMAN VOCCIO

Agenda Item #14:
WHEREAS, the New York State Department of Transportation proposes
the construction, reconstruction, or improvement of Removal of the
Niagara Scenic (Robert Moses) Parkway and Improvements to the Parkland
and Adjacent Area, Reconstruction of Discovery Way, Reconstruction of the
Trolley Path, and Construction of New Bicycle, Pedestrian Paths in the
City of Niagara Falls, located in Niagara county, PIN 5761.9B and
5761.90; and

WHEREAS, the State will include as part of the construction,
reconstruction, or improvement of the above mentioned project the work to
be done pursuant to Section 10, Subdivision 24, of the State Highway Law,
as shown on the contract plans relating to the project and meeting the
requirements of the owner; and

WHEREAS, the service life of the relocated and or replaced
utilities has not been extended; and

WHEREAS, the State will provide for the reconstruction of the above
mentioned work, as shown on the contract plans relating to the above
mentioned project PIN 5761.9B; and

WHEREAS, the City of Niagara Falls or its contractors will adjust
facilities pursuant to contract plans related to PIN 5761.90.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of
Niagara Falls approves of the work to be done and the above mentioned
work performed on the project and shown on the contract plans relating to
the project and that the City of Niagara Falls will maintain or cause to
be maintained the adjusted facilities performed as above stated and as
shown on the contract plans.

BE IT FURTHER RESOLVED that the City of Niagara Falls or its
contractors will adjust their facilities per contract documents.
BE IT FURTHER RESOLVED that Mayor Robert M. Restaino has the authority to sign any and all documentation that may become necessary as a result of this project as it relates to the City of Niagara Falls; and
BE IT FURTHER RESOLVED that the clerk of the City of Niagara Falls is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Yeas 5
Nays 0
ADOPTED

RESOLUTION: PUBLIC HEARING, AMENDING ARTICLE X, AMENDING SECTION 10.30 ENTITLED “HOTEL ROOM AND OCCUPANCY TAX”, 2020-8
BY: COUNCIL MEMBERS TOMPKINS, TOUMA, CHAIRMAN VOCCIO

Agenda Item #15
RESOLVED, that Local Law No. ___ for the year 2020 be introduced, and that a public hearing be held on such Local Law on the 29th day of January, 2020 at 6:00 p.m. in the Council Chambers of the City of Niagara Falls, New York, and that three (3) days notice of said hearing be published in the Niagara Gazette preceding said hearing relative to amending Section 10.30 entitled “Hotel Room and Occupancy Tax”.
LOCAL LAW ON FILE IN THE CITY CLERK’S OFFICE

Yeas 5
Nays 0
ADOPTED

RESOLUTION: LIGHTING SYSTEM, ADOPTING AGREEMENT FOR INSTALLATION MAINTENANCE, REPAIR, STATE HIGHWAY/WHIRLPOOL STREET, 2020-9
BY: COUNCIL MEMBERS TOMPKINS, TOUMA, CHAIRMAN VOCCIO

Agenda Item #16
WHEREAS the New York State Department of Transportation / City of Niagara Falls, New York, proposes the removal of NY Route 947A (Niagara Scenic Parkway), State Highway NPM 67-2 Niagara (Robert Moses) Parkway and Reconstruction of Whirlpool Street and Local Roads, a locally administered federal aid project, in the City of Niagara Falls, New York located in Niagara County, PIN 5761.90, Contract No. D263803, State Highway NPM 67-2; and
NOW, THEREFORE, BE IT RESOLVED by the City Council that the City of Niagara Falls, New York approves of the Agreement for Installation, Maintenance, Repair and Energizing of Lighting System for State Highway NPM 67-2; and
BE IT FURTHER RESOLVED that Mayor Robert M. Restaino has the authority to sign, with the concurrence of the City Council, this agreement; and
BE IT FURTHER RESOLVED that the clerk of the City of Niagara Falls, New York is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Yeas 5
Nays 0
ADOPTED

RESOLUTION: PUBLIC SPEAKING RULES, COUNCIL MEETINGS, 2020-10
BY: ALL COUNCIL MEMBERS

Agenda Item #17
WHEREAS, the Niagara Falls City Council believes in giving members of the public a forum to address the Council on matters that are on the Council meeting agenda as well as on matters for “the good of the community”; and
WHEREAS, the Niagara Falls City Council, pursuant to Resolution No. 1993-137, adopted by the Council on October 18, 1993, set forth a policy to allow public speaking at its meetings; and

01/15/2020
WHEREAS, to help keep Council meetings professional and focused on making Niagara Falls a better place, the Council unanimously wishes to adopt a series of rules and procedures designed to make Council meetings more civil and dignified.

NOW, THEREFORE, BE IT RESOLVED that the following rules will apply to the public speaking portion of each Council meeting.

PUBLIC SPEAKING SIGN-IN PROCEDURES

If you would like to speak to the Council, please note the following rules:

- You must sign the appropriate sign-in sheet at least five (5) minutes before the meeting begins.
- You may sign-in to speak regarding a specific agenda item and/or "for the good of the community."
- Each speaker is given up to five (5) minutes maximum, although you may use less than that if you make your point in less time.
- If speaking about an agenda item, please refer to that agenda item at the very beginning of your five minutes.
- You may not transfer the balance of your time to another speaker.
- The Chairman may limit the number of speakers on a topic or agenda item or the overall speaking time if the same will unduly delay the commencement of the agenda.
- Speakers are addressing the City Council as a body. If you would like to address an individual Council Member or anyone else, please do that separately, not during these meetings.
- Please remain focused on the agenda item you signed up for, or for "the good of the community."
- The Council will not respond to questions or statements during the meeting. This is an opportunity to share your ideas, not to engage in conversation.
- This portion of the meeting is not for personal grievances
- Please use the decorum expected speaking before a deliberative assembly in the United States of America.
- The Chairman will enforce these rules.

Yeas 5
Nays 0
ADOPTED

There being no further business to come before the Council, Chairman Voccio adjourned the Meeting at 7:10 P.M.

Kathleen Ligammari
City Clerk
The Legislative session of the January 29, 2020 Niagara Falls City Council Meeting was called to order by Council Chairman Chris Voccio at 6:00 P.M. in the Council Chambers.

Present: Council Members William Kennedy, John Spanbauer, Kenny Tompkins, Andrew Touma, Council Chairman Chris Voccio

Also present: Mayor Robert M. Restaino, City Administrator Anthony Restaino, Corporation Counsel Chris Mazur and City Controller Daniel Morello.

Council Member Kennedy said the Prayer and the Chairman led the gathering in the Pledge of Allegiance to the Flag.

Council Member Tompkins moved to approve the Minutes from the Council Meeting of January 15, 2020

Yeas

Nays

APPROVED

Chairman Voccio announced a Special Order of Business, a Public Hearing relative to Amending Article X entitled “Taxation and Assessment” by Amending Section 10.30 entitled “Hotel Room and Occupancy Tax” and asked if there were any speakers relative thereto:

THERE WERE NO SPEAKERS FOR THE PUBLIC HEARING

The Chairman asked if anyone wished to speak on Agenda Items or Community Interests, and the following spoke:

Ralph Lorigo  Agenda Item #7
Ron Anderluh  Agenda Item #7
Merle Smouse  Agenda Item #7
Jeff Flach  Agenda Item #7
Ron Anderluh  City Hall hours; professional image of workers
Merle Smouse  RFP’s; Projects on hold occupied by squatters
Robert Ventry  Vision for City; expand John Daly Blvd.; new Convention Center; better product for paving roads

Presentations: Susan Swiatkowski, Tourism Development Manager
Presented data for last quarter 2019.

Mayor Update:

- Talks in progress for improved lighting in areas of the city. A no cost audit is being pursued. A detailed report to the Council will be provided upon completion.
- Talks with Bridge Commission coordinating recognition of recent event. Details TBA.
- Working toward improving customer service throughout City Hall.
Administrative Update:

- Communicate with DPW to make most of mild weather to patch roads.
- Per Council concerns, planning a ‘meet & greet’ with Modern Disposal and will address inconsistencies with level of service.
- Council expressed communications concerns; interdepartmental, between business districts, government to community, etc. Creation of Communications Officer position being explored by Executive office.
- Council expressed concerns regarding traffic signal sync issues. Talks between Administration & state to be pursued.

Controllers Report:

Online tax payments increased in 2019. City bond rating at ‘negative outlook’ status per S&P and Fitch. (presentation slides on file in the City Clerk’s Office).

Councilman Kennedy added as sponsor to Agenda Items 6, 8, 9, 10.

Item 7:
Councilman Spanbauer sympathetic to stalled investors. Mayor anticipates an efficient process to finalize details, hopefully completed well before 90 day mark.

Item 10:
Mayor Restaino requests that administrator be included to keep lines of communication open regarding tourism issues.

THE FOLLOWING COMMUNICATION WAS SUBMITTED BY THE CITY CLERK

CITY CLERK’S REPORT FOR THE MONTH OF DECEMBER 2019

Agenda Item #1
THIS ITEM WAS RECEIVED AND FILED

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE MAYOR

CONTRACT: WORKER’S COMPENSATION CLAIMS, NORTHEAST ASSOCIATION MANAGEMENT, INC.

Agenda Item #2
Since 2005, the City’s Workers’ Compensation claims have been handled by the Public Employees Risk Management Association (“PERMA”). This includes both claims existing prior to 2005 and the claims that have arisen since joining PERMA in 2005.

The pre-2005 claims have been handled through PERMA’s affiliated entity Northeast Association Management, Inc. (“NEAMI”) as the third party administrator for the claims. Recent changes by the Workers’ Compensation Board required that the City enter into a separate agreement with NEAMI to provide this service.

It is now time to enter into the annual renewal agreement (on file in the City Clerk’s Office) with NEAMI. The claims will continue to be handled on the same basis and it is recommended that the Council authorize the Mayor to execute an agreement with NEAMI in a form acceptable to the Corporation Counsel.

Will the Council so approve?

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas

Nays

APPROVED
DEPT. OF PLANNING/ECONOMIC DEVELOPMENT, OFFICE OF BUSINESS DEVELOPMENT, REORGANIZATION

Agenda Item #3

The Mayor is requesting a reorganization in the Department of Planning and Economic Development, Office of Business Development, decreasing the budgeted salary of the Director of Business Development from $73,096 to $52,310 and increasing the budgeted salary of the Business Development/Tourism Coordinator from $49,432 to $51,800. The proposed reorganization would result in a net savings of $18,418 in the department’s 2020 biweekly line.

Attached (on file in the City Clerk’s Office) is the proposed personnel listing.

Will the Council so approve?

Council Member Spanbauer moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0

APPROVED

CONTRACT: BALL DIAMOND IMPROVEMENT PROJECT, 91ST ST., SCOTT LAWN YARD, INC., CHANGE ORDER #1

Agenda Item #4

A contract for the above referenced project was awarded to Scott Lawn Yard Inc. on April 3, 2019, in the amount of $191,515.00.

An integral task of the improvements to the two ball diamonds being reconstructed was the complete re-grading to established little league safety standards. As the re-grading was completed, the new elevations in the outfields exposed the concrete fence post foundations in the outfield fencing. To ensure safety of the players the existing fence posts were required to be removed and reset at lower elevations. Damaged posts were replaced with new posts. In addition, the fence fabric required complete removal and reinstallation. These changes will result in an additional $6,495.94, bringing the total contract amount to $198,010.94. Funding is available from tribal revenue.

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

Council Member Spanbauer moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0

APPROVED

IN REM AUCTION: WARD 08 PRO 0174 AND WARD 08 PRO 0175, SALE

Agenda Item #5

After the above referenced properties were sold at the October 9, 2019 auction, the City was notified of a bankruptcy filing by the owner of the property. As this prevented the City from proceeding with the sale, the down payment was returned.

The bankruptcy has been dismissed and the successful bidder would like to complete the sale.

Therefore it is the recommended that the sale of 08/0174 for $882.00 and 08/0175 for $14,118.00 to Gautam S. Sharma - 121 - 6th Street, Niagara Falls, NY be approved subject to compliance with the Terms of Sale.

Will the Council so approve?

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0

APPROVED

01/29/2020
RESOLUTION: LOCAL LAW, HOTEL ROOM/OCCUPANCY TAX, AMENDING, 2020-11
BY: COUNCIL MEMBERS KENNEDY, TOMPKINS, TOUMA, CHAIRMAN VOCCIO

Agenda Item #6

LOCAL LAW: HOTEL ROOM AND OCCUPANCY TAX, AMENDING

RELATIVE TO AMENDING ARTICLE X ENTITLED “TAXATION AND ASSESSMENT” BY
AMENDING SECTION 10.30 ENTITLED “HOTEL ROOM AND OCCUPANCY TAX”

A local law to amend the Niagara Falls City Charter as amended, by
amending Section 10.30 of Article X of the Charter, entitled “Taxation
and Assessment”.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NIAGARA FALLS, NEW
YORK, as follows:

Section 1. The Niagara Falls City Charter, as amended, is hereby amended
by amending Section 10.30 of Article X to read as follows:

SECTION 10.30 HOTEL ROOM AND OCCUPANCY TAX

C. Imposition of Tax. On and after the 1st day of January, nineteen
hundred ninety-two and ending on August 31, 2006, there is imposed and
there shall be paid a tax of four hundred ninety-two and ending on August 31, 2006, there is imposed and
there shall be paid a tax of four hundred ninety-two and ending on August 31, 2006, there is imposed and
there shall be paid a tax of four percent [per centum] per centum (4%) per day
there shall be paid a tax of four percent [per centum] per centum (4%) per day
there shall be paid a tax of four percent [per centum] per centum (4%) per day
upon the rent for every occupancy of a room or rooms in a hotel in this
upon the rent for every occupancy of a room or rooms in a hotel in this
upon the rent for every occupancy of a room or rooms in a hotel in this
city except that the tax shall not be imposed upon a permanent
resident of a hotel or exempt organizations as hereinafter set forth.
city except that the tax shall not be imposed upon a permanent
resident of a hotel or exempt organizations as hereinafter set forth.
city except that the tax shall not be imposed upon a permanent
resident of a hotel or exempt organizations as hereinafter set forth.

On and after the 1st day of September, two thousand six and ending
on February 28, two thousand twenty, there is imposed and there shall
be paid a tax of five percent [per centum] per centum (5%) per day upon the rent
for every occupancy of a room or rooms in a hotel in this city except that the tax shall not be imposed upon a permanent
resident of a hotel or exempt organizations as hereinafter set forth.

On and after the 1st day of March, two thousand twenty, there is
imposed and there shall be paid a tax of six percent [per centum] per day
upon the rent for every occupancy of a room or rooms in a hotel in this
city except that the tax shall not be imposed upon a permanent
resident of a hotel or exempt organizations as hereinafter set forth.

P. Disposition of Revenues. [All revenues resulting from the
imposition of the tax under this section 10.30 shall be paid into the
treasury of the City of Niagara Falls and shall be credited to and
deposited in the General Fund account of the City of Niagara Falls.
Eighty percent (80%) of the revenue from the tax shall be used for the
promotion of convention activities in the City of Niagara Falls, for
which the City may contract with the Niagara Falls Convention and
Visitors Bureau for periods of not more than three (3) years. Fifteen
percent (15%) of said revenue shall be divided equally between and used
for the promotion of tourism and for maintenance and repairs of

01/29/2020
RESOLUTION: MORATORIUM, 90 DAY, SHORT-TERM, VACATION OR TRANSIENT RENTALS, APPLICATIONS FOR BUILDING/USE PERMITS, 2020-12
BY: ALL COUNCIL MEMBERS

Agenda Item #7

WHEREAS, the operation of short-term, vacation or transient rentals in the City of Niagara Falls and across the country has dramatically increased over the last several years; and

WHEREAS, while short-term, vacation or transient rentals have proven to have a generally positive influence on local economies and the overall condition of housing stock, they have also generated a great deal of controversy nationwide due to their negative effects upon the quality of life of adjoining property owners, the economic impact on traditional lodging partners and the availability of affordable housing; and

WHEREAS, the Zoning Ordinance and Comprehensive Plan for the City of Niagara Falls requires that land be used in the City and the most beneficial and convenient manner, preserving relationships among the residential, commercial, industrial and recreational areas within the City, and further requires that the value of land throughout the City be protected and conserved in a manner appropriate to the various districts established by the Zoning Ordinance, and further requires the pursuit of gradual conformity of the uses of land in buildings throughout the City and the minimizing of conflicts among the uses of land and buildings in the City; and

ADOPTED

Yeas 5
Nays 0

01/29/2020
WHEREAS, without a comprehensive and detailed plan by the City to address the development and operation of short-term vacation or transient rentals in the City of Niagara Falls, the above purposes and requirements may be jeopardized.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York that there is hereby imposed, from the date of enacting of this resolution, a ninety (90) day moratorium on the consideration of building/use permits for short-term, vacation or transient rentals, and it is further

RESOLVED, that this moratorium is imposed to enable the City to develop a comprehensive and detailed plan which is in concert with the Comprehensive Plan and Zoning Ordinance for the City of Niagara Falls concerning the location and approvals of short-term, vacation or transient rentals.

Yeas 5
Nays 0
ADOPTED

RESOLUTION: BOARD OF ASSESSMENT, RE-APPOINTMENT, 2020-13
BY: COUNCIL MEMBERS KENNEDY, TOMPKINS, TOUMA, CHAIRMAN VOCCIO

Agenda Item #8
BE IT RESOLVED, that the following individual is hereby re-appointed to the City of Niagara Falls Board of Assessment for the term expiring on the date which appears opposite his name:

Robert Burns 09/30/2024
8955 West Rivershore Drive
Niagara Falls, NY 14304

Yeas 5
Nays 0
ADOPTED

RESOLUTION: TOURISM ADVISORY BOARD, CONTINUATION/AMENDMENT OF MEMBERSHIP, 2020-14
BY: ALL COUNCIL MEMBERS

Agenda Item #9
WHEREAS, the Niagara Falls City Council, by Resolution 2006-7, re-established the Tourism Advisory Board and, by Resolution 2006-11, set its membership at sixteen (16); and
WHEREAS, the Council deems it desirable to continue the Tourism Advisory Board during the year 2020; and
WHEREAS, the Council deems it desirable and more efficient to reduce the overall membership of the Board to fifteen (15), with eleven (11) members having voting rights and four (4) members non-voting members.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Niagara Falls, New York hereby continues the Tourism Advisory Board, and be it further

RESOLVED, that the board Tourism Advisory Board shall now consist of fifteen (15) members appointed by the City Council, with eleven (11) members having voting rights and four (4) non-voting members, and be it further

RESOLVED, that the Tourism Advisory Board and its function shall cease on December 31, 2020.

Yeas 5
Nays 0
ADOPTED
RESOLUTION: TOURISM ADVISORY BOARD, APPOINTMENTS/REAPPOINTMENTS, 2020-15
BY: ALL COUNCIL MEMBERS

Agenda Item #10
WHEREAS, the Council deems it desirable to continue the Tourism Advisory Board during the year 2020; and
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Niagara Falls, New York hereby re-appoints and appoints the following individuals to the City of Niagara Falls Tourism Advisory Board, effective immediately, for a term expiring on the date that appears opposite their names:

<table>
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<tr>
<th>RE-APPOINTMENT</th>
<th>TERMS EXPIRE:</th>
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<tbody>
<tr>
<td>Patrick Proctor</td>
<td>12/31/2020</td>
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<tr>
<td>Angela Berti *</td>
<td>12/31/2020</td>
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<tr>
<td>Gaelean Baille</td>
<td>12/31/2020</td>
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<tr>
<td>Andrea Czopp *</td>
<td>12/31/2020</td>
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<td>Roscoe Naguit</td>
<td>12/31/2020</td>
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<td>Meghan Ayers</td>
<td>12/31/2020</td>
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<tr>
<td>Michael Marsch</td>
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<tr>
<td>Sara Capen *</td>
<td>12/31/2020</td>
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<tr>
<td>Frances (Skip) DiCamillo</td>
<td>12/31/2020</td>
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<tr>
<td>Susan Swiatkowski *</td>
<td>12/31/2020</td>
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<tr>
<td>Daniel Tighe</td>
<td>12/31/2020</td>
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<table>
<thead>
<tr>
<th>APPOINTMENT</th>
<th>TERMS EXPIRE:</th>
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<tbody>
<tr>
<td>Bob Onesi</td>
<td>12/31/2020</td>
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<tr>
<td>Traci Bax</td>
<td>12/31/2020</td>
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<tr>
<td>Brian Lapp</td>
<td>12/31/2020</td>
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<tr>
<td>Maryann Hess</td>
<td>12/31/2020</td>
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</tbody>
</table>

* Non Voting Member

Yeas: 5
Nays: 0
ADOPTED
There being no further business to come before the Council, Chairman Voccio adjourned the Meeting at 7:15 P.M.

Kathleen Ligammari
City Clerk
The Legislative session of the February 13, 2020 Niagara Falls City Council Meeting was called to order by Council Chairman Chris Voccio at 6:00 P.M. in the Council Chambers.

Present: Council Members William Kennedy, John Spanbauer, Kenny Tompkins, Andrew Touma, Council Chairman Chris Voccio

Also present: Mayor Robert M. Restaino, City Administrator Anthony Restaino, Corporation Counsel Chris Mazur, and City Controller Daniel Morello.

Council Member Spanbauer said the Prayer and the Chairman led the gathering in the Pledge of Allegiance to the Flag.

Council Member Tompkins moved to approve the Minutes from the Council Meeting of January 29, 2020.

Yeas 5
Nays 0
APPROVED

The Chairman asked if anyone wished to speak on Agenda Items or Community Interests, and the following spoke:

Gerald Skrlin Agenda Item #9
Ron Anderluh Parking; prepared for start of tourist season; Meters operational; coordination between lots; enforce rules for maximum revenue; traffic Control, be proactive; Snow Park used for bus lot
Gerald Skrlin Illegal Boarding House

Mayor Update:
• Short term rental review group is in place and meeting date set.
• Study being conducted Re; parking & traffic issues during tourist season in downtown district.
• Discussion Re; recently awarded Cities Rise Innovation grant. Phases I & 2 in progress. City responsible for continued funding once grant is exhausted.

Administrative Update:
• Responded to Council inquiry re; Item 1

Controllers Report: None

Item 1: Councilman Spanbauer - Questioned if Forestry department is assessing tree stock throughout City to prioritize most in need of removal/trimming to minimize property damage liability. Councilman Tompkins suggested possible grant availability or Greenway funds to offset cost.
THE FOLLOWING COMMUNICATION WAS SUBMITTED BY THE CITY CLERK

CITY CLERK CLAIMS FOR THE MONTH OF JANUARY 2020

Agenda Item #1
THIS ITEM WAS RECEIVED AND FILED

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE MAYOR

CONTRACT: NIAGARA COUNTY OFFICE FOR THE AGING

Agenda Item #2
In the past, the City has served as a contractor for the Niagara County Office for the Aging by providing information and assistance services to persons 60 years old or older who meet Office for the Aging eligibility requirements. These services are performed at 1201 Hyde Park Boulevard, Niagara Falls, New York. The City is paid an amount not to exceed $9,025.00 per year for these services. The term of the agreement is January 1, 2020 through December 31, 2022. Attached (on file in the City Clerk’s Office) is a copy of a proposed agreement.

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

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

CONTRACT: OFFICE OF THE AGING, SENIOR NUTRITION SITE

Agenda Item #3
For the last several years the City has provided space at the John Duke Center and the LaSalle Senior Center so that OFA may operate a nutrition program for seniors. This program is attended by numerous senior citizens at both locations every day. This program is funded by the New York State Office for the Aging. The term of this agreement will be for three (3) years, i.e., January 1, 2020 to December 31, 2022 and may be terminated by either party on sixty (60) days written notice to the other.

Attached (on file in the City Clerk’s Office) are copies of the proposed agreements between the City and the OFA. Will the Council so approve and authorize the Mayor to execute the attached agreements?

Will the Council so approve?

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

CITY PROPERTY: MICHIGAN AVENUE, 1316, SALE, CHARLES & MARY CALABRO

Agenda Item #4
The City has received a request to purchase the above referenced City owned vacant property for the sum of $500.00.

This property was approved for sale by the Planning Board. Attached (on file in the City Clerk’s Office) hereto is a copy of the Planning Board’s approval.

Will the Council approve the sale of these premises for this price in an “as-is” condition, the closing on this property be performed within 30 days of the resident being informed of Council approval, and with the standard pre-condition that the purchaser is not delinquent with any tax or water bill?
The purchaser is responsible for paying the 2020 County Tax and 2020 City Tax first installment.

Will the Council further authorize the Mayor to execute any deeds or other documents necessary to effectuate this transaction?

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

CONTRACT: PROFESSIONAL SERVICES AGREEMENT, WENDEL WD AESLA, P.C., PAYMENT

Agenda Item #5

At your meeting on December 11, 2017, the Niagara Falls City Council approved a professional services agreement for $76,000 with Wendel WD Architecture, Engineering, Surveying, and Landscape Architecture, P.C. ("Wendel") relative to the Fire House at 3721 Highland Avenue. Funding for this contract was designated to come from a New York State Empire State Development grant that was secured by the Community Development Department in 2014 through the consolidated funding application process.

On January 18, 2018, the City entered into a professional services contract with Wendel where they would develop and provide construction documents for bidding and all bidding services up to contract award which would allow for the execution of all remaining work at the site. Wendel fulfilled their requirements under this contract during 2018 and issued three invoices for the services it performed; unfortunately, those invoices, which were submitted to Community Development for payment, were apparently disregarded by the department’s former director, Seth Piccirillo. Throughout 2019, Wendel made several more attempts to collect on the invoices without success.

Subsequently, my administration has discovered that the reason Wendel was not paid resulted from the funding being eligible only if the entire renovation of the Highland Avenue Fire House was completed. It was apparent then that the New York State Empire State Development grant which Mr. Piccirillo led this Council to believe would pay for the contract was clearly not as the former Community Development director advised this Council. Without the funding source, Mr. Piccirillo then essentially ignored Wendel’s numerous requests for payment. However, ignoring the problem will not allow the City’s contractual responsibilities to just go away.

As the City Council was misinformed relative to funding of the professional services contract, the City is now obligated to compensate Wendel for services rendered pursuant to the agreement. This Administration therefore requests that the City Council approve payment of $76,000 to Wendel WDAE SLA, P.C., for the work that it undertook relative to the Highland Avenue Fire Station. This payment is requested not only because the City is legally obligated to do so, but because it is also necessary to preserve our reputation with the business community. In order to move this city forward, the community must know that we have the ability and integrity to fulfill our contractual obligations.

Funding for this payment is available from the respective project capital account code, made up of previously approved tribal revenue funds that were earmarked for this project, specifically Capital Account Code H1510.

Will the Council approve payment of the aforementioned professional services agreement?

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 4
Kennedy, Spanbauer, Touma, Chairman Voccio
Nays 1
Tompkins
APPROVED
THE FOLLOWING COMMUNICATION WAS SUBMITTED BY THE CITY CLERK

COMMISSIONER OF DEEDS: APPOINTMENTS

Agenda Item #6

The following have requested City Council approval for Commissioner of Deeds for a term from April 1, 2020 to March 31, 2022. This is in accordance with provision of the Niagara Falls City Charter, Article II, Section 7, Subdivision 5.

Leonard G. Lapp Jr.  City Clerk's Office
Rosanna Lively DPW
Leonard M. Cannello  9141 Rivershore Dr., NF, NY 14304
Kelly Cook  1026 92nd St., NF, NY 14304
Larry Kensinger  496 23rd St., NF, NY 14303
Teresa M. Kurilovitch  9311 Niemel Dr., NF, NY 14304
Ashlee Pappas  770 Main St., NF, NY 14301
Jaclyn Pendola  2259 Forest Ave. Upper, NF, NY 14301
Diane Ward  1010 Hyde Park Blvd., NF, NY 14305

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

RESOLUTION: TOURISM ADVISORY BOARD, AMENDMENT OF MEMBERSHIP/APPOINTMENT OF CITY REPRESENTATIVE, 2020-16

BY: ALL COUNCIL MEMBERS

Agenda Item #7

WHEREAS, the Niagara Falls City Council, by Resolution 2020-15, re-established the Tourism Advisory Board and set its membership at fifteen (15), with eleven (11) members having voting rights and four (4) members non-voting members; and

WHEREAS, the Council deems it desirable and more efficient to include a representative of the City of Niagara Falls to the Board as a non-voting member, thereby increasing the membership to sixteen (16), with eleven (11) members having voting rights and five (5) members non-voting members.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Niagara Falls, New York hereby determines that the City of Niagara Falls Tourism Advisory Board shall now consist of sixteen (16) members appointed by the City Council, with eleven (11) members having voting rights and five (5) members non-voting members, and be it further RESOLVED that the City Council hereby appoints Allen Booker to the City of Niagara Falls Tourism Advisory Board as the City's non-voting representative, effective immediately, for a term expiring on December 31, 2020.

Yeas 5
Nays 0
ADOPTED

02/13/2020
RESOLUTION: WATER BOARD, APPOINTMENT, 2020-17
BY: COUNCIL MEMBERS SPANBAUER, TOMPKINS, TOUMA, CHAIRMAN VOCCIO

Agenda Item #8
BE IT RESOLVED that the following individual is hereby appointed to the City of Niagara Falls Water Board, effective immediately, for the term expiring on the date which appears opposite his name:

<table>
<thead>
<tr>
<th>APPOINTMENT:</th>
<th>TERM EXPIRES:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patrick Brown</td>
<td>12/31/2022</td>
</tr>
<tr>
<td>984 Rankine Road</td>
<td>984 Rankine Road</td>
</tr>
<tr>
<td>Niagara Falls, NY</td>
<td>14305</td>
</tr>
</tbody>
</table>

Yeas
Spanbauer, Tompkins, Touma, Chairman Voccio
Kennedy

Nays

ADOPTED

RESOLUTION: BAIL AND DISCOVERY REFORM LAWS, REPEAL, 2020-18
BY: ALL COUNCIL MEMBERS

Agenda Item #9
WHEREAS, the Niagara Falls City Council recognizes the need for statewide bail and discovery reform; and
WHEREAS, protecting the people from harm by enforcing the rule of law is a fundamental role of government; and
WHEREAS, city governments are vested by the State of New York with the responsibility to protect the most vulnerable among us, including the elderly, the disabled, the socio-economically disadvantaged, children and others;
WHEREAS, no group is more vulnerable than the victims of crime, and a just society demands that crime victims should be recognized as key participants within the criminal justice system and be treated with dignity, fairness, and respect; and
WHEREAS, in the final stages of adopting its Fiscal Year 2020 budget, the State of New York enacted sweeping criminal justice reforms including the elimination of cash bail for many specific enumerated crimes and the imposition of stringent discovery mandates on police and prosecutors; and
WHEREAS, under the bail reform which began January 1, 2020, judges were stripped of their discretion to set bail for many specific enumerated crimes, meaning that many of those suspected of committing these crimes can no longer be held in jail after their arrest, regardless of the strength of the case against these defendants, or the length of the potential sentence faced by these defendants, or the extent of the harm allegedly caused by these defendants, and instead these defendants will be released back into the general public; and
WHEREAS, these crimes include those that result in the deaths of innocent people, including several subcategories of homicide and manslaughter, with those responsible for these deaths being released back into the community of grieving families; and
WHEREAS, these crimes include Making a Terroristic Threat and Money Laundering in Support of Terrorism in the 3rd and 4th Degree, resulting in those alleged to have supported terrorism in this manner or who have threatened to commit acts of terrorism being released immediately from police custody; and
WHEREAS, these crimes also include Promoting an Obscene Sexual Performance by a Child, Possessing an Obscene Performance by a Child, Failure to Register as a Sex Offender, and Patronizing a Person for Prostitution in a School Zone, resulting in suspected child predators being released and returning into our community; and
WHEREAS, these crimes also include Aggravated Assault upon a Person Less Than Eleven Years Old, Reckless Assault of a Child by a Day Care Provider, Criminal Sale of a Controlled Substance to a Child, Abandonment of a Child and Criminal Possession of a Weapon on School Grounds, resulting in those suspected to have physically harmed or endangered children in this manner being free from custody; and

WHEREAS, these crimes likewise includes Endangering the Welfare of a Vulnerable Elderly Person or an Incompetent or Physically Disabled Person, resulting in the potential for further endangerment of seniors and these defenseless individuals; and

WHEREAS, furthermore, these crimes include Aggravated Cruelty to Animals, Torturing Animals and Injuring Animals, resulting in immediately release of those suspected of deliberately injuring, torturing and killing animals; and

WHEREAS, these crimes also include Assault in the 3rd Degree, Aggravated Vehicular Assault, and other crimes of physical violence against people; and

WHEREAS, these crimes likewise includes Burglary of a Residence, resulting in the immediate release of these individuals back into the neighborhoods they are suspected of targeting; and

WHEREAS, these crimes also include Bail Jumping and Unlawfully Fleeing a Police Officer in a Motor Vehicle, resulting in release on recognizance of the very individuals who have demonstrated a propensity to evade the law; and

WHEREAS, all the offenders mentioned heretofore are a risk of not showing up for Court, thereby placing a burden on public employees who, under this law, are required to send multiple Court appearance reminders to these offenders, as well as police officers and district attorneys who must commit resources to tracking and pursing those who evade prosecution; and

WHEREAS, all offenders who were held in custody for non-qualifying crimes including those mentioned heretofore became eligible for release from custody on January 1, 2020; and

WHEREAS, the discovery mandates imposed by the State of New York requires police and district attorneys, beginning January 1, 2020, to turn over voluminous trial related materials to defense attorneys within 15 days, creating a mandate that will inevitably not be achieved in some cases and may result in the inability to properly prosecute cases against criminal defendants; and

WHEREAS, the office of New York State’s chief law enforcement officer, Attorney General Letitia James, testified at a State Legislative hearing on October 28, 2019, that there will be implementation difficulties because prosecutors across the state lack the resources required to full comply with discovery mandates; and

WHEREAS, the Attorney General’s office further testified that their own office, which carries a limited criminal caseload, lacks resources required to fully comply with discovery mandates and consequently needs an additional $10 million in state funding; and

WHEREAS, discovery reform will also result in an opportunity for defendants to gain access to crime scenes that may include a victim’s residence, thereby giving defendants accused of burglaries, assaults, rapes and other crimes committed in victims’ homes the right to return to those same homes; and

WHEREAS, the issues mentioned heretofore will undeniably impact past, present, and future victims of crime in a negative manner, and in so doing, the bail and discovery reforms adopted by the State of New York will themselves further victimize these innocents individuals; and

WHEREAS, these bail and discovery laws, in their current form, represent a clear and present danger to society, will tilt the scales of justice in favor of suspected criminals and away from innocent crime victims, and risk reversing decades of bipartisan progress made by the State of New York in reducing crimes; and

WHEREAS, the fundamental responsibility of governments to protect the vulnerable in society demands that the shortcomings of these laws must remediate by total repeal;
NOW, THEREFORE, BE IT RESOLVED that the Niagara Falls City Council hereby implores the State of New York to immediately repeal these laws; and be it further
RESOLVED, that the following improvements to these laws be implemented as soon as possible:
1. Give judges the discretion to impose bail when appropriate for all the crimes enumerated in this Resolution;
2. Increase the discovery timeline from 15 days to a minimum of 45 days;
3. Phase in discovery reform by applying these new mandates only to misdemeanors and then to felonies effective January 1, 2022, and repeal the provision that makes the new discovery mandates applicable to violations of the Vehicle and Traffic Law;
4. Require that Court appearance reminders are sent not only to defendants but also to the victims of their crimes; and
5. Extend appropriate dignity, fairness and respect to crime victims by soliciting input from victim advocate organizations and considering their suggestions for improving these laws; and be it further
RESOLVED, that the Niagara Falls City Council asks all counties and towns across New York State to urge their State representatives to take immediate action on the foregoing issues; and be it further
RESOLVED, that copies of this resolution be provided to: Governor Andrew Cuomo, Lt. Governor Kathy Hochul, Attorney General Letitia James, each and every member of the New York State Legislature, Congresswomen Elise Stefanik, Senator Kirsten Gillibrand, Senator Charles Schumer, the New York State Association of Counties, the New York State Sheriff’s Association, the New York State Association of Chiefs of Police, the District Attorneys Association of New York, the New York State Public Defenders Association, the New York State Probation Officers Association, the New York State Council of Probation Administrators, the Associations of Justices of the Supreme Court of the State Of New York, the New York State Association of City Court Judges, the County Judges Association of the State of New York, and the County Attorneys Association of the State of New York.

Yeas 5
Nays 0
ADOPTED
There being no further business to come before the Council, Chairman Voccio adjourned the Meeting at 6:55 P.M.

Kathleen Ligammari
City Clerk
The Legislative session of the February 26, 2020 Niagara Falls City Council Meeting was called to order by Council Chairman Chris Voccio at 6:00 P.M. in the Council Chambers.

Present: Council Members William Kennedy, John Spanbauer, Kenny Tompkins, Andrew Touma, Council Chairman Chris Voccio

Also present: Mayor Robert M. Restaino, City Administrator Anthony Restaino, Corporation Counsel Chris Mazur, and City Controller Daniel Morello.

Council Member Tompkins said the Prayer and the Chairman led the gathering in the Pledge of Allegiance to the Flag.

Council Member Tompkins moved to approve the Minutes from the Council Meeting of February 13, 2020

Yeas 5
Nays 0

APPROVED

The Chairman asked if anyone wished to speak on Agenda Items or Community Interests, and the following spoke:

Ron Anderluh        Parking. specifically the Roundabout; make one way 1st St. toward Niagara St. would improve revenue in Ramp

Mayor Update:
- Presented each Council member with 45rpm record of nostalgic Niagara Falls song.
- Pantara project is proceeding. Will keep Council updated as new details emerge.
- Action Line on City website is pending makeover to be more effective, user friendly and interactive for residents/visitors feedback.
- Meeting was held with Niagara Co. leadership. Cooperative efforts discussed that would improve efficiencies & cost between the City & neighboring communities.
- 90 day Moratorium Committee met to develop regulations regarding short term rentals. Outcome pending.
- State of The City address targeted for March. Coordinating date & time pending.
- Council questioned status of casino funds resolution. Talks ongoing regarding appeal process and compact details. Possible update in the Fall.
- Preparedness discussed regarding imminent winter storm. Senior centers focused as well as possibly covering school snow clearing as equipment was lost in fire 2/25/2020.
• MIS Upgrades - Working with school district to coordinate efforts. Looking for available funding sources. Councilman Touma stressed an urgency to bringing City technology to a contemporary level.

Administrative Update:
• Re: Action Line - Meeting planned 3rd week in March with a developer. Each department to designate point person(s) to address issues related to their area.
• Meeting planned with Assessor, Code Enforcement, Legal, Fire & NFPD to progress with City Rises grant initiative.
• NCCC approached to enlist their horticulture program to maintain medians in downtown district.

Controllers Report:
Tourism Fund Update for 2019, preliminary findings. Audit planned in May. Revenue down, somewhat affected by still pending payments from several properties.

Misc.:
Councilman Kennedy expressed concerns received from residents regarding potholes along Rt. 62 & 79th St. Councilman Touma inquired if analysis of DPW & NFPD fleet had been explored yet. Administrator expressed the known issues and they will be addressed.

THE FOLLOWING COMMUNICATION WAS SUBMITTED BY THE CITY CLERK

CITY CLERK’S REPORT FOR THE MONTH OF JANUARY 2020

Agenda Item #1
THIS ITEM WAS RECEIVED AND FILED

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE CORPORATION COUNSEL

IN REM PURCHASE: 2016, 1718 13th STREET, REIMBURSEMENT

Agenda Item #2

The above property was included in the most recent In Rem proceeding and was subject to auction on October 9, 2019. At the time of the auction, there was a structure on the property. After closing with the City on January 20, 2020, it was discovered that the structure had burned down and had been demolished.

Accordingly, the Law Department has determined that it is in the City's best interest to reimburse Mr. Shakoor for the cost he paid to the City to close on that property. Therefore, the following costs should be reimbursed: $4,000.00 bid balance; $140.75 2019 - 2020 school tax; $65.47, 2019 city tax, and $25, landlord registration fee. The total amount to be reimbursed to the purchaser is $4231.22; this does not include Mr. Shakoor’s initial deposit of $1,000 or the auction fee of $500 from the day of the auction which will not be reimbursed by the City.

Will the Council so approved?
Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

30

02/26/2020
IN REM PURCHASE: 2016, NIAGARA FALLS BLVD., 6100R, REIMBURSEMENT

Agenda Item #3

The above reference property was included in the In Rem proceeding and was subject to the auction on October 9, 2019.

Due to extenuating circumstances involving the property owner, it was discovered after the auction that the property was landlocked which prevented access to it without trespassing on private property.

It is recommended that the Council vote to reject the successful bid for this property at the auction and direct the City Controller to refund the deposit and auctioneer fee to the bidder, Toan V. Kim. We have recently learned that the owner of the adjacent property, SGL Carbon, is interested in acquiring the aforementioned parcel and reuniting it with the plant parcel. Should the bid be rejected and the auctioneer fee refunded, the City will then pursue sale of the property to the adjacent property owner.

Will the Council so approve?

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

CLAIM: STONE, EDGAR

Agenda Item #4

Date of Occurrence: January 6, 2017
Date Claim Filed: January 13, 2017
Date Action Commenced: July 5, 2017
Location: Alley parallel to and north of Niagara Street, between Memorial Parkway and 12th Street
Nature of Claim: Premises Liability – slip and fall
City Driver: N/A
Status of Action: Trial will be scheduled if not settled
Recommendation/Reason: Best interest of City
Amount to be Paid: $1,000.00
Make Check Payable to: The Dietrich Law Firm, P.C., as attorneys for Edgar Stone
Conditions: Stipulation of Discontinuance as to all parties and General Release to City must be approved by Corporation Counsel

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

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

RESOLUTION: CRIMINAL PROCEDURE LAW, AMEND, 2020-19
BY: MAYOR ROBERT RESTAINO, ALL COUNCIL MEMBERS

Agenda Item #5

WHEREAS, in the final stages of adopting its Fiscal Year 2020 budget, the State of New York enacted sweeping criminal justice reforms including the elimination of cash bail for many specific enumerated crimes and the imposition of stringent discovery mandates on police and prosecutors; and
WHEREAS, while our City government recognizes the need for well-reasoned statewide bail and discovery reform, the Niagara Falls City Council unanimously supported the total repeal of these recently enacted bail and discovery reforms at its February 13, 2020 meeting, as these laws in their current form represent a clear and present danger to society by tilting the scales of justice in favor of suspected criminals and away from innocent crime victims; and

WHEREAS, one particular reform overhauled the discovery process to require an expedited timeline to provide police reports, radio transmissions and other crime scene data related to the prosecution of a crime to defendants within 15 days of arraignment; and

WHEREAS, this discovery reform will also result in an opportunity for defendants to gain access to crime scene information that may include a witness’ name and address, thereby providing defendants accused of burglaries, assaults, rapes and other crimes with valuable personal information that could be used to victimize or intimidate these innocent individuals; and

WHEREAS, while New York State Criminal Procedure Law Section 245.20 protects Law Enforcement personnel from the disclosure of name and contact information in this process to safeguard them and their families from threats and intimidation, the same protection is not extended to emergency first responders such as firefighters and EMS workers, who are often the first ones to provide life-saving services at emergency crime scenes and, due to the very nature of their professions, become crime scene witnesses whose name and addresses have to be released under the current reforms; and

WHEREAS, our emergency first responders are always there to treat anyone in need of care, no matter whether they have committed a crime or not; these first responders are prepared to put their own lives on the line, but they never bargained for the possibility that their families could become targets for violence, threats and intimidation; and

WHEREAS, first responders, who are already challenged in their ability to recruit new members, will now find it even more difficult to replenish their ranks due to their vulnerability to opportunistic predators who will take advantage of this new discovery reform law to threaten their lives and their family’s well-being; and

WHEREAS, to address this matter, the New York State Senate is considering legislation (Senate Bill 7280) that would protect the privacy of all emergency first responders from having their personal information shared during discovery; and

WHEREAS, while the City Council supports a complete repeal of the State’s rushed and ill-conceived bail and discovery reform laws, all of our City’s elected officials view this proposed legislation as reasonable first step toward safeguarding the privacy and well-being of our City’s firefighters, EMS workers and other emergency response personnel until a complete reconsideration of the recent reform laws can be accomplished.

NOW, THEREFORE, BE IT RESOLVED that both the City Council and Mayor Robert M. Restaino of the City of Niagara Falls hereby implore the State of New York to immediately enact the aforementioned proposed changes to the Criminal Procedure Law and that the protections intended for First Responders therein be implemented as soon as possible; and be it further

RESOLVED, that both the Niagara Falls City Council and Mayor Robert M. Restaino ask all cities, counties and towns across New York State to urge their State representatives to take immediate action on the foregoing issues; and be it further

RESOLVED, that copies of this resolution be provided to: Governor Andrew Cuomo, Lt. Governor Kathy Hochul, Attorney General Letitia James, each and every member of the New York State Legislature, Congressman Brian Higgins, Senator Kirsten Gillibrand, Senator Charles Schumer, the New York State Association of Counties and the New York State Conference of Mayors and Municipal Officials.

Yeas 5
Nays 0
ADOPTED

02/26/2020
RESOLUTION: CITY ADMINISTRATOR, PARKING FEES WAIVING, 2020-20
BY: ALL COUNCIL MEMBERS

Agenda Item #6
WHEREAS, from time to time, various organizations and entities request that the City Council waive established parking fees at City-owned facilities in an effort to encourage more people to attend events at various venues throughout the City; and
WHEREAS, the timing of the request and the meeting schedule of the City Council sometimes does not result in the City Council being able to entertain those requests in a timely fashion; and
WHEREAS, the City Administrator oversees all City facilities and has ultimate responsibility for the operation of those facilities.
NOW, THEREFORE, BE IT RESOLVED that for the balance of calendar year 2020, the Niagara Falls City Council does hereby delegate to the City Administrator the ability to waive established parking fees based upon the requests submitted by various organizations and entities, provided that the organization or entity requesting such fee waiver provides the City Administrator good cause to do so, and it is further RESOLVED that the City Administrator, in his discretion, is authorized to utilize a committee of individuals appointed by him to assist with this delegated task.

Yeas 5
Nays 0
ADOPTED

CODE ENFORCEMENT: EMERGENCY DEMOLITIONS, FUNDING

Agenda Item #7
The Acting Director of Code Enforcement advises that his budget line item for performing emergency demolitions is all but depleted. Because it is necessary to have funding available to perform emergency demolitions as a result of fires and various other issues, it is requested that the sum of $150,000.00 be transferred from casino reserves to the Emergency Demolition Capital account code H0910.

Will the Council so approve?
Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

02/26/2020
There being no further business to come before the Council, Chairman Voccio adjourned the Meeting at 6:50 P.M.

Kathleen Ligammar
City Clerk
The Legislative session of the March 11, 2020 Niagara Falls City Council Meeting was called to order by Council Chairman Chris Voccio at 6:00 P.M. in the Council Chambers.

Present: Council Members William Kennedy, John Spanbauer, Kenny Tompkins, Andrew Touma, Council Chairman Chris Voccio

Also present: Mayor Robert M. Restaino, City Administrator Anthony Restaino, Corporation Counsel Chris Mazur, and City Controller Daniel Morello.

Council Member Touma said the Prayer and the Chairman led the gathering in the Pledge of Allegiance to the Flag.

Council Member Tompkins moved to approve the Minutes from the Council Meeting of February 26, 2020.

Yeas 5
Nays 0
APPROVED

The Chairman asked if anyone wished to speak on Agenda Items or Community Interests, and the following spoke:

Maryann Hess  Thanked Council & Execs for distinction of Official Chocolatier of Niagara
Ron Anderluh  Reassessment concerns; school district speed cameras; Reach out to Superintendent of Schools for partnering with the City on the cameras
Tim McSweeney  Public Safety, mainly traffic issues regarding speeding; delay in Police Dept. response; cumbersome phone system at Police Dept. to get thru to Police hearing his robbery case
Cherrish Beals  Looking to open business in Niagara Falls for a vacation rental; was assured by Code Enforcement that things were in place; has issue with Moratorium jeopardizing the closing on the property; needs assurance her investment will not be in jeopardy

Mayor Update:

- In ongoing conversations with Governor’s office and Federal government regarding Covid-19 situation. No positive cases in Niagara County at this time. Will seek two testing sites.
- Tourism efforts focusing on drawing visitors from closer drive markets vs. promoting internationally.
- Continuing to work through deficiencies and loose ends from previous administration. Working on improving efficiencies and planning.
- Conference call pending with UB architecture school for space assessment in City Hall. Checking viability of moving Community Development back to City Hall for better oversight and efficiency.
In talks with industry leaders regarding short term rental issue. Estimated 170-200 current operators in violation of current codes. Need to formulate method of collecting bed tax from such rentals.

Administrative Update:
- Addressed Councilman Touma’s comments to speaker, regarding Police Dept. issues. Collective bargaining dynamics come into play with adjustments to scheduling & shifts.
- Responded to Councilman Tompkins inquiry regarding status of SPCA contract. Requested information from SPCA Director was received and pending review in order to begin formulating new contract.

Controllers Report: Focused on under budget manpower expenses due to mild winter

Presentation: John Cooper, Niagara Military Affairs Council – Presented history of NIMAC, the positive impact they have on community as one of highest employers and contributor to tax revenue. Due to their efforts the Federal Government continues to invest in improvements on the base.

Misc.: Councilman Touma addressed speakers concerns about NFPD deficiencies. He expressed that workforce is sufficient per capita. Adjusting work days/shifts would improve coverage.
Councilman Tompkins questioned if there was a listing of City owned properties for sale both residential and commercial. Mayor not aware of a comprehensive list. Also not aware of significant movement toward sales.

Agenda Item 2 - Councilman Spanbauer expressed disappointment that casino funds will be used for asbestos & mold remediation in City Hall. Emergency fund should be in place for such expense. Administration agreed.
Agenda Item 4 - Councilman Kennedy questioned outsourcing audit of trash bins. Per Admin.- necessary due to lack of in house technology. Discussion ensued regarding factors that could skew accuracy of count.
Agenda Item 8 - Councilman Spanbauer requests all affected accounts be included in draft of service order.

THE FOLLOWING COMMUNICATION WAS SUBMITTED BY THE CITY CLERK

CITY CLERK’S CLAIMS FOR THE MONTH OF FEBRUARY 2020

Agenda Item #1
THIS ITEM WAS RECEIVED AND FILED

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE MAYOR

CONTRACT: CITY HALL BOILER ROOM, MOLD, ASBESTOS AND LEAD TESTING/REMEDIATION, FUNDING, STOHL ENVIRONMENTAL

Agenda Item #2
Recent investigations in the Boiler Room at City Hall have revealed the possibility of asbestos containing materials, lead-based paint and the presence of mold. In light of these investigations, eleven professional firms were solicited to examine, sample and test for these materials and assist the City in developing a remediation plan.
Of the proposals received, the proposal received from Stohl Environmental was rated the highest. It is requested that Stohl Environmental be retained to provide the required services in the amount of $13,570.00. Funding is available in Tribal Revenue.

03/11/2020
Will the Council vote to approve and authorize the Mayor to execute a contract in a form acceptable to the Corporation Counsel? Council Member Touma moved that the communication be received and filed and the recommendation approved.

**Yeas:** 5  
**Nays:** 0  
**APPROVED**

**CONTRACT:** CLEANING/CUTTING OF LOTS, FUNDING, K.J. SMITH ENTERPRISES, INC.  

**Agenda Item #3**  
We respectfully request you award the above referenced bid as follows:

**TO:** K. J. Smith Enterprises, Inc.  
3616 Highland Avenue  
Niagara Falls, New York 14305  

**FOR:** Clearing and cutting of various lots within the City of Niagara Falls

The City Purchasing Division certifies that all bids were solicited in accordance with Section 103 of the General Municipal Law. Notice that bids were to be received was advertised in the Niagara Gazette and bid packages were sent to eleven (11) vendors. Two (2) responses were received. Please reference the attached tally sheet (on file in the City Clerk’s Office) for bid submission details.

Funds for this expenditure are included in the DPW Grass Cutting/Clean Up account code A.8510.0000.0449.000.

Will the Council so approve? Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

**Yeas:** 5  
**Nays:** 0  
**APPROVED**

**CONTRACT:** REFUSE TOTE VERIFICATION AUDIT, FUNDING, CASCADE ENGINEERING  

**Agenda Item #4**  
Prior to the implementation of the sanitation user fee, it will be necessary to obtain an accurate accounting of all refuse totes citywide. Accordingly, a verification audit of all refuse totes utilized at each commercial/residential property is required.

It is hereby proposed that Cascade Engineering (“Cascade”) undertake this project and perform the required auditing services. Cascade will have multiple crews deployed throughout the City scanning refuse totes left curbside or in alley ways as part of the regular trash collection schedule (Cascade’s crews will not enter a resident’s property to scan a tote). It is anticipated that Cascade will complete the necessary work in a one to two week time frame.

Cascade will carry out this project at a cost of $1.90 per refuse tote scanned; based upon the number of totes that have been issued to residents, it is estimated that Cascade’s fee will be no more than $45,115.50. Funding for this project is available from budget code A.8160.0000.0449.003.

Will the Council so approve and authorize the Mayor to execute an agreement satisfactory to the Corporation Counsel in both form and content? Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

**Yeas:** 4  
Spanbauer, Tompkins, Touma, Chairman Voccio  
**Nays:** 1  
Kennedy
CONTRACT:  INDUSTRIAL HYGIENE ASSESSMENT AT CITY HALL, FUNDING, OSEA

Agenda Item #5
In order to ensure the safety of our citizens, City employees and visitors to City Hall, it is necessary that the City of Niagara Falls procure an industrial hygiene assessment at City Hall to evaluate the potential presence of mold in various areas of the building.

To that end, it is hereby proposed that Occupational Safety and Environmental Associates, Inc. ("OSEA") perform such an assessment. As part of their proposal, OSEA will provide certified personnel on site to collect appropriate samples in areas of potential exposure, including the building exterior, the boiler room area and basement offices, as well as on the upper floors of the building. OSEA will provide samples using the Zephon 37-millimeter Air-O-Cell media, with analysis done by Microscopy. These monitors will then be collected and analyzed by a laboratory accredited by the American Industrial Hygiene Association.

At the conclusion of the assessment, OSEA will generate a report demonstrating the findings and recommendations should the findings indicate the presence of mold.

OSEA will carry out this project at a cost of $2,850.00. Funding for this project is available from budget code A.1620.2300.0449.599, the Buildings – City Hall Undesignated Services line.

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

Council Member Touma moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

CONTRACT:  CONSULTANT SERVICES FOR NYSDOT, FEDERAL AID PROJECT BUFFALO AVENUE, FUNDING, CHANGE ORDER #2, CHA COMPANIES, INC.

Agenda Item #6
A contract for the above referenced project was awarded to CHA Companies, Inc. on May 1, 2017 for professional services and design, and subsequently for the tasks associated with Construction Support Services and Construction Inspection in the amount of $250,000.00. At its October 3, 2018 meeting, the City Council approved Change Order #1 in the amount of $260,000.00.

In conjunction with the preceding change order on the contract necessitated by deficient and contaminated soils, CHA Companies, Inc. was also required to perform tasks beyond their original scope of services to accommodate this project’s deficiencies. These tasks consisted primarily of design and oversight necessary to replace the deficient soils and the legally-required environmental monitoring involved with the radioactive nature of the contamination. Costs associated with these additional tasks is $17,000.00. It is anticipated, however not yet confirmed, that this overrun will receive the same reimbursement arrangement as the original project via Supplemental Agreements to follow. Should the New York State Department of Transportation approve the funding request, the expectation would be that the City receive 80% reimbursement and the local match would be 20% or $3,400.00. Funding is available in the respective projects capital account code H0635, to cover up to 100% of the change order should an agreement with NYSDOT not occur.

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

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

03/11/2020
Agenda Item #7

A contract for the above referenced project was awarded to Accadia Site Contracting, Inc. on October 3, 2018 in the amount of $3,494,869.00.

During the course of the work, both unstable subgrade materials and radioactive contaminants were encountered by the contractor. The removal, disposal and subsequent replacement of these soils were beyond the original scope of the project.

The total costs for the additional soil-related remediation is $380,000.00 (approximately 11% of the original contract amount) bringing the contract total to $3,874,869.00. It is anticipated, however not yet confirmed, that this overrun will receive the same reimbursement arrangement as the original project via Supplemental Agreements to follow. Should the New York State Department of Transportation approve the funding request, the expectation would be that the City receive 80% reimbursement and the local match would be 20% or $76,000.00. Funding is available in the respective projects capital account code H0635, to cover up to 100% of the change order should an agreement with NYSDOT not occur.

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

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas

Nays

APPROVED

Agenda Item #8

In the summer of 2019, the City of Niagara Falls Community Development department sought to have a tree and stump removed from a City-owned property located at 220 79th Street. To that end, the department requested that Bentley Tree Care ("Bentley"), a company which the City has utilized for tree removal services on numerous occasions over a period of years, perform this service; accordingly, a purchase order was set up by the department with a funding source to come from a Community Development Block Grant ("CDBG"). Bentley completed the tree and stump removal as requested on or about November 8, 2019 and, accordingly, requested payment from the department for services rendered. However, the invoice submitted by Bentley went unpaid throughout the remainder of 2019 despite several attempts to collect on the debt.

As you know, this Administration has been conducting an extensive review of the operations of the Community Development department since the beginning of this year. This investigation has found that despite the assurances from former director Seth Piccirillo that an adequate funding source was available for the tree and stump removal, no such source actually existed. According to Department of Housing and Urban Development regulations, CDBG funding cannot be used for projects of this type. Therefore, upon information and belief, Bentley’s requests for payment were ignored at CD because there was simply no way that the department could pay them.
Since Bentley successfully completed the requested work in a timely and professional fashion, the City is now obligated to compensate the company for services rendered. This Administration therefore requests that the City Council approve payment of $3,400.00 to Bentley Tree Care for the tree and stump removal at 220 79th Street. Unfortunately, this type of conduct at the Community Development department is not unprecedented, as I recently was compelled to request funding from the City Council to compensate another unpaid vendor that performed work at CD’s request just last month. As this Administration continues its inquiry into CD’s operations, recent discoveries indicate that there may be further instances where vendors and or contractors have been denied payment for work that was successfully completed. Therefore, it may be necessary that I will again be requesting that this Council authorize payment for unpaid invoices relative to Community Development projects at a later date.

Funding for this payment is available from budget code A.8560.0000.0449.599, the undesignated services line.

Will the Council approve payment of the aforementioned invoice?

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas

5

Nays

0

APPROVED

APPROVAL: LOCAL LAW #1, 2020, MAYOR AND STATE

Agenda Item #9
THIS ITEM WAS RECEIVED AND FILED

RESOLUTION: CITY BOARDS AND COMMISSIONS, RE-APPOINTMENTS/APPOINTMENTS, 2020-21
BY: COUNCIL MEMBERS TOMPKINS, TOUMA, CHAIRMAN VOCCIO

Agenda Item #10

WHEREAS, the Council deems it desirable to continue the Traffic Advisory Commission, the Youth Board, the Human Rights Commission and the Cable Television Commission as well as other Boards and Commissions previously established.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Niagara Falls, New York hereby re-appoints and appoints the following individuals to the Boards and Commission stated below, effective immediately, for a term expiring on the date that appears opposite their names:

CABLE TELEVISION COMMISSION:

APPOINTMENT: TERM EXPIRES:
Shawn Levick 12/31/2023

HUMAN RIGHTS COMMISSION:

APPOINTMENT: TERM EXPIRES:
Christine Cavanaugh 12/31/2023
Nicholas D’Angelo 12/31/2023
Justin Decleene 12/31/2023

TRAFFIC ADVISORY COMMISSION:

APPOINTMENT: TERM EXPIRES:
Ronald Ashker 12/31/2025
**YOUTH BOARD:**

<table>
<thead>
<tr>
<th>APPOINTMENT</th>
<th>TERM EXPIRES:</th>
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<tbody>
<tr>
<td>Stephen Carroll</td>
<td>12/31/2023</td>
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<tr>
<td>Sal Constantino</td>
<td>12/31/2023</td>
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<tr>
<td>Mark Daul</td>
<td>12/31/2023</td>
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<tr>
<td>Mary DeBacco</td>
<td>12/31/2023</td>
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<td>Tina Deakyne *</td>
<td>12/31/2023</td>
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<tr>
<td>Sam Giancola</td>
<td>12/31/2023</td>
</tr>
<tr>
<td>Manny Mejia (Youth)</td>
<td>12/31/2023</td>
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<tr>
<td>Donta Myles</td>
<td>12/31/2023</td>
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<tr>
<td>Rick Williams*</td>
<td>12/31/2023</td>
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</tbody>
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* Re-appointment

<table>
<thead>
<tr>
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<th>Nays</th>
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<tr>
<td>5</td>
<td>0</td>
<td>ADOPTED</td>
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</table>
There being no further business to come before the Council, Chairman Voccio adjourned the Meeting at 7:30 P.M.

Kathleen Ligammari
City Clerk
The Legislative session of the March 25, 2020 Niagara Falls City Council Meeting was called to order by Council Chairman Chris Voccio at 6:00 P.M. in the Council Chambers.

Present: Council Members William Kennedy, John Spanbauer, Kenny Tompkins, Andrew Touma, Council Chairman Chris Voccio

Also present: Mayor Robert M. Restaino, City Administrator Anthony Restaino, Corporation Counsel Chris Mazur, and City Controller Daniel Morello.

Council Chairman Voccio said the Prayer and led the gathering in the Pledge of Allegiance to the Flag.

Council Member Tompkins moved to approve the Minutes from the Council Meeting of February 11, 2020

Yeas: 5
Nays: 0

APPROVED

The Chairman asked if anyone wished to speak on Agenda Items or Community Interests, and the following submitted questions:

Joseph Schiro: Agenda Item #3; not time for new position; share services with Niagara County Public Information Officer or School Board for help.

Shawn Levick: Agenda Item #3; Public Information Officer not feasible at this time.

Tom McSweeney: Need more Police & tools for them to do their jobs; State needs to leave revenue generated in Falls here; revoke “99H”.

Robert Ventry: Condition of streets ongoing issue; cracks in pavement leads to inevitable potholes & decay; use Liquid Tar Application Machine consistently to mitigate erosion.

Shawn Levick: Trash problem throughout City; suggest strategically placed “Dumpster Yards” for ease of community use; Need to highlight historical significance of area Museums, etc; will there be accountability of people responsible for mismanagement of funds.

Mayor Update:

- Covid-19 crisis has been main focus.
- State of The City address planned for late March will be on hold until the crisis eases.
- Walk on agenda items 13 & 14: Payments of invoices still outstanding from 2019. Advised the Council similar outstanding items will be forthcoming as they are continually being discovered from previous administration.
Administrative Update:

- Governor mandated 50% workforce reduction in response to Covid-19 spread. Requested Department Heads to submit their schedules with essential coverage. Government agencies are not included in 100% closure mandate.
- Ramped up road repairs pending LaFarge scheduled opening next week, providing needed materials. DPW yard roads are in dire need of repair.
- HUD provided a verbal extension of Cities Rises grant use.
- Approx. 21 city owned properties are set for demolition.

Controllers Report: None

Presentation:

Per agenda item #12, Thomas DeSantis, Planning Department Director, provided detailed background

Misc.:

Councilman Andrew Touma thanked Mayor & Administrator for leadership and calm guidance through Covid-19 crisis. He also encourages residents to support small businesses as best they can during this crisis.

Councilmen Kenny Tompkins & William Kennedy expressed concern over condition of CSX tracks at Highland & Rt.31 & also at Lafayette. Sink hole also forming in the area of Rt.31 & Highland.

Councilman John Spanbauer recommends a budget task force to work on a ‘Financial Recovery Plan’ as the Covid-19 crisis will further adversely affect the City’s financial state. Also strategic planning initiatives.

Councilman John Spanbauer suggests more frequent cleaning efforts in the parks as they are being used more during the Covid-19 crisis.

Agenda Item 3: Councilmen William Kennedy & Kenny Tompkins suggested possibility of a shared service with County or school district rather than create a paid position. Not feasible.

Agenda Item 4: Chairman Chris Voccio asked clarification of what the funds would be used for. Anthony Restaino, City Administrator advised they will be used to develop new ideas for development, not toward existing projects.

Agenda Items 5 – 9: Councilman William Kennedy proposed grouping such like items (traffic related allowances) in one agenda item. Rules of order do not allow.

Agenda Item 12: Councilman John Spanbauer and Corporation Counsel Chris Mazur agree updating signage ordinance is needed and proposed changes are better. Recommend dispersing to business associations for review.

THE FOLLOWING COMMUNICATION WAS SUBMITTED BY THE CITY CLERK

CITY CLERK’S REPORT FOR THE MONTH OF FEBRUARY 2020

Agenda Item #1
THIS ITEM WAS RECEIVED AND FILED

03/25/2020
THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE MAYOR

CONTRACT: STREET MILLINGS, REDLAND QUARRIES OF NY

Agenda Item #2
We respectfully request you award the above referenced bid as follows:

TO: Redland Quarries of NY, Inc.
d/b/a Lafarge
75 Pineview Drive, Suite #100
Amherst, New York 14228
FOR: Sale of street millings generated during the 2020 paving season: $3.05 per ton

The City Purchasing Division certifies that all bids were solicited in accordance with Section 103 of the General Municipal Law.
Notice that bids were to be received was advertised in the Niagara Gazette and bids were sent to four (4) vendors. Three (3) bid and one (1) “No Bid” responses were received. The above referenced company submitted the highest price (on file in the City Clerk’s Office) for the millings. The two (2) other bids received were from Regional Environmental Demolition, Inc. at $2.00 per ton and Modern Disposal Services, Inc. at $2.12 per ton.
Will the Council so approve?
Council Member Tompkins moved that the communication be received and filed and the recommendation approved.
Yeas
Nays
APPROVED

PUBLIC INFORMATION OFFICER: EXECUTIVE OFFICE, POSITION CREATED

Agenda Item #3
As you well know, it is important for City Government to provide our residents and visitors with information regarding changes in City operations and policy, meeting notifications, health and safety issues and City activities of interest. However, the 2020 City Budget eliminated the position of Special Assistant to the Chief Executive which was utilized to disseminate information to the public.
The current Covid-19 situation has shined a bright light on the need for a Public Information Officer position to provide timely and critical information utilizing the news media and the various social media outlets. Therefore, this Administration requests that the City Council approve the creation of the Exempt position of Public Information Officer in the Executive Office, at a yearly salary of $42,000.00, within the parameters of the attached (on file in the City Clerk’s Office) Civil Service Job Description. Funding for this position available in budget code A.1210.0001.0110.000.
Will the Council so approve and authorize the creation of the Public Information Officer position?
Council Member Tompkins moved that the communication be received and filed and the recommendation approved.
Yeas
Spanbauer, Tompkins, Touma, Chairman Voccio
Nays
Kennedy
APPROVED

03/25/2020
CONTRACT: WATERFRONT REVITALIZATION PROJECT, GRANT FUNDING

Agenda Item #4

For your information and review please find the agreement (on file in the City Clerk’s Office) relative to grant funding between the City and the State of New York concerning the local Waterfront Revitalization Project. The purpose of the grant is to provide the necessary funding and assistance for the City to develop a plan to revitalize our waterfront areas.

The projected grant amount is $493,000.00 with an $87,000.00 required local match from the Niagara River Greenway Commission. Therefore, no City general funds will be required to execute this agreement.

Will the Council so approve and authorize the Mayor to execute provided it is in the form and content acceptable to the Corporation Counsel?

Council Member Touma moved that the communication be received and filed and the recommendation approved.

Yeas
Nays

APPROVED

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE TRAFFIC ADVISORY COMMISSION

2924 CLEVELAND AVENUE, INSTALL “AUTISTIC CHILD AREA” SIGNS

Agenda Item #5

At the Traffic Advisory Commission meeting held on March 16, 2020 the Commission recommended APPROVAL of the following item:

INSTALL “AUTISTIC CHILD AREA” SIGNS (BOTH DIRECTIONS) IN ADVANCE OF 2924 CLEVELAND AVE

Request was made to provide warning to approaching motorists to drive with caution due to a child with severe autism living in the area.

Submitted By: Diane Harper Greene, on behalf of her son Liam, 2924 Cleveland Avenue

It is requested that City Council approve this recommendation.

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas
Nays

APPROVED

INDEPENDENCE AVENUE, INSTALL ALTERNATE OVERNIGHT PARKING, BETWEEN 20th & 22nd STREETS

Agenda Item #6

At the Traffic Advisory Commission meeting held on March 16, 2020 the Commission recommended APPROVAL of the following item:

INSTALL ALTERNATE OVERNIGHT PARKING ON INDEPENDENCE AVENUE BETWEEN 20TH STREET & 22ND STREET

A Petition from the residents of this block was received with 81.8% of signatures.

Submitted By: Loraine Licata, 2008 Independence Avenue

It is requested that City Council approve this recommendation.

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas
Nays

APPROVED

03/25/2020
WILLOW AVENUE, 1727, INSTALL 5’ HANDICAPPED ACCESS SPACE

Agenda Item #7
At the Traffic Advisory Commission meeting held on March 16, 2020 the Commission recommended APPROVAL of the following item:

INSTALL A 5’ HANDICAPPED ACCESS SPACE
IN FRONT OF 1727 WILLOW AVENUE

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

Submitted By: Linda Russo, 1727 Willow Avenue

It is requested that City Council approve this recommendation. Council Member Touma moved that the communication be received and filed and the recommendation approved.

Yeas: 5
Nays: 0
APPROVED

LASALLE AVENUE, 1317, INSTALL 5’ HANDICAPPED ACCESS SPACE

Agenda Item #8
At the Traffic Advisory Commission meeting held on March 16, 2020 the Commission recommended APPROVAL of the following item:

INSTALL A 5’ HANDICAPPED ACCESS SPACE
IN FRONT OF 1317 LASALLE AVENUE

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

Submitted By: Debra Schultz, 1317 Lasalle Avenue

It is requested that City Council approve this recommendation. Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas: 5
Nays: 0
APPROVED

PIERCE AVENUE, 2477, INSTALL 5’ HANDICAPPED ACCESS SPACE

Agenda Item #9
At the Traffic Advisory Commission meeting held on March 16, 2020 the Commission recommended APPROVAL of the following item:

INSTALL A 5’ HANDICAPPED ACCESS SPACE
IN FRONT OF 2477 PIERCE AVENUE

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

Submitted By: Michelle Mathews, on behalf of her husband Willie James Mathews Jr., 2477 Pierce Avenue

It is requested that City Council approve this recommendation. Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas: 5
Nays: 0
APPROVED
THE FOLLOWING COMMUNICATION WAS SUBMITTED BY THE CORPORATION COUNSEL

CLAIM: BLACKMON, RASAUN

Agenda Item #10

Date of Occurrence: February 21, 2017
Date Claim Filed: Notice of Claim N/A to § 1983 claim
Date Action Commenced: June 8, 2018
Location: Highland Ave., in the vicinity of 2811 Highland
Nature of Claim: § 1983 claim alleging police misconduct
City Driver: N/A
Status of Action: Pre-trial discovery will resume if not settled.
Recommendation/Reason: Best interest of City
Amount to be Paid: $9,500.00
Make Check Payable to: The Law Offices of Matthew Albert, as attorneys for Rasaun Blackmon
Conditions: Stipulation of Discontinuance as to all parties and General Release to City must be approved by Corporation Counsel

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

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

RESOLUTION: HUMAN RIGHTS COMMISSION, APPOINTMENTS/REMOVALS, 2020-22
BY: COUNCIL MEMBERS SPANBAUER, TOMPKINS, TOUMA, CHAIRMAN VOCCIO

Agenda Item #11

WHEREAS, the Council deems it desirable to continue the Human Rights Commission previously established.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Niagara Falls, New York hereby appoints the following individuals to the Human Rights Commission as stated below, effective immediately, for a term expiring on the date that appears opposite their names:

APPOINTMENT: TERM EXPIRES:
Denise Mejia 12/31/2023
Scott Bax 12/31/2023
Thomas Sisco 12/31/2023

BE IT FURTHER RESOLVED that the City Council of the City of Niagara Falls, New York hereby removes the following individuals from the Human Rights Commission as stated below, effective immediately:

- Charles Harris
- Rasheen Wilson
- Barbara Skye

Yeas 5
Nays 0
ADOPTED

03/25/2020
RESOLUTION: ZONING CHAPTER 134-DOWNTOWN DISTRICTS AND SCHEDULE 1:
OFFICIAL MAP/TEXT, REVISION, 2020-23
BY: COUNCIL MEMBER TOUMA

Agenda Item #12

BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York that Chapter 1314 entitled “Downtown Districts” is hereby amended to read as follows:

1314.1 Description and Purpose

D3 GORGE VIEW NORTH MAIN

The purposes of this district are: to enhance the opportunity for residents, businesses and visitors to enjoy the benefits of newly created access to the Niagara River Gorge through the removal of the Robert Moses Parkway and the expansion of Niagara Falls State Park and Niagara River Greenway and to provide for a diverse combination of commercial, residential and mixed-use building types within the North Main Street Precinct. In so doing, the intention of development in this district is: to regenerate living and employment opportunities; to provide for the enhanced integration of those opportunities with the new and emerging amenities of the Niagara River Greenway corridor; to be sensitive of public amenities and viewsheds; and to ensure that new developments can appropriately capitalize on those key amenities and emerging new opportunities. Density is intended to be generally moderate and always promoting a high-quality public realm and pedestrian experience. The inclusion of a height bonus enables occasional projects to be built to an increased density provided that public amenities, parking management, and viewshed protections are proactively addressed. Overall, developments should contribute positively to the aesthetic of the area, the area’s natural heritage, and celebrating local history. Parking, where provided, shall be concealed or structured.

1314.2 Allowed Uses

Refer to Schedule 1 - Use Table

1314.3 Bulk and Density Standards

<table>
<thead>
<tr>
<th>District</th>
<th>Sub-District</th>
<th>Maximum Front Yard Setbacks</th>
<th>Percent of Building Façade Within Maximum Setback</th>
<th>Base Building Height Allowance</th>
<th>Maximum Building Height (Base plus Bonus)</th>
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</thead>
<tbody>
<tr>
<td>D1</td>
<td>A Near-Casino</td>
<td>10’</td>
<td>100%</td>
<td>320’</td>
<td>Up to 608’</td>
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<tr>
<td></td>
<td>B Transition</td>
<td>10’</td>
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<td>160’</td>
<td>Up to 304’</td>
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<tr>
<td></td>
<td>C Near-Park</td>
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<td>80%</td>
<td>80’</td>
<td>Up to 152’</td>
</tr>
<tr>
<td></td>
<td>D CASINO</td>
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<td>100%</td>
<td>400’</td>
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</tr>
<tr>
<td>District</td>
<td>Sub-District</td>
<td>Maximum Front Yard Setbacks¹</td>
<td>Percent of Building Façade Within Maximum Setback²</td>
<td>Base Building Height Allowance</td>
<td>Maximum Building Height (Base plus Bonus)</td>
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</tr>
<tr>
<td>D2</td>
<td>A Gorge-View</td>
<td>n/a</td>
<td>n/a</td>
<td>45’</td>
<td>n/a</td>
</tr>
<tr>
<td></td>
<td>B Transition</td>
<td>10’</td>
<td>n/a</td>
<td>80’</td>
<td>n/a</td>
</tr>
<tr>
<td>D3</td>
<td>A North-Main</td>
<td>10’</td>
<td>80%</td>
<td>100’</td>
<td>Up to 190’</td>
</tr>
</tbody>
</table>

¹ Where the Downtown District abuts a Residential District the side, front, and rear setback required for a residential use in the abutting district applies. These setbacks shall apply only to the area of the Downtown district adjacent to the residential use.

² The percent of building façade facing the street that must abut the city right-of-way or be located within 10’ of the sidewalk. Areas set aside for publicly accessible parks or plazas are exempt from the maximum setback area requirement. For hotels, the façade may be within a maximum 30’ of the right-of-way to accommodate a one-way driveway to serve as a porte coche (temporary pick-up and drop-off area). This porte coche shall not be used as a parking area and shall be attractively landscaped and integrated with adjacent sidewalks. As well as, interior-facing courtyards are exempt from strict interpretation of the maximum setback area requirement. For hotels, the façade may be within a maximum of 30’ of the right-of-way to accommodate a driveway serving only a Porte coche function (temporary pick-up and drop-off area). A Porte coche shall not be used as a parking area and shall be appropriately landscaped and safely integrated with adjacent sidewalks etc.

³ Any buildings exceeding the base building height allowance shall be required to perform a viewshed analysis and incorporate design considerations to mitigate the impact of the additional height upon the gorge view of surrounding properties. These measures may include step-backs, material considerations and site plan design.
The regulations in this chapter state the development standards for the Downtown Districts and Sub-districts. Sites within the Overlay Design District [(Chapter 1319)] are also subject to the additional regulations and standards found in Chapter 1319. Additionally, other specific uses or development types may also be subject to regulations found with the City-Wide Regulations series of chapters, including but not limited to Chapters 1322 and 1325. [Specific uses or development types may also be subject to regulations in the City-Wide Regulations series of chapters, including but not limited to Chapters 1322 and 1325.]

Projects within the D1 and D3 Districts that meet the criteria specified in subsection D below are eligible for a height bonus. Projects eligible for bonuses are subject to all other applicable approvals and procedures required under this Zoning Ordinance and other federal, state, and local laws. Use or dimensional restrictions otherwise applicable to a project seeking a height bonus shall apply, except where a more restrictive standard set forth below is required as a condition for granting a height bonus, in which case such more restrictive standard shall apply.

1314.4.1 Height Bonus

A. Purpose.

This section sets forth a system of potential building height bonuses that are intended to promote high quality architecture and urban design within specified downtown areas by incentivizing appropriate scaling of building floor plates and the provision of community benefits and district amenities by the private sector for the purpose of creating, protecting and, optimizing world-class views and view sheds, and otherwise improving the quality of life of City residents and visitors. These incentives and bonuses are also intended to compliment and advance the City’s urban revitalization policies while also providing greater flexibility in responding to emerging market demands. Developments meeting the requirements of this section shall be eligible for a height bonus over and above the base building height allowances stated in Table 1314.3.

B. Eligibility.

Projects within the D1 and D3 Districts that meet the criteria specified in subsection D below are eligible for a height bonus. Projects eligible for bonuses are subject to all other applicable approvals and procedures required under this Zoning Ordinance and other federal, state, and local laws. Use or dimensional restrictions otherwise applicable to a project seeking a height bonus shall apply, except where a more restrictive standard set forth before is required as a condition for granting a height bonus, in which case such more restrictive standard shall apply.

...
Agenda Item #13

In the autumn of 2019, the City of Niagara Falls acquired the former Community Center property located at 1364 Center Avenue. As it was allegedly deemed a health and safety issue, the City sought to undertake demolition of the property. Accordingly, Metro Environmental (“Metro”) was selected to perform this work. Funding for the abatement project was to come from a Community Development Block Grant (“CDBG”) underwritten by the U.S. Department of Housing and Urban Development (“HUD”). Metro completed the abatement and monitoring as requested and submitted an invoice to the City on or about December 3, 2019. However, this invoice went unpaid throughout the remainder of 2019 despite Metro’s attempts to collect on the debt.

This Administration continues to conduct an extensive review of the operations of the Community Development department; as it relates to this project, our investigation has found that despite the assurances from former director Seth Piccirillo that adequate funding was available through CDBG, Community Development failed to follow the proper procedures that were necessary to access the grant. According to HUD regulations, prior approval of the project was required to release funding; instead, the project was completed prior to Community Development seeking proper authorization. As a result, HUD would not reimburse the City for a demolition-related project that had been already completed.

Since Metro successfully completed the requested work in a timely and professional fashion, the City is now obligated to compensate the company for services rendered. This Administration therefore requests that the City Council approve payment of $82,700.00 to Metro Environmental for the demolition and removal of material at the Community Center property located at 1364 Center Avenue.

Funding for this payment is available from the Tribal Revenue Reserve.

Will the Council approve payment of the aforementioned invoice?

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yea\s 5
Nay\s 0

APPROVED

Agenda Item #14

In the autumn of 2019, the City of Niagara Falls acquired the former Community Center property located at 1364 Center Avenue. As it was allegedly deemed a health and safety issue, the City sought to undertake demolition of the property. Prior to the demolition, an asbestos abatement and monitoring was required at the site; accordingly, Stohl Environmental (“Stohl”) was selected to perform this work. Funding for the abatement project was to come from a Community Development Block Grant (“CDBG”) underwritten by the U.S. Department of Housing and Urban Development (“HUD”). Stohl completed the abatement and monitoring as requested and submitted an invoice to the City on or about November 25, 2019. However, this invoice went unpaid throughout the remainder of 2019 despite Stohl’s attempts to collect on the debt.
This Administration continues to conduct an extensive review of the operations of the Community Development department; as it relates to this project, our investigation has found that despite the assurances from former director Seth Piccirillo that adequate funding was available through CDBG, Community Development failed to follow the proper procedures that were necessary to access the grant. According to HUD regulations, prior approval of the project was required to release funding; instead, the project was completed prior to Community Development seeking proper authorization. As a result, HUD would not reimburse the City for a demolition-related project that had been already completed.

Since Stohl successfully completed the requested work in a timely and professional fashion, the City is now obligated to compensate the company for services rendered. This Administration therefore requests that the City Council approve payment of $4,635.75 to Stohl Environmental for the asbestos abatement and monitoring project at the Community Center property located at 1364 Center Avenue.

Funding for this payment is available from the Tribal Revenue Reserve.

Will the Council approve payment of the aforementioned invoice? Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0

APPROVED
There being no further business to come before the Council, Chairman Voccio adjourned the Meeting at 7:30 P.M.

Kathleen Ligammari
City Clerk
The Legislative session of the April 22, 2020 Niagara Falls City Council Meeting was called to order by Council Chairman Chris Voccio at 6:00 P.M. in the Council Chambers.

Present: Council Members William Kennedy, John Spanbauer, Kenny Tompkins, Andrew Touma, Council Chairman Chris Voccio

Also present: Mayor Robert M. Restaino, City Administrator Anthony Restaino, Corporation Counsel Chris Mazur, and City Controller Daniel Morello.

Council Member Kennedy said the Prayer and the Chairman led the gathering in the Pledge of Allegiance to the Flag.

Council Member Touma moved to approve the Minutes from the Council Meeting of March 25, 2020

Yeas 5
Nays 0
APPROVED

The Chairman asked if anyone wished to speak on Agenda Items or Community Interests, and the following spoke:

David Fontanarosa: Agenda Item #11; requests postponement on Resolution to change Signage Ordinance; 1st Amendment & other issues

Mayor Update:
- Covid-19 crisis has been main focus. Re-opening timeframe of public venues being assessed. Municipality readiness is not equal to County directives, ie; boat launches, golf courses, etc.
- Ongoing conference calls with County, State and Federal officials regarding Covid-19 concerns and their impact on local municipalities.

Administrative Update: None

Controllers Report: None

Presentation: None

Misc.:
- Councilman Tompkins inquired about action taken toward a B & B on south Ave. Mayor advised there is an active investigation.
- Councilman Touma inquired about status of street light upgrade. Mayor advised budget concerns with up front funding required of city. On hold.
Councilman Spanbauer inquired if a review of finances & action plan is pending in light of the Covid-19 crisis. Administrator advised that finances are reviewed on a daily basis. Mayor advised situation is still fluid, “a moving target” and not possible at this stage to anticipate full impact it will have on finances.

Councilman Tompkins inquired about City Engineer vacant position. Mayor advised Engineer resigned and an active search is underway to fill position. There is an acting Engineer.

Councilman Tompkins inquired about paving schedule. Administrator advised supplier recently opened and paving should begin soon. Work is allowable under Covid-19 guidelines provided safety protocols are followed.

Councilman Kennedy inquired if CSX track concerns were addressed. Mayor advised due to the Covid-19 focus, it was not. It will hopefully be addressed by the next meeting.

Councilman Kennedy shared ongoing concerns of residents regarding conditions of streets.

Councilman Kennedy expressed residents’ concerns regarding user fees and related due dates. Administrator advised there will be adjustments forthcoming.

Councilman Touma spoke of proposed stimulus funds for municipalities. Mayor expressed cautious optimism but working under the assumption they will not materialize. Councilman Touma expressed appreciation of Executive office efforts during the Covid-19 crisis.

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE CITY CLERK

CITY CLERK’S CLAIMS FOR THE MONTH OF MARCH 2020

Agenda Item #1
THIS ITEM WAS RECEIVED AND FILED

CITY CLERK’S REPORT FOR THE MONTH OF MARCH 2020

Agenda Item #2
THIS ITEM WAS RECEIVED AND FILED

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE MAYOR

CODE ENFORCEMENT: REPAIR/DEMOLITION/BOARD OF STRUCTURES, EXPENSES, FROM APRIL 1, 2019 TO MARCH 31, 2020

Agenda Item #3
In accordance with Chapter 1133, Section 1133.08 of the City of Niagara Falls Codified Ordinances, we hereby submit a report relative to certain privately owned properties upon which the City has incurred expenses or Community Development funds have been expended for each property which remain unpaid and in accordance with the above noted Section (the) Council shall “order an assessment against said premises for several sums herein reported”. We recommend that all the costs incurred by the City of Niagara Falls that remain unpaid upon certain privately owned properties be assessed against said properties in the manner as prescribed in the above City provisions of the City of Niagara Falls Codified Ordinances.

A list of all chargeable costs incurred is attached (on file in the city Clerk’s Office). A complete record of all costs incurred and included in this report shall remain permanently on file in the office of the Department of Code Enforcement.
Will the Council so order? Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

CONTRACT: 2020 DRAINAGE STRUCTURE REPLACEMENT AND REPAIR PROJECT (VARIOUS LOCATIONS), FUNDING, 4th GENERATION CONSTRUCTION CO., INC.

Agenda Item #4

The following was the result of bids received on April 15, 2020, for the above referenced project:

<table>
<thead>
<tr>
<th>CONTRACTOR</th>
<th>BASE BID</th>
</tr>
</thead>
<tbody>
<tr>
<td>4th Generation Construction Co. Inc.</td>
<td>$415,356.00</td>
</tr>
<tr>
<td>5650 Simmons Ave. Niagara Falls NY 14304</td>
<td></td>
</tr>
<tr>
<td>Mark Cerrone Inc.</td>
<td>$466,941.00</td>
</tr>
</tbody>
</table>

It is the recommendation of the undersigned that this project be awarded to the low bidder 4th Generation Co. Inc. at their Base Bid of $415,356.00. Please note that this amount is completely reimbursable with NYSDOT CHIPS monies. The funding code will be H0320, which represents CHIPS funding to be received for 2020 projects.

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

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

CONTRACT: COMMUNITY DEVELOPMENT, CONSOLIDATED PLAN FOR 2020-2024 AND ACTION PLAN FOR 2020, H. SICHERMAN/THE HARRISON STUDIO

Agenda Item #5

We respectfully request you authorize the Mayor to enter into an agreement as follows:

WITH: H. Sicherman / the Harrison Studio
160 Walnut Street
Lockport, New York 14094

FOR: Preparation of the 2020-2024 Consolidated Plan and 2020 Action Plan on behalf of the Department of Community Development

Notice that proposals were to be received was advertised in the Niagara Gazette and requests for proposals were sent to twelve (12) vendors. Three (3) responses were received.

H. Sicherman / the Harrison Studio is to work in concert with City Staff to perform all tasks necessary to submit the aforementioned plans to the U.S. Department of Housing and Urban Development ("HUD"). Work shall include, but not be limited to, meeting with various City departments, document and plan preparation, conducting public meetings, information gathering and strategizing. The total cost for these services is $35,500.00.
HUD has deemed this expense to be a fully reimbursable use of the funds it provides to the City, and as such funds for this expenditure are available in account codes CD1.8686.0000.0451.000, CD5.8096.0000.451.000 and CD6.8695.0000.451.000,

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas

Nays

APPROVED

CONTRACT: COMMUNITY DEVELOPMENT, THIRD PARTY TRAINING AND TECHNICAL CONSULTANT, FUNDING, H. SICHERMAN

Agenda Item #6

As we continue to review the situation in the Department of Community Development, the Administration believes that it is necessary that City employees at the department receive additional training in order improve program efficiency and to become more versed in U.S. Department of Housing and Urban Development (“HUD”) protocols.

From the vendors that responded to the City’s Request for Proposal, it is hereby proposed that H. Sicherman of Lockport New York undertake this project and perform the required third party training services. The term of a proposed agreement would be for up to 90 days with H. Sicherman carrying out this project at a cost of no more than $15,000.00. Funding for this project is available from CDBG Administrative Revenue and 2015-17 and 2019 Program Funds.

H. Sicherman will provide on-site training for the Community Development staff, providing our staff with hands-on assistance. This will assist them to be more proficient in the HUD IDIS (software used to set up projects and draw down funds), the reprogramming of prior year HUD formula funds, budgeting, procurement, project close-outs, processing sub-recipient agreements and project planning. This training will be very timely with the new Compliance Officer coming on board (pending City Council approval).

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

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas

Nays

APPROVED

COMMUNITY DEVELOPMENT: COMPLIANCE OFFICER POSITION UPGRADE, FUNDING

Agenda Item #7

Since late last year, the position of “Compliance Office” in the Department of Community Development has remained vacant. This position is critical to ensure that this department’s funds are expended appropriately with the proper documentation and contracts in place as required by HUD. After several weeks of advertising for the position, we were unable to get a qualified candidate at the salary that was budgeted for the position.

In order to attract a candidate who met the qualifications of the position with the commensurate education and experience required, we believe that it is necessary to upgrade the position. To accomplish this, the Compliance Officer would shift from a Grade 18 at a salary of $49,520.00 to a Grade 23A with an annual salary of $53,777.00. As this position has been vacant since January 1, 2020 funding for this upgrade is currently available in the department’s 2020 biweekly line.
DEPARTMENT OF PUBLIC WORKS: SMALL PARKS, REORGANIZATION

Agenda Item #8
Due to a recent retirement, the position of Crew Leader in the DPW’s Small Parks division has been vacated. To maintain essential services and maximize savings, the DPW Director is requesting a downgrade of the Crew Leader—Small Parks position (Grade 13) to Maintenance Worker II—Small Parks (Grade 9). The proposed downgrade and reorganization would allow for the continuity of services and would result in a net savings of $9,339.00 in the department’s 2020 biweekly line.

   Attached (on file in the City Clerk’s Office) is the proposed personnel listing.
   Will the Council so approve?
   Council Member Tompkins moved that the communication be received and filed and the recommendation approved.
   Yeas 5
   Nays 0
   APPROVED

DEPARTMENT OF PUBLIC WORKS: CENTRAL GARAGE, REORGANIZATION

Agenda Item #9
Due to a recent retirement, the Maintenance Worker II in the DPW’s Central Garage has been vacated. To maintain essential services and maximize savings, the DPW Director is requesting a downgrade of the MW II—Central Garage position (Grade 9) to Auto Mechanic’s Helper (Grade 8). The proposed downgrade and reorganization would allow for the continuity of services and would result in a net savings of $11,745.00 in the department’s 2020 biweekly line.

   Attached (on file in the City Clerk’s Office) is the proposed personnel listing.
   Will the Council so approve?
   Council Member Tompkins moved that the communication be received and filed and the recommendation approved.
   Yeas 5
   Nays 0
   APPROVED

MAYOR’S APPROVAL: RESOLUTION 2020-23

Agenda Item #10
THIS ITEM WAS RECEIVED AND FILED

RESOLUTION: REPEALING AND REPLACING CHAPTER 1121 AND 1140 OF THE CODIFIED ORDINANCES WITH CHAPTER 1309—REGULATIONS FOR SIGNAGE AND AMENDING SCHEDULE 1 OF THE ZONING ORDINANCE
BY: COUNCIL MEMBERS SPANBAUER, TOUMA

Agenda Item #11
THIS ITEM WAS TABLED
NO ACTION TAKEN ON THIS ITEM
RESOLUTION: MORATORIUM EXTENDING, SHORT-TERM, VACATION OR TRANSIENT RENTALS, ADDITIONAL 30 DAYS, 2020-24
BY: COUNCIL MEMBERS TOMPKINS, TOUMA, CHAIRMAN VOCCIO

Agenda Item #12
WHEREAS, on January 29, 2020, this Council adopted a resolution that imposed a ninety (90) day moratorium on the consideration of building/use permits for short-term, vacation or transient rentals in order to enable the City to develop a comprehensive and detailed plan concerning their location and approvals which is in concert with the City’s Comprehensive Plan and Zoning Ordinance; and
WHEREAS, Mayor Robert Restaino and his Administration immediately began working toward developing such a plan relating to the short-term rental issue and, from time to time, the Mayor has updated this Council on their progress; and
WHEREAS, the onset of the Covid-19 pandemic has forced the Administration to turn its attention to the City’s response to this unprecedented public health emergency, drawing its time and resources away from the short term rental project; and
WHEREAS, with the moratorium on short-term, vacation or transient rentals scheduled to end on April 28, 2020, there will not be sufficient time for the Mayor to fully develop a comprehensive plan; and
WHEREAS, in order to allow the Administration to complete its work on this important project, a short extension is necessary.
NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York that the moratorium on the consideration of building/use permits for short-term, vacation or transient rentals is hereby extended for an additional thirty (30) days, and it is further RESOLVED, that this moratorium shall terminate on May 28, 2020.
Yeas 5
Nays 0
ADOPTED

There being no further business to come before the Council, Chairman Voccio adjourned the Meeting at 6:50 P.M.

Kathleen Ligammari
City Clerk
The Legislative session of the May 6, 2020 Niagara Falls City Council Meeting was called to order by Council Chairman Chris Voccio at 6:00 P.M. in the Council Chambers.

Present: Council Members William Kennedy, John Spanbauer, Kenny Tompkins, Andrew Touma, Council Chairman Chris Voccio

Also present: Mayor Robert M. Restaino, City Administrator Anthony Restaino, Corporation Counsel Chris Mazur, and City Controller Daniel Morello.

Council Member Spanbauer said the Prayer and the Chairman led the gathering in the Pledge of Allegiance to the Flag.

Council Member Tompkins moved to approve the Minutes from the Council Meeting of April 22, 2020

Yeas 5
Nays 0

APPROVED

The Chairman asked if anyone wished to speak on Agenda Items or Community Interests, and the following spoke:

THERE WERE NO SPEAKERS

Mayor Update:
- Covid-19 crisis continues to be main focus. Renovations under way to make public service departments within the City safe in anticipation of reopening to public.
- Continuing to monitor and address fiscal challenges brought on by pandemic response.
- Ongoing conference calls with County, State and Federal officials. Exploring deployment of more mobile testing sites throughout Niagara region.

Administrative Update: None

Controllers Report: None

Speakers:
- Rich Meranto, producer of Council meeting audio visual, Niagara Falls School District teacher, Chair of Cable Television Commission. Addressed the concern of Charter Communications (Spectrum) moving the local public access channel to the 1300 range in the listing. He requests the Council to adopt a resolution to return it to an open channel in the two digit range where it was previously located.

Agenda Items: None
Councilman Kennedy asked if CSX rail crossing concerns were addressed. Mayor advised CSX was made aware of the concerns however they are not considered an essential priority at this time.

Councilman Kennedy expressed resident concerns of overgrowth in lots located on Hudson Drive. Mayor advised ownership will be determined and parties will be notified to clear them.

Councilman Touma mentioned a planned area USAF flyover 5/12 11:45am honoring front line Covid-19 workers. The Mayor indicated he was attempting to have Niagara Falls included in that.

Councilman Touma appreciates post card mailing to residents regarding sanitation user fee.

Councilman Touma appreciates Executive office efforts to establish Covid-19 test sites in the local area. Mayor indicated it’s been a joint effort with local cities to include North Tonawanda and Lockport.

Councilman Touma expressed disappointment that Niagara Falls Council members had not been included on committee to organize testing sites.

Councilman Touma expressed need to amend taxi ordinance to include livery drivers. They should be required the same vetting process as taxi operators. The Mayor cautioned that any amendments need to be concise with as few ‘exceptions’ to the rule included as possible to enable ease of enforcement.

Councilman Tompkins inquired whether efforts toward short term rental moratorium was still moving forward. Mayor expressed it was however some technical components, ex; bed tax collection, were still being worked out.

Councilman Spanbauer offered kudos to DPW for staying on top of Hyde Park conditions. Particularly with heavy use during pandemic social distancing guidelines.

Councilman Touma questioned the anticipated ‘re-opening’ of the City/County related to pandemic concerns. The Mayor advised it would likely be a regional approach to include all WNY counties simultaneously. Also mentioned conversations with Niagara Falls Ontario Mayor indicate reopening the border to general crossing will not happen for some time.

Councilman Kennedy motioned to walk-on a resolution demanding Federal government provide stimulus funds to the City. No 2nd from Council. Motion denied. Reasons stated; lack of knowing full financial impact to budget, local State Representatives need to advocate on behalf of municipalities directly to Federal officials.

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE MAYOR

COMMUNITY DEVELOPMENT: HYDE PARK INCLUSIONARY PLAYGROUND, ADDITIONAL FUNDING, APPROPRIATION

Agenda Item #1

In 2017, the City of Niagara Falls Community Development department (“NFCD”) proposed that the City undertake the installation of an Inclusionary Playground in Hyde Park. With the assurance of the former NFCD director Seth Piccirillo that there was adequate funding available for the project, the City Council approved all the grant awards and vendor contracts related thereto. To date, the project is substantially complete; however, the invoice submitted by one of the contractors, 4th Generation, Inc., remains unpaid despite several attempts by the company to collect on the debt.
As you know, we have been conducting an extensive review of the operations of NFCD since the beginning of this year. This investigation has found that despite the assurances from the former director that an adequate funding was secured for the Inclusionary Playground, the project was $25,000.00 short of what was needed to bring it to completion. Unfortunately, this is yet another example of the cavalier behavior at NFCD that was tolerated by the previous administration.

Since 4th Generation has performed work and properly invoiced the City for payment, the City is now obligated to compensate the company for services rendered. This Administration therefore requests that the City Council approve additional funding in the amount of $25,000.00 to cover the aforementioned shortfall. The City Controller has determined that the source for this amount is available from reprogrammed CDBG funds (from previous years).

In addition, you will find that there is a second item on your agenda related to the Inclusionary Playground project. That item is a request for an additional $34,882.00 for a change order associated with the construction of the playground. Please note that it is necessary to secure City Council approval of both this item and the change order request in order to compensate 4th Generation for their work on the project. The total amount related to both items is $59,882.00.

Again, the City Controller has determined that the $25,000.00 funding for this item is available from previous years’ reprogrammed CDBG funds.

Will the Council so approve?
Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

CONTRACT: HYDE PARK INCLUSIONARY PLAYGROUND, 4TH GENERATION CONSTRUCTION COMPANY, CHANGE ORDER #1/FINAL

Agenda Item #2
A contract for the above referenced Community Development funded project was awarded to 4th Generation Construction Company Inc., 5650 Simmons Avenue, Niagara Falls, New York in the amount of $164,534.00.

As the project progressed, issues not originally included in the project’s initial scope of work were discovered that required correction and/or repair. These additional tasks center on both the removal and replacement of a damaged sewer lateral serving the Hyde Park Ice Pavilion complex and the remediation of vandalism to the playground equipment and surfacing. The total amount for these extra comes to $34,881.73, bringing the contract total to $199,415.00. Funding is available via existing, reallocated HUD Community Development Block Grant allotments.

Will the Council vote to so approve and authorize the Mayor to execute this Change Order #1/Final in a form acceptable to the Corporation Counsel?
Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

05/06/2020
CONTRACT: 2020 SIDEWALK REPLACEMENTS, VARIOUS LOCATIONS, HENWOOD CONSTRUCTION

Agenda Item #3
The following is the result of bids received on April 29, 2020 for the above referenced project:

<table>
<thead>
<tr>
<th>CONTRACTOR</th>
<th>BASE BID</th>
<th>ALTERNATE A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Henwood Construction, Inc.</td>
<td>$250,000.00</td>
<td>$17,680.00</td>
</tr>
<tr>
<td>9138 Rivershore Drive</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Niagara Falls NY 14304</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Valeri Concrete Construction, Inc.</td>
<td>$440,000.00</td>
<td>$52,000.00</td>
</tr>
<tr>
<td>9138 Rivershore Drive</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Niagara Falls NY 14304</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

It is the recommendation of the undersigned that this contract be awarded to the low bidder, Henwood Construction, Inc. at the base bid plus alternate bid price total of $267,680.00.

Please note that the base bid amount is completely reimbursable with NYSDOT CHIPS monies. The funding code for the base bid items will be H0320, which represents CHIPS funding to be received for 2020 projects, while the Department of Public Works’ O&M Sidewalk line will fund the alternate bid work, which involves the replacement of missing bridge deck granite curbing on the Robbins Drive Bridge.

Additionally, the Contractor has agreed to extend the unit prices of his bid to complete sidewalk replacements for the Niagara Falls Water Board, in an amount not-to-exceed $30,000.00, pending the execution of a standard Inter-Agency Agreement between the City and the Niagara Falls Water Board. Therefore, the City of Niagara Falls will enter into a contract with Henwood Construction, Inc. for a total of $297,680.00 at this time.

Will the Council vote to so approve and authorize the Mayor to execute a contract for the City of Niagara Falls, in a form acceptable to the Corporation Counsel?

Council Member Touma moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

DEPARTMENT OF PARKS/PUBLIC WORKS: REORGANIZATION, (SEASONAL IMPACT TEAM WORKERS/LEADERS)

Agenda Item #4
One of the complaints that we as elected officials hear most often from our citizens and business owners concerns the cleanliness of the City. Time and time again, taxpayers lament that we as a City are not doing enough to address the trash, refuse and debris that negatively impacts our community. After discussing this matter with the Director of Parks and Public Works, the Administration believes that the best approach in which to deal with the litter issue is with a more aggressive deployment of the City’s Seasonal Impact Team.

In order to attract and retain reliable employees for the Seasonal Impact Team, we believe that it is necessary to increase the current $10.00 per hour wage for Seasonal Impact Team Workers to $12.00 per hour, and increase the current $12.00 per hour wage for Seasonal Impact Team Leaders to $14.00 per hour. This modest increase in the hourly rate should put the City in a better position to compete with the private business community for entry-level laborers. The Department will continue to operate within the parameters of the 2020 adopted budget by adjusting work schedules to account for the increase in hourly wage, making this proposal cost-neutral.

Will the Council so approve?

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

05/06/2020
CLAIM: MACDONALD, RYAN

Agenda Item #5

Date of Occurrence: October 5, 2013
Date Claim Filed: December 9, 2013
Date Action Commenced: September 18, 2014
Location: Riverwalk path, east of Adam Canal.
Nature of Claim: Premises Liability - bicycle accident
City Driver: N/A
Status of Action: Trial will be scheduled if not settled
Recommendation/Reason: Best interest of City
Amount to be Paid: $60,000.00
Make Checks Payable to: Ryan MacDonald in amount of $37,152.91
William Mattar, P.C., as Attorney, in amount of $22,847.09
Conditions: Stipulation of Discontinuance as to all parties, including the Power Authority of the State of New York, which the City indemnifies, and General Release to City must be approved by Corporation Counsel

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

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 4
Spanbauer, Tompkins, Touma, Chairman Voccio
Nays 1
Kennedy

APPROVED

CLAIM: PORTER, ANDRE

Agenda Item #6

Date of Occurrence: December 4, 2015
Date Claim Filed: Notice of Claim N/A to § 1983 claim
Date Action Commenced: May 22, 2018
Location: Hyde Park and Walnut Avenue and City Jail
Nature of Claim: § 1983 claim alleging police misconduct
City Driver: N/A
Status of Action: Discovery complete. Case will be scheduled for trial if not settled.
Recommendation/Reason: Best interest of City
Amount to be Paid: $10,000.00
Make Check Payable to: Andre Porter
Conditions: Stipulation of Discontinuance as to all parties in pending federal court case and General Release to City must be approved by Corporation Counsel

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

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 4
Spanbauer, Tompkins, Touma, Chairman Voccio
Nays 1
Kennedy

APPROVED
RESOLUTION: PROFESSIONAL NURSES WEEK, DECLARING MAY 6-12, 2020, 2020-25
BY: MAYOR RESTAINO, ALL COUNCIL MEMBERS

Agenda Item #7
WHEREAS, since President Ronald Reagan’s National Proclamation in 1982, the week of May 6 through May 12 has been observed as “National Nurses Week”, culminating on May 12, the birth date of Florence Nightingale; and
WHEREAS, in New York state there are nearly 30,000 nurses among the four distinct nursing professions of Registered Professional Nurse, Clinical Nurse Specialist, Licensed Practical Nurse and Nurse Practitioner, making nursing the largest licensed healthcare profession in the state; and
WHEREAS, the nursing profession, often described as both an art and science, embraces dedicated individuals with varied interests and strengths united in their passion for and commitment to both their patient and the improvement of the quality of healthcare; and
WHEREAS, as nurses are there for us across the spectrum of our lifespan, ushering in life at birth and allowing for a dignified death, we must ensure that they get the recognition that they deserve, especially as our community, our nation and the entire world battles through the Covid-19 crisis; and
WHEREAS, Covid-19, caused by a virus that spreads easily from person to person which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic, has broadly spread throughout New York State, significantly increasing the threat of serious associated health risks statewide; and
WHEREAS, we know that in providing care to those suffering from Covid-19, thousands of nurses and healthcare workers across the state have been exposed or have contracted the virus, and, tragically, many have died; and
WHEREAS, these modern-day heroes continue to risk their lives while helping to save the lives of others on the front line in the battle against Covid-19; and
WHEREAS, we are cognizant that the compassionate, safe and quality healthcare services provided by nurses will be an even more important component of the American healthcare delivery system in the future; and
WHEREAS, in appreciation, the City of Niagara Falls has declared the week of May 6 – 12, 2020 as “Professional Nurses Week” to celebrate and recognize the ways in which nurses lead the charge for health and wellness.
NOW, THEREFORE, BE IT RESOLVED that both the City Council and Mayor Robert M. Restaino of the City of Niagara Falls wish to honor the nurses who care for us all by proclaiming the week of May 6-12, 2020 as “Professional Nurses Week” in the City of Niagara Falls to celebrate nursing’s many accomplishments and efforts to improve our healthcare system and to show our appreciation for professional nurses not just during this week, but at every opportunity throughout the year.

Yeas 5
Nays 0
ADOPTED

RESOLUTION: MARCHISELLI PROGRAM, PIN 5761.57, BUFFALO AVENUE (R 384)
CAYUGA DRIVE TO 102ND STREET, 2020-26
BY: COUNCIL MEMBER TOUMA

Agenda Item #8
WHEREAS, a Project for the Buffalo Ave. (Rt. 384): Cayuga Drive to 102nd Street, P.1.N. 5761.57 (“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 Buffalo Ave. (Rt. 384); Cayuga Drive to 102nd Street, Preliminary Engineering (Design I-VI) and Construction/Construction Inspection, phase 4.

NOW, THEREFORE, the City Council of the City of Niagara Falls, New York, duly convened does hereby RESOLVE, 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 funds are currently available in the respective capital project fund balance; and it is further 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.

Yeas 5
Nays 0
ADOPTED

RESOLUTION: MARCHISELLI PROGRAM, PIN 5761.81, BUFFALO AVENUE FROM RAINBOW BLVD. TO 450 FT. WEST OF 24TH STREET, 2020-27
BY: COUNCIL MEMBER TOUMA

Agenda Item #9

WHEREAS, a Project for the Buffalo Ave from Rainbow Blvd. to 450 Ft. West of 24th Street, P.I.N. 5761.81 ("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 Buffalo Ave from Rainbow Blvd. to 450 Ft. West of 24th Street, Preliminary Engineering (Design I-VI) and Construction/Construction Inspection phase.

NOW, THEREFORE, the City Council of the City of Niagara Falls, New York, duly convened does hereby RESOLVE, 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 funds are hereby re-appropriated collectively from Buffalo Avenue Phase 1 through Phase 3 and made available to cover the cost of participation in the above phase of the Project; and it is further
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 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.

Yeas 5
Nays 0
ADOPTED

RESOLUTION: MARCHISELLI PROGRAM, PIN 5761.89, RT 265 (MILITARY ROAD) RECONSTRUCTION; NIAGARA FALLS BLVD. TO CAYUGA DR. AND CAYUGA DR. RESURFACING TUSCARORA RD. TO BUFFALO AVE., 2020-28
BY: COUNCIL MEMBER TOUMA

Agenda Item #10

WHEREAS, a Project for the Rt. 265 (Military Rd.) Reconstruction; Niagara Falls Blvd. to Cayuga Dr. and Cayuga Dr. Resurfacing; Tuscarora Rd. to Buffalo Ave., P.I.N. 5761.89 (“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 Rt. 265 (Military Rd.) Reconstruction; Niagara Falls Blvd. to Cayuga Dr. and Cayuga Dr. Resurfacing; Tuscarora Rd. to Buffalo Ave., Preliminary Engineering (Design I-VI) phase.

NOW, THEREFORE, the City Council of the City of Niagara Falls, New York, duly convened does hereby RESOLVE, 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 funds are hereby allocated from the miscellaneous road reconstruction capital project fund balance; and it is further

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 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

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05/06/2020
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.

Yeas 5
Nays 0
ADOPTED
There being no further business to come before the Council, Chairman Voccio adjourned the Meeting at 6:50 P.M.

Kathleen Ligamma
City Clerk
RegULAR COUNCIL MEETING

NIAGARA FALLS, NEW YORK

The Legislative session of the May 20, 2020 Niagara Falls City Council Meeting was called to order by Council Chairman Chris Voccio at 6:00 P.M. in the Council Chambers.

Present: Council Members William Kennedy, John Spanbauer, Kenny Tompkins, Andrew Touma, Council Chairman Chris Voccio

Also present: City Administrator Anthony Restaino, Corporation Counsel Chris Mazur, and City Controller Daniel Morello

Not Present: Mayor Restaino, on a conference call with Niagara Falls Ministerial Council

Council Member Tompkins said the Prayer and the Chairman led the gathering in the Pledge of Allegiance to the Flag.

Council Chairman Voccio moved to approve the Minutes from the Council Meeting of May 6, 2020.

Yeas 5

Nays 0

APPROVED

The Chairman asked if anyone wished to speak on Agenda Items or Community Interests, and the following spoke:

Mark Laurie  Agenda Item #10; thanking Council for Resolution
Walter Reed  Concerns re: Covid-19 Pause Order violations throughout the City; need for more effective enforcement
Robert Ventry  Paving methods & request for list of streets to be fixed; Requests that City lots be kept up with grass cutting

Administrative Update:

- In process of reconfiguring city buildings/departments for reopening. Adding safety measures for both staff and visitors. Exact re-open date not known yet.
- In terms of general public, Phase I opening does not mean social distancing and mask wearing will stop.
- New York Conference of Mayors solicited municipalities to submit photos promoting the benefits of wearing masks. The City participated and is included in a video NYCOM posted to YouTube.
- In response to speaker comments regarding street conditions, Administrator advised there was a delay with start of work due to Covid-19 pause restrictions. Also concerns that there would be a delay in CHIPS funding. He was advised by State representatives that those funds should not be delayed due to current events.
- Brian Higgins office released a statement that census response is down. He expressed the importance of an accurate count to secure as much federal funding as possible for The City.
Controllers Report: None

Review of Agenda Items:
- Item 3 regarding shared service of Assessor with Town of Niagara. Clarification requested whether this position was in lieu of or in addition to Town of Wilson. Also whether the portions of salary from other municipalities would be paid directly from them vs. The City collecting the funds and paying The Assessor in full.

Misc.:
- Councilman Tompkins advised a City surface lot adjacent to former St. Joseph school needs attention. Catholic Charities needs to park there. Admin will have DPW look at it.
- Councilman Touma discussed concerns regarding Library funding. Need to work toward it becoming fully independent financially. Chairman Voccio stated it would be a long process to work out logistics. Committee meetings will resume after COVID-19 pause limitations are lifted.
- Councilman Touma expressed a hope that The City could find a creative way to set off fireworks for Independence Day.
- Councilman Touma inquired about COVID-19 contact tracing efforts. Administrator assures The City is not paying for any of it. The state is.
- Councilman Touma inquired about how the border agents will address mandatory mask wearing in USA. Administrator advises The City would not be aware of the protocols they will have in place.
- Councilman Touma questioned whether The Executive Office had anything current regarding Hero’s Act funding for municipalities. Administrator noted our State Representatives are actively working on our behalf to secure funding.
- Councilman Tompkins inquires if casino funds would come into play regarding Hero’s Act. Per Administrator, data was provided to the State regarding The City’s financial status.
- Councilman Kennedy expressed he had observed pothole work being done.
- Councilman Spanbauer expressed his appreciation of Administrations responsiveness to a homeless person situation.
- Chairman Voccio requested that Controllers report resume with the next Council meeting.

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE CITY CLERK

CITY CLERK’S CLAIMS FOR THE MONTH OF APRIL 2020

Agenda Item #1
THIS ITEM WAS RECEIVED AND FILED

CITY CLERK REPORT FOR THE MONTH OF APRIL 2020

Agenda Item #2
THIS ITEM WAS RECEIVED AND FILED
THE FOLLOWING COMMUNICATION WAS SUBMITTED BY THE MAYOR

CONTRACT: CITY ASSESSOR, SHARED SERVICES, TOWN OF NIAGARA

Agenda Item #3
Attached (on file in the City Clerk’s Office) is the proposed shared services agreement with the Town of Niagara which provides for the City Assessor to also act as the Assessor for the Town of Niagara.

The agreement provides that the Town of Niagara will cover the cost related to work performed on behalf of the Town and pay the sum of $26,000.00 annually to the City of Niagara Falls. The assessor will devote at least six (6) hours per week during normal business hours to assessment activities in the Town.

Will the Council so approve and authorize the Mayor to execute the attached proposed agreement provided the same is in form and content satisfactory to the Corporation Counsel?

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas
Nays
APPROVED

THE FOLLOWING COMMUNICATION WAS SUBMITTED BY THE CITY ASSESSOR

HOMESTEAD AND NON-HOMESTEAD PROPORTIONS

Agenda Item #4
In accordance with Section 1903 of the Real Property Tax Law, the City Council must certify the attached (on file in the City Clerk’s Office) 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?

Council Member Touma moved that the communication be received and filed and the recommendation approved.

Yeas
Nays
APPROVED

THE FOLLOWING COMMUNICATION WAS SUBMITTED BY THE CITY CLERK

COMMISSIONER OF DEEDS, APPOINTMENTS

Agenda Item #5
The following have requested City Council approval for Commissioner of Deeds for a term from July 1, 2020 to June 30, 2022.

This is in accordance with provision of the Niagara Falls City Charter, Article II, Section 7.

Daniel Dobrasz NFPD
Julie Kunecki Code Enforcement
Frances Curcione 3302 Walnut Ave., Niagara Falls, NY 14301
Louisa Fasciano 1331 104th St, Niagara Falls, NY 14304
Alyson Graham 2441 Woodlawn Ave., Niagara Falls, NY 14301
Jean Kennedy 1423 Wyoming Ave, Niagara Falls, NY 14305
Denise M. Pelosino 959 Lafayette Ave., Niagara Falls, NY 14305
Richard D. Smith 1021 96th St., Niagara Falls, NY 14304

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas
Nays
APPROVED
RESOLUTION: SHORT-TERM VACATION OR TRANSIENT RENTALS, MORATORIUM EXTENSION, 2020-29
BY: ALL COUNCIL MEMBERS

Agenda Item #6
WHEREAS, on January 29, 2020, this Council adopted a resolution that imposed a ninety (90) day moratorium on the consideration of building/use permits for short-term, vacation or transient rentals in order to enable the City to develop a comprehensive and detailed plan concerning their location and approvals which is in concert with the City's Comprehensive Plan and Zoning Ordinance; and
WHEREAS, the City Administration immediately began working toward developing such a plan relating to the short-term rental issue and, from time to time, the Mayor has updated this Council on their progress; and
WHEREAS, the onset of the COVID-19 pandemic forced the Administration to turn its attention to the City's response to this unprecedented public health emergency, drawing its time and resources away from the short term rental project, which caused this Council to extend the moratorium through May 28, 2020; and
WHEREAS, with the end of moratorium on short-term, vacation or transient rentals rapidly approaching, there will not be sufficient time for the Administration to fully develop a comprehensive plan; and
WHEREAS, in order to allow the Administration to complete its work on this important project, a short extension is necessary.
NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Niagara Falls, New York that the moratorium on the consideration of building/use permits for short-term, vacation or transient rentals is hereby extended, for a final time, for an additional thirty (30) days, and it is further
RESOLVED, that this moratorium shall terminate on June 30, 2020, with no further extensions considered.

Yeas 5
Nays 0
ADOPTED

RESOLUTION: EDUCATIONAL TELEVISION, CHANNEL DESIGNATION, REASSIGNMENT, SPECTRUM, 2020-30
BY: MAYOR RESTAINO, ALL COUNCIL MEMBERS

Agenda Item #7
WHEREAS, local Public Government and Educational Television ("PEG TV") is an invaluable public service to our community, broadcasting local government meetings, school board meetings, coverage of important City/school-sponsored events as well as other programming of interest to the community; and
WHEREAS, for over 15 years, our PEG TV station, the Our Schools Channel ("OSC"), operated by the Niagara Falls City School District, has provided this valuable public service to our community; and
WHEREAS, since the early 1980s, PEG TV was easily accessible, first on Niagara Frontier Cable, Adelphia Communications and Time Warner (now Spectrum Communications), on channels assigned to lower numbered designations; and
WHEREAS, however, since 2018, Spectrum has moved our local community access programming to channel 1302 which has resulted in viewers having trouble finding this channel since it is not in proximity to other local programming; and
WHEREAS, since this channel designation change, Spectrum has not used channels 13, 14, 17, 19 or 20 for any other programming; and
WHEREAS, during the current public health crisis, easing the flow of information between various levels of government and people has never been more critical as people are isolated at home and are relying on news outlets to receive information ranging from community closures to access to life saving healthcare; and
WHEREAS, the COVID-19 pandemic has spread further due to misinformation or lack of information and now is not the time to restrict local access channels; instead, it is time we enhance and amplify them; and

WHEREAS, with this in mind, the City Council is asking that the Public Service Commission, whose responsibility is to monitor and govern public services, to make our public access programming more accessible by moving our local PEG TV programming back to one of the unused lower tier channels.

NOW, THEREFORE, BE IT RESOLVED that both the City Council and Mayor Robert M. Restaino of the City of Niagara Falls request that the Public Service Commission order Spectrum Communications to move the Our Schools Channel, our local PEG TV channel, to a more accessible channel designation; and it is further

RESOLVED, that it is recommended that Spectrum Communications relocate OSC to one of the unused lower-tier channels, specifically either channels 13, 14, 17, 19 or 20.

Yeas 5
Nays 0
ADOPTED

RESOLUTION: PROMOTIONAL APPOINTMENT FREEZE
BY: ALL COUNCIL MEMBERS

Agenda Item #8
THIS ITEM WAS PULLED
NO ACTION TAKEN ON THIS ITEM

RESOLUTION: CIVIL SERVICE COMMISSION, REAPPOINTMENT, 2020-31
BY: ALL COUNCIL MEMBERS

Agenda Item #9
NOW, THEREFORE, BE IT RESOLVED that the Niagara Falls City Council hereby reappoints the following individual to the City of Niagara Falls Municipal Civil Service Commission, effective June 1, 2020, for the term expiring on the date which appears opposite her name:

REAPPOINTMENT:             TERM EXPIRES:
LORA ALLEN                5/31/2026
1656 Michigan Ave.
Niagara Falls, NY, 14302

Yeas 5
Nays 0
ADOPTED

RESOLUTION: GRADUATES MONTH, JUNE 2020, 2020-32
BY: ALL COUNCIL MEMBERS

Agenda Item #10
WHEREAS, the months of May and June are normally a time when our City’s graduating high school and college students and their families would be celebrating their achievements and accomplishments at various commencement ceremonies; and

WHEREAS, graduation is not just a ceremony, but a rite of passage where graduates partake in exhibits of final class projects, parties, goodbyes with friends and teachers, photo sessions at school and campus landmarks, and triumphant and tearful embraces; and

WHEREAS, unfortunately, the COVID-19 health pandemic has put lives throughout the nation and, specifically, the City of Niagara Falls, on pause; and

WHEREAS, during this uncertain time, educational institutions throughout the community have decided to either postpone commencement ceremonies or conduct them in untraditional ways in order to safeguard the public health; and
WHEREAS, while the response to the public health crisis may deprive our students of the “pomp and circumstance” associated with graduation ceremonies, Niagara Falls has proven itself to be a resilient community, and our students are an integral part of that resiliency as they continue to demonstrate both the strength and the will to persevere during this extraordinary time; and

WHEREAS, the most effective way to recognize our student graduates is through everyone’s active participation and acknowledgement of their commitment and achievements; and

WHEREAS, as communities are stronger when everyone participates, the City Council encourages all citizens to take the time to celebrate and recognize our City’s graduating students, on all schooling levels; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Niagara Falls, New York hereby designates the month of June, 2020, as Graduates’ Month in the City of Niagara Falls.

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ADOPTED

There being no further business to come before the Council, Chairman Voccio adjourned the Meeting at 6:43 P.M.

Kathleen Ligammari
City Clerk
The Legislative session of the June 3, 2020 Niagara Falls City Council Meeting was called to order by Council Chairman Chris Voccio at 6:00 P.M. in the Council Chambers.

Present: Council Members William Kennedy, John Spanbauer, Kenny Tompkins, Andrew Touma, Council Chairman Chris Voccio

Also present: Mayor Robert M. Restaino, City Administrator Anthony Restaino, Corporation Counsel Chris Mazur, and City Controller Daniel Morello.

Council Member Touma said the Prayer and the Chairman led the gathering in the Pledge of Allegiance to the Flag.

Council Chairman Voccio moved to approve the Minutes from the Council Meeting of May 20, 2020

Yeas

5

Nays

0

APPROVED

The Chairman asked if anyone wished to speak on Agenda Items or Community Interests, and the following spoke:

Jarrett Steffen  Clarification requested of Human Rights Commission; members list, requests a dedicated website with current content

Mayor Update:

• DPW is at full staff as of this week. They will focus on catching up with grass cutting around the city. A street paving schedule is planned to be released within the next couple weeks. Other departments are phasing in returning to full staff.
• Work ongoing to prepare City buildings for reopening to the public. The Council will be made aware when openings will occur.
• Public Information Officer Appointment is expected to be in place by the next Council meeting.

Administrative Update:

• Expanded on DPW staffing, that recent retirements in the department will leave a few vacancies and may hinder progress in some areas.
• Public hearings pending regarding Community Development funds.

Controllers Report:

• 2020 budget impacted by COVID-19 pandemic. As expected major revenue streams considerably below budget due to Covid-19 restrictions. Chairman Voccio requested the County tax revenue shortfall number be broken down to specific areas; hotel, restaurant, utility.
Review of Agenda Items:

- Item 4 – Councilman Spanbauer asked that USA Niagara look to shift festivals to the fall season to make up for the vast majority of summer events being cancelled due to COVID-19.
- Item 5 – Andrew Touma voiced his full support of this resolution.

Misc.:
- Councilman Touma inquired how Council meeting capacity will be maintained when they resume open to the public. Mayor responded the capacity would be approximately 60. Access to the building will be limited to main floor.
- Councilman Tompkins relayed the volume of grass cutting complaints and there has been an uptick of complaints that Modern Disposal has been bypassing bulk items.
- Councilman Touma reiterated his receiving complaints about Modern bulk item issue.
- Councilman Touma voiced his being sympathetic to George Floyd death and those before him. Systemic racial divide is not tolerable and must end.
- Councilman Kennedy proud of Mayor and law enforcement for joining with protestors during May 31. He would like to see the moment commemorated somehow.
- Councilman Spanbauer asked if there was any Intel on planned protest June 5. Mayor responded they have been in contact with the organizers and there is no credible indicators that it will be anything but a peaceful protest. No guarantee but they are preparing for the worst but hoping for the best.
- Councilman Kennedy expressed high grass complaints are mounting with him as well. Also inquired when the media would again have access to Council meetings. The mayor advised configuration of press area and spacing of attendees is being developed.
- Councilman Kennedy congratulated on acquisition of police grant. Mayor mentioned it has not been officially announced to them and how it will be applied exactly is under review.
- Chairman Voccio asked that Administration give the concerns of Robert Ventry from Council meeting May 20 a closer look regarding street paving.

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE MAYOR

CONTRACT:  USER FEE SOFTWARE, WAM SOFTWARE INC., FUNDING

Agenda Item #1
As we move toward implementation of the sanitation user fee, the City will need to obtain specialized computer software to manage accounts and maintain program accuracy. Since we do not possess the needed software development capacity, it will be necessary to enter into an agreement a company who can provide this service.

After reviewing the credentials and capabilities of several different software manufacturers, it is hereby proposed that the City enter into an agreement with WAM Software Inc. to provide the technology needed in order to process the user fee information. Under the proposed two (2) year agreement, WAM will provide the City with a user system that can manage up to six individual accounts at one time. WAM will also provide the City with customer service, technical support and software updates, as needed and at no cost. This agreement will also include access to WAM’s web server subscription service which will allow the City to access all of WAM’s various services and web-based technologies. WAM’s software also features state-of-the-art security features to prevent unauthorized access to City and taxpayer information.
WAM will provide the software and services at a cost of $175.00 per month over the length of the agreement (which is 50% less than WAM’s usual $350.00 per month rate). Additionally, WAM’s web services are available to the City at a cost of $960 per year; however, WAM has offered the City a special rate of only $20.00 for the remainder of the 2020 calendar year. Funding for this project is available from budget code A.8160.0000.0446.007.

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

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yea
Nays

APPROVED

DEPARTMENT OF PUBLIC WORKS (SMALL PARKS), REORGANIZATION

Agenda Item #2
On April 15, 2020, the City Council approved a reorganization in Department of Public Works’ Small Parks division, downgrading the position of Crew Leader to a Maintenance Worker II. In order to enhance efficiency, the Department would like to transfer the newly created MW II position from Small Parks (A.7110.3460) to Hyde Park (A.7110.3450). This will ensure that there will be six (6) MW II’s in both areas.

The proposed transfer will not impact DPW’s 2020 biweekly line.

Will the Council so approve?
Council Member Touma moved that the communication be received and filed and the recommendation approved.

Yea
Nays

APPROVED

CITY PROPERTIES: 435 13TH ST., 1201 FERRY AVENUE, 551 MEMORIAL PARKWAY, 548 7TH STREET, 712 & 713 TOWNSEND PLACE, NIAGARA ORLEANS REGIONAL LAND IMPROVEMENT CORPORATION (LAND BANK), TRANSFER

Agenda Item #3
The six (6) above-mentioned properties were acquired by the City through In Rem proceedings and have been held for economic development purposes for some time. It is recommended that the City transfer these properties to the Niagara Orleans Regional Land Improvement Corporation (the Land Bank) for further disposition.

Will the Council so approve and authorize the Mayor to execute any required documentation in the form acceptable to the Corporation Counsel?

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yea
Nays

APPROVED
CONTRACT: OLD FALLS STREET, MANAGEMENT PROGRAMMING, USA NIAGARA DEVELOPMENT CORPORATION

Agenda Item #4

Attached (on file in the City Clerk’s Office) for your information and review, please find the proposed agreement between the City of Niagara Falls and the USA Niagara Development Corporation ("USAN") relative to the control and management of Old Falls Street between Prospect and Third Streets. As you know, USAN owns and operates the Conference and Event Center on Old Falls Street and has contracted with Comcast Spectacore to undertake daily management and operation of the Conference and Event Center. Over the last several years the City has contracted with USAN to not only assist in the funding of the operation of the Conference and Event Center, but also to allow USAN, through Comcast Spectacore, to control, maintain, manage and program events on Old Falls Street between Prospect and Third Streets. This arrangement has worked out very well for the City; accordingly, it is requested that USAN be permitted to continue to control, maintain, manage and program Old Falls Street between Prospect and Third Streets during 2020, at no cost to the City.

Will the Council so approve and authorize the Mayor to execute the attached proposed agreement provided the same is in form and content satisfactory to the Corporation Counsel?

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.

Yeas 5
Nays 0
APPROVED

RESOLUTION: ADOPTION OF CHAPTER 703 OF THE CITY OF NIAGARA FALLS CODIFIED ORDINANCES ENTITLED “PROHIBITING THE FEEDING OF WILD ANIMALS.” 2020-33

BY: COUNCIL MEMBERS KENNEDY, TOMPKINS, TOUMA

Agenda Item #5

WHEREAS, feeding wildlife may attract uncontrollable numbers of animals which may result in damage to property and irritation to surrounding property owners; and
WHEREAS, uneaten food may attract rodents, insects and other pests, thereby increasing the potential for transmittal of disease to other animals and humans; and
WHEREAS, providing wildlife with an artificial supply of food may lead to the production of animal families larger than the natural food supply can support; and
WHEREAS, feeding wildlife may cause wildlife to lose their natural fear of humans, thereby increasing the risk of injury from wild animals. WHEREAS, the City Council has therefore determined that it is necessary and appropriate and in the best interests of public health, safety and general welfare of its residents to prohibit the feeding of all wild animals within the borders of the City.
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Niagara Falls, New York hereby amends the City Codified Ordinances by enacting Chapter 703, entitled “Prohibiting the Feeding of Wild Animals.” (on file in the City Clerk’s Office)

Yeas 5
Nays 0
ADOPTED

There being no further business to come before the Council, Chairman Voccio adjourned the Meeting at 6:48 P.M.

Kathleen Ligammari
City Clerk

06/03/2020
The Legislative session of the June 17, 2020 Niagara Falls City Council Meeting was called to order by Council Chairman Chris Voccio at 6:00 P.M. in the Council Chambers.

Present: Council Members William Kennedy, John Spanbauer, Kenny Tompkins, Andrew Touma, Council Chairman Chris Voccio

Also present: Mayor Robert M. Restaino, City Administrator Anthony Restaino, Assistant Corporation Counsel Thomas DeBoy, and City Controller Daniel Morello.

Council Chairman Voccio said the Prayer and led the gathering in the Pledge of Allegiance to the Flag.

Council Chairman Voccio moved to approve the Minutes from the Council Meeting of June 3, 2020

Yeas 5
Nays 0

APPROVED

The Chairman asked if anyone wished to speak on Agenda Items or Community Interests, and the following spoke:

Shawn Levick Proposal of “Asset-Based Community Development (ABCD)” to include dumpster yards throughout the City; Management of Block Clubs; Niagara beautification; Neighborhood watches

Mayor Update:
• June 29th resume enforcement of parking rules throughout city as well as parking attendants on duty at City run parking lots and ramps.
• Modification work ongoing to prepare City buildings for reopening to the public. The Council will be made aware when openings will occur.
• Fourth of July fireworks to be postponed due to COVID-19 concerns.
• Law department and Human Resources reviewed residency requirement relative to City Administrator appointment. His previous tenure with The City exempts him from the mandate.
• The City is working toward partnering with a nonprofit and other groups to offer youth programs. Council will be advised when details are complete.

Administrative Update:
• Preliminary process for 2021 budget has begun. Department heads to submit proposals by July 2. Individual meetings to be scheduled subsequently.

Controllers Report:
• 2020 expenditure report through May detailing salary ‘other costs’, primarily overtime. Costs down from 2019 mainly due to COVID-19 staffing reductions. Chairman Voccio requests this figure be closely monitored as the year progresses.
Review of Agenda Items:

- Item 2 – Councilman Spanbauer recommends a closer look at subsequent contracts to insure cost is kept to lowest possible level.
- Item 8 – Councilman Kennedy cited concerns over the wording of the resolution.

Misc.:

- Councilman Touma inquired if health insurance carrier bids were being sought. Mayor responded no plans in place to accept bids. City will work with current carrier to determine if current plans can be made more affordable. Controller added that an audit was conducted of claims paid to insure accuracy. Results pending.
- Councilman Touma inquired if there would be difficulty in meeting the April 2021 deadline of Governor Cuomo’s executive order regarding police reform. Mayor indicated committees are in place to insure ongoing assessment of law enforcement policies and procedures and that any subsequent legislation to meet the Governor’s deadline will be met.
- Councilman Touma expressed concern that NFPD may not have sufficient working body cam equipment. Mayor indicated that recent conversations with the Superintendent assures equipment is adequate.
- Councilman Tompkins relayed resident inquiries about trash bin requests and related fees. Controller indicated that letters were expected to be sent this week.
- Councilman Tompkins inquired if progress was being made with Blue Cardinal project on North Main Street. Mayor expressed there were some delays due to COVID-19 situation however an aggressive game plan is on the horizon. Property stabilization is in progress along with environmental testing and acquiring any related permits.
- Councilman Kennedy inquired about status of PIO hire. Mayor indicated the selected candidate did not ultimately meet certain criteria. A search continues.
- Councilman Kennedy expressed his and many residents’ appreciation for the Administration’s handling of an ongoing property issue on Falls St. Administrator noted that it will continue to be monitored and assistance by DSS will be sought if necessary.
- Councilman Touma inquired about status of Niagara Scenic Parkway project. Mayor indicated it’s on schedule and an agreement regarding light fixtures had just been reached.

THE FOLLOWING COMMUNICATION WAS SUBMITTED BY THE CITY CLERK

CLAIM REPORT FOR THE MONTH OF MAY 2020

Agenda Item #1
THIS ITEM WAS RECEIVED AND FILED

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE MAYOR

CONTRACT: TROLLEY SERVICE, FUNDING, NIAGARA FRONTIER TRANSPORTATION AUTHORITY

Agenda Item #2

Previously, Trolley Service was provided to the City of Niagara Falls by the Niagara Frontier Transportation Authority (“NFTA”) pursuant to a written agreement (on file in the City Clerk’s Office). As in previous years, we believe that it is desirable to continue the NFTA’s Trolley Service in the City.
Under the proposed agreement, Trolley Service will commence on June 19, 2020 and conclude October 25, 2020. The Service will then operate from June 19, 2020 through September 27, 2020 on a daily basis. From October 2, 2020 through October 31, 2020, Trolley Service will be on weekends only (Friday, Saturday and Sunday). From November 1, 2020 through December 31, 2020, guests at participating hotels will have access to the NFTA’s regular fixed route, open door no-trolley service. The cost to the City for this service will be $481,035.35. Funding is available from Tourism Fund balance.

Will the Council so approve and authorize the Mayor to execute an agreement with the NFTA provided the same is in form and content satisfactory to the Corporation Counsel?

Council Member Touma moved that the communication be received and filed and the recommendation approved. 
Yeas 5
Nays 0
APPROVED

CONTRACT: ASSESSOR, SHARED SERVICES, TOWN OF NIAGARA

Agenda Item #3
THIS ITEM WAS PULLED
NO ACTION TAKEN

POLICE DEPARTMENT: CORONAVIRUS RESPONSE INITIATIVE GRANT AWARD

Agenda Item #4

The U.S. Department of Justice (“DOJ”) has awarded the City of Niagara Falls Police Department a “Coronavirus Response Initiative Grant” in the amount of $142,134.00 for fiscal year 2020. Funding for this initiative is provided by the DOJ pursuant to the Coronavirus Emergency Supplemental Funding Program (“CESF”) and is designed provide financial assistance for local governments to prevent, prepare for and respond to the COVID-19 pandemic.

Specifically, the CESF grant will allow the NFPD to purchase personal protective equipment (surgical masks, N95 masks & latex gloves) and to cover overtime costs necessary to back fill employees due to illness from coronavirus. Attached hereto (on file in the City Clerk’s Office), for your information and review, is a copy of the correspondence which outlines the CESF Grant Award.

Will the Council so approve the acceptance of this grant funding and authorize the Mayor to execute any documents necessary to implement the same, provided these documents are in form and content acceptable to the Corporation Counsel?

Council Member Touma moved that the communication be received and filed and the recommendation approved.
Yeas 5
Nays 0
APPROVED

DEPARTMENT OF PARKS/PUBLIC WORKS: REORGANIZATION, CREATION OF 3 TEMPORARY MW-2 POSITIONS, FUNDING

Agenda Item #5

In order to be prepared for increased activity in the downtown area it is necessary to create three (3) temporary MW-2 positions. These positions will be filled if needed based upon factors related to NYS Guidelines for Phase 4 openings. Funding is available within the Parking Operations Fund temporary wages budget line PO.1720.2560.0130.000.

Will the Council so approve?

Council Member Tompkins moved that the communication be received and filed and the recommendation approved.
Yeas 5
Nays 0
APPROVED

83
THE FOLLOWING COMMUNICATION WAS SUBMITTED BY THE CITY CLERK

MAYOR’S APPROVAL OF RESOLUTION 2020-33

Agenda Item #6
THIS ITEM WAS RECEIVED AND FILED

RESOLUTION: TEMPORARY OUTDOOR DINING PERMITS, AUTHORITY TO CITY ADMINISTRATOR, 2020-34
BY: ALL COUNCIL MEMBERS

Agenda Item #7

WHEREAS, in response to the COVID-19 pandemic, Governor Andrew M. Cuomo issued Executive Order 202, declaring a state of disaster emergency on March 7, 2020, which imposed strict social distancing restrictions across the State; and

WHEREAS, on March 16, 2020, Governor Cuomo issued Executive Order 202.3, restricting all on-premises consumption of food and beverage at eating and drinking establishments statewide, and later, on March 20, 2020, the Governor issued Executive Order 202.6, which directed all non-essential businesses to close in-office personnel functions; and

WHEREAS, the effects of COVID-19 and the response thereto have had a devastating effect on the local food and beverage industry; and

WHEREAS, as it appears that the statewide spread of COVID-19 is significantly decreasing, Governor Cuomo announced on April 24, 2020 that the State would begin a phased approach, using a data-driven, regional analysis, to reopen its industries and businesses; and

WHEREAS, on June 3, 2020 Niagara County entered Phase 2 of the reopening process, providing for the resumption of outdoor and take-out/delivery food services, so long as certain conditions, including social distancing, are maintained to prevent the spread of the coronavirus; and

WHEREAS, immediate action to respond to the situation is needed in order to allow local businesses to operate according to the Governor’s order; and

WHEREAS, the City Council wishes to allow local businesses to operate as permitted by the Governor’s order.

NOW, THEREFORE, BE IT RESOLVED that the Niagara Falls City Council hereby orders that the City Administrator is authorized to accept, review and either approve or deny applications from local businesses that wish to apply for temporary outdoor dining permits so they can offer outdoor seating/dining service during the declared emergency, and be it further

RESOLVED that the City Administrator is hereby authorized to accept, review and either approve or deny applications from local businesses that wish to apply for temporary permits to use public areas, including the City rights-of-way, for outdoor seating/dining service during the declared emergency, and be it further

RESOLVED all applications for temporary outdoor dining permits must meet all applicable state and local building and safety guidelines, regulations and recommendations, including those in the attached Interim Guidance (on file in the City Clerk’s Office) from the New York State Department of Health, and be it further

RESOLVED that as it specifically related to the sale, service and consumption of alcoholic beverages in areas approved for temporary outdoor dining, the same is permitted provided that it is done in accordance with State regulations, and

BE IT FURTHER RESOLVED that all temporary outdoor dining permits issued pursuant to this resolution will expire on October 31, 2020 or as soon as the State of New York eliminates social distancing regulations, whichever first occurs.

Yeas
5
Nays
0
ADOPTED

06/17/2020
RESOLUTION: OFFICIAL COMMUNICATIONS, 2020-35
BY: MAYOR RESTAINO, COUNCIL MEMBERS SPANBAUER, TOMPKINS, TOUMA,
CHAIRMAN VOCCIO

Agenda Item #8
WHEREAS, the City of Niagara Falls has a multitude of boards and
commissions, whose members, in their paid or unpaid capacity, in some
sense represent the City; and
WHEREAS, each of the above has their own opinions and viewpoints
on various issues which may or may not be the official position of the
City of Niagara Falls but which they are free to express as individuals;
and
WHEREAS, the City obviously has an interest in clarifying which
statements are personal opinions, as opposed to official City policy.
NOW, THEREFORE, BE IT RESOLVED that both the City Council and
Mayor Robert M. Restaino of the City of Niagara Falls resolve that
henceforth no member of any City body, including boards and/or
commissions, may issue statements representing the City unless the
chairperson of such board or commission has written authorization from
either the Mayor or the Chairperson of the City Council, depending upon
the source of the board or committee’s appointments.

Yeas
Nays

Councilmember Touma motioned to Approve the 1st Amendment
Councilmember Tompkins motioned to Approve the 2nd Amendment
Councilmember Touma motioned to Approve the Agenda Item
There being no further business to come before the Council, Chairman Voccio adjourned the Meeting at 7:01 P.M.

Kathleen Ligammari
City Clerk
# 2020 INDEX

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**NIAGARA FALLS, NEW YORK**

### "A"
- City Clerk, Ligammari, Kathleen, appointment
- City Controller, Morello, Daniel, appointment

### "B"
- **CITY PROPERTY**
  - Community Center, Asbestos/Monitoring, invoice payt., Stohl
  - Community Center, Demo related services, Invoice Payt., Metro
  - Michigan Ave., 1316, Sale
  - 435 13th St, 1201 Ferry, 551 Memorial Pkwy, 548 7th St, 712/713 Townsend

### "C"
- Niag. Orleans Regional Land Imp., transfer

### CLAIMS
- Blackmon, Rasaun
- Borden, Aaron
- Geico, as subrogee of Tessia C. Harris
- Leone, Jr., Joseph, guardian for L.S. infant
- MacDonald, Ryan
- Porter, Andre
- Sanchez, Christina M.
- Stone, Edgar

### CODE ENFORCEMENT:
- Emergency Demolition, funding
- Repair/Demolition/Board of Structures, expenses

### COMMUNITY DEVELOPMENT:
- Compliance Office Position upgrade
- Consolidated Plan/Action Plan - H. Sicherman
- Hyde Park Inclusionary Playground, add. Funding
- Third Party Training/Technical Consultant, H. Sickerman

### CONTRACTS
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- Ball Diamond Improvement Project, 91st St, Scott Lawn
- City Assessor, Shared Services, Town of Niagara
- City Hall Boiler Room, testing/remediation, Stohl Envir.
- Cleaning/cutting of lots, K.J. Smith
- Consultant Services, NYSDOT Project, CO#2, CHA Companies
- Drainage Structure Project, 2020, 4th Generation
- Hyde Park Inclusionary Playground, Change Order
- Industrial Hygiene Assessment City Hall, OSEA
- Niagara County Office for the Aging
- NYSDOT Project, CO#1, Accadia Site Contracting
- Office of the Aging, Sr. Nutrition Site
- Old Falls St., Management Prog., USA Niagara
- Professional Services Agreement, Wendel WD Aesla
- Refuse Tote verification Audit, Cascade Engineering
- Sidewalk replacements, 2020, various locations
- Street Millings, Redland Quarries of NY
- Tree/Stump Removal, 220 79th St, payment, Bentley Tree
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2020 Minutes