

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

February 25, 2021

The City Council
Niagara Falls, New York

*RE: Removal of Clean Up Fees from the City Tax
1561 Whitney Avenue (Dennis Williams)*

Council Members:

Recently, this Administration became aware of a situation involving a property owner and the assessment of fees pursuant to an Order of Cleanup issued by the Department of Public Works ("DPW"). On or about April 22, 2019, DPW issued a cleanup order for a property located at 1561 Whitney Avenue. In late fall of that year, the previous owner of the property entered into a sales contract with Dennis Williams to purchase the property. Accordingly, a tax search was ordered by Mr. Williams' attorney on November 12, 2019. At the time of the search, there had been no assessment of the cleanup fees by the City as the request to bill the previous property owner was not received by the Finance Department until December 30, 2019.

On or about February 25, 2020, Mr. Williams closed on the sale and took possession of the property. On or about April 21, 2020, the Billing and Collection office sent Mr. Williams a bill for \$470.38 pursuant to the April 22, 2019 Order of Cleanup.

As Dennis Williams did not own the property at the time of the clean-up and was unaware of the existence of the fees related thereto until after he closed on the property, it is recommended that the City Council remove the charges pursuant to the Order of Clean-up from Mr. Williams' taxes at 1561 Whitney Ave. The total amount for the base fee, administration fee and disbursement fees relative to the cleanup order totals \$470.38.

Will the Council approve counsel so approve?

Respectfully submitted,

ROBERT M. RESTAINO
Mayor

Kennedy _____ Spanbauer _____ Touma _____ Voccio _____ Tompkins _____