



Council presentation request: December 11  
Seth A Piccirillo to: Lisa Vitello

11/29/2017 03:28 PM

Hi Lisa -

I think these requests go to you now. If not, let me know.

2018 Community Development Draft Action Plan  
-Seth Piccirillo

Thanks!  
Seth Piccirillo, Director  
Niagara Falls Community Development  
[www.nf-cd.org](http://www.nf-cd.org)



# City of Niagara Falls, New York

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

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

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

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## NOTICE OF CLAIM

Romas Properties, LLC and  
Steven Masic d/b/a Subway by the Falls, LLC  
c/o Hogan Willig, PLLC  
Ryan C. Johnsen, Esq.

In reference to recover damages.

St. Peter, Brooke  
c/o Richard J. Barnes, Esq.  
Cellino & Barnes, P. C.

In reference to personal injuries.

Silva, Maria  
c/o Matthew T. Mosher, Esq.  
Viola, Cummings & Lindsay, LLP

In reference to personal injuries.

Colangelo, Andrew  
2834 Macklem Avenue

In reference to tire being slashed on vehicle.

Morales, Jovino  
JAVD Group Inc.  
288 Bay 38<sup>th</sup> Street  
Brooklyn, NY 11214

In reference to property damage  
caused by a busted water line on street.

Marcantonio, Chris  
2734 Grand Avenue

In reference to vehicle damage caused by  
manhole cover.

## AMENDED NOTICE OF CLAIM

Silva, Maria  
c/o Matthew T. Mosher, Esq.  
Viola, Cummings & Lindsay, LLP

In reference personal injuries.

Family Dollar Stores of New York, Inc.  
10401 Monroe Road  
Matthews, NC 28105

In reference to Niagara Falls Police vehicle  
that crashed into the front of the store  
building.

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R & F



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1 cont

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

Danelle Williams as  
PNG of Evan White

Index No. E163099/2017

**SUMMONS**

Newbury, Ashley

Civil Action # 1:17- cv-754 WKS

**SUMMONS IN A CIVIL ACTION**

Bray, Angela  
c/o Schwartz Roller & Zwilling  
Edward I. Zwilling, Esq.

Civil Action No. 1:17-CV-1120

Yours truly,



Lisa A. Vitello

LAV/cs



# City of Niagara Falls, New York

745 Main Street, P.O. Box 69  
Niagara Falls, New York 14302-0069  
Purchasing Division, Room 214  
(716) 286-4370

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2017 DEC -5 AM 11:11

**TO:** The Council  
**FROM:** Mayor Paul A. Dyster  
**DATE:** December 5, 2017  
**SUBJECT:** BID #2017-33 Maintenance of Elevators and Dumbwaiters

We respectfully request you award the above referenced bid as follows:

**TO:** Thyssenkrupp Elevator Corporation  
2745 Broadway, Suite 25  
Cheektowaga, New York 14227  
**FOR:** Monthly Maintenance of City of Niagara Falls Elevators and Dumbwaiters  
(Items #1, #2, and #5 - #10 per the attached tally sheet) \$ 2,995.00  
Emergency Call Back Service (per hour) \$ 340.00

Furthermore, we have determined the lowest bidder for the other services requested by the above referenced bid are as follows:

**TO:** DCB Elevator Company, Inc.  
P.O. Box 426  
Lewiston, New York 14092  
**FOR:** Monthly Maintenance of Niagara Falls Public Library Elevators  
(Items #3 and #4 per the attached tally sheet) \$ 525.00  
Emergency Call Back Service (per hour) \$ 325.00  
  
Monthly Maintenance of Niagara Falls Water Board Elevators  
(Items #11 - #13 per the attached tally sheet) \$ 755.00  
Emergency Call Back Service (per hour) \$ 325.00

This is a one (1) year agreement which will renew automatically annually for up to four (4) additional years unless cancelled by either party.

DEC 11 2017

GRANDINETTI \_\_\_\_\_ SCOTT \_\_\_\_\_ TOMPKINS \_\_\_\_\_ TOUMA \_\_\_\_\_ WALKER \_\_\_\_\_



# City of Niagara Falls, New York

745 Main Street, P.O. Box 69  
Niagara Falls, New York 14302-0069  
Purchasing Division, Room 214  
(716) 286-4370

BID #2017-33 Maintenance of Elevators and Dumbwaiters

Page 2 of 2

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 eight (8) vendors. Four (4) bids were received. Please reference the attached tally sheet for bid submission details.

Funds for this expenditure are included in various "Repair to Equipment" codes ending in 0444.000.

Will the Council so approve?


Respectfully submitted,

  
\_\_\_\_\_  
Mayor Paul A. Dyster

  
\_\_\_\_\_  
Nicholas A. Melson  
City Administrator

Funding Approval:

  
\_\_\_\_\_  
Daniel Morello  
City Controller

  
\_\_\_\_\_  
Douglas A. Janese, Jr.  
Purchasing Agent

DAJ: lkh  
Enc.

GRANDINETTI \_\_\_\_\_ SCOTT \_\_\_\_\_ TOMPKINS \_\_\_\_\_ TOUMA \_\_\_\_\_ WALKER \_\_\_\_\_

2 cont.

# OFFICIAL TALLY SHEET

BID # 2017-33  
BID OPENING: NOVEMBER 28, 2017 11AM

MAINTENANCE OF ELEVATORS & DUMBWAITERS

ITEMS (7)	QTY	DESCRIPTION	Bison Elevator Service, Inc. 295 Main St. Suite 932 Buffalo, NY 14203	Thysenkrupp Elevator Corporation 2745 Broadway Suite 25 Cheektowaga, NY 14227	DCB Elevator Company, Inc. P.O. Box 426 Lewiston, NY 14092	Otis Elevator Company 354 Sonwil Drive Buffalo, NY 14225 Attn: Kelsey Armani
		Maintenance of variously located elevators and dumbwaiters throughout the City of Niagara Falls, as follows:	Monthly Price	Monthly Price	Monthly Price	Monthly Price
1.	1	CITY HALL (CNF) Campbell Passenger Elevator:	\$220.00	\$235.00	\$190.00	\$635.00
2.	1	CARNEGIE BUILDING (CNF) Dover Passenger Elevator:	\$140.00	\$135.00	\$175.00	\$275.00
3.	1	LASALLE LIBRARY (NFPL) Thysen Krupp Elevator:	\$140.00	\$135.00	\$175.00	\$275.00
4.	3	EARL BRYDGES LIBRARY (NFPL) Dover Passenger Elevators:	\$400.00	\$405.00	\$350.00	\$825.00
5.	2	INTERMODAL TRANSPORTATION CENTER (CNF) Schindler Passenger Elevators:	\$300.00	\$270.00	\$370.00	\$550.00
6.	4	PARKING RAMP (CNF) Dover Passenger Elevators:	\$800.00	\$940.00	\$800.00	\$2540.00
7.	1	PARKING RAMP (CNF) Thysen Krupp Passenger Elevator:	\$200.00	\$235.00	\$185.00	\$635.00
8.	6	MUNICIPAL COMPLEX (CNF) Thysen Krupp Passenger Elevators, 3500 pound capacity:	\$1150.00	\$810.00	\$1050.00	\$1650.00

**OFFICIAL TALLY SHEET**  
**MAINTENANCE OF ELEVATORS & DUMBWAITERS**

PAGE 2 OF 2

BID # 2017-33

BID OPENING:

NOVEMBER 28, 2017 11AM

2 cont

ITEMS (7)	QTY	DESCRIPTION	Bison Elevator Service, Inc.	Thyssenkrupp Elevator Corporation	DCB Elevator Company, Inc.	Otis Elevator Company
		Maintenance of variously located elevators and dumbwaiters throughout the City of Niagara Falls, as follows:	Monthly Price	Monthly Price	Monthly Price	Monthly Price
9.	2	MUNICIPAL COMPLEX (CNF) Thyssen Krupp Passenger Elevators, 2500 pound capacity:	\$280.00	270.00	\$350.00	\$550.00
10.	1	MUNICIPAL COMPLEX (CNF) Matot Dumb Waiter:	\$120.00	\$100.00	\$95.00	\$200.00
11.	1	NFWB WATER TREATMENT PLANT (NFWB) Dover Passenger Elevator:	\$165.00	\$135.00	\$175.00	\$275.00
12.	2	NFWB WATER TREATMENT PLANT (NFWB) Otis Passenger Elevators:	\$400.00	\$470.00	\$350.00	\$1270.00
13.	1	GORGE PUMPING STATION (NFWB) Otis Freight Elevator:	\$200.00	\$235.00	\$230.00	\$635.00
		<b>TOTAL NET MONTHLY PRICE:</b>				
N/A	N/A	Current Labor Rate (Wages & Fringe Benefits) per hour	\$85.125	\$78.66/hour	\$78.69	\$250.00 per mechanical hour
N/A	N/A	Emergency call back service (per hour)	\$310.00	\$340.00/hour	\$325.00	\$500.00 per mechanical hour

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# City of Niagara Falls, New York

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

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

December 5, 2017

The City Council  
Niagara Falls, New York

*RE: Payment of Hydrant Maintenance-Availability Expense*

Council Members:

It is requested that the sum of \$215,064.00 be made available to pay the Niagara Falls Water Board pursuant to agreement for making fire hydrants available to the City throughout the City and for some required maintenance.

This is an annual charge and historically has been paid with casino revenues. Excess funds are available from the non-discretionary portion of casino revenue pursuant to 99-H of the State Finance Law which was previously made available for the 2017 In-House Paving Program.

Will the Council so approve?

Respectfully submitted,

PAUL A. DYSTER  
Mayor

Funding is in place

Daniel Morello  
City Controller

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# City of Niagara Falls, New York

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

OFFICE OF THE MAYOR

Telephone: (716) 286-4310

December 5, 2017

The City Council  
Niagara Falls, New York

*RE: Approval of BPAS Actuarial & Pension Services – GASB75 Valuation*

Council Members:

The City Controller advises that it is necessary to engage the services of BPAS Actuarial & Pension Services to perform a GASB No. 75 valuation during calendar year 2018 for the City's retiree group health benefits program. Attached is a copy of the service agreement engagement letter. The fees to be paid total \$9,500.00. Funding is available from the City Controller's consultant line.

Will the Council so approve?

Respectfully submitted,

PAUL A. DYSTER  
Mayor

Funding is in place

Daniel Morello  
City Controller

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1387 Fairport Road | Building 700, Suite 720 | Fairport, NY 14450

P 866.401.5272 W [bpas.com](http://bpas.com)

**Private & Confidential**

October 24, 2017

Mr. Daniel Morello, City Controller  
Niagara Falls City  
745 Main St  
Niagara Falls, NY 14302-0069

**RE: Service Agreement for Niagara Falls City**

Dear Mr. Morello:

We have enclosed our fee schedule to prepare a full GASB No. 75 valuation for Niagara Falls City for fiscal 2018. Our fee schedule also illustrates the fee for an interim valuation for 2019 based on the 2018 participant data. If you would like us to proceed with the engagement, please approve the fees by initialing Appendix A. Return a copy to us; we will not begin work until we receive this authorization.

We have only included the updated Appendix A to approve since there have been no changes to our Service Agreement or Terms of Engagement. We have included Appendix B with contact information for your engagement team and information about BPAS.

As we have discussed, the GASB adopted Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, in June 2015. GASB 75 replaces GASB 45 effective fiscal years beginning after June 15, 2017. GASB 75 is a sweeping overhaul on reporting requirements for OPEB liabilities. It introduces significant changes to the actuarial methods and disclosure requirements to OPEB plans similar to the changes introduced by GASB 68 for pension plans. The City is required to comply with GASB 75 beginning with the 2018 valuation.

This agreement will remain in effect unless terminated in writing by either party subject to the requirements outlined in our Terms of Engagement. On an annual basis, if future changes to the fee are proposed, we will provide you with the updated Appendix A to approve. The Service Agreement and Terms of Engagement will only be sent in the future if there are changes to the scope of services or our standard terms.

We value our relationship with the City and look forward to continuing to serve you. Please review this information carefully, and if you have any questions please feel free to call me at (585) 598-5432.

Sincerely,

Kathleen S. Cost, ASA, MAAA  
Senior Consultant  
BPAS Actuarial & Pension Services

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**Solving Tomorrow's Benefit Challenges Today**

BPAS Services: Plan Administration & Recordkeeping | Actuarial & Pension | TPA | Fiduciary | Healthcare Consulting | VEBA & HRA/HSA  
AutoRollovers & MyPlanLoan | Transfer Agency | Fund Administration | Collective Investment Funds

BPAS Subsidiaries: Hand Benefits & Trust | BPAS Trust Company of Puerto Rico | NRS Trust Product Administration | Global Trust Company

BPAS offices in: Rochester, Syracuse, Utica, & New York, NY | Philadelphia & Pittsburgh, PA | Houston, TX | Boston, MA | E. Hanover, NJ | San Juan, PR

4000

## APPENDIX A – FEE SCHEDULE

### RETIREE GROUP HEALTH BENEFITS PROGRAM SPONSORED BY NIAGARA FALLS CITY

**Full Actuarial Valuation Services ..... \$9,500**

GASB 75 Full Actuarial Valuation for the fiscal year ending 12/31/2018

- Analysis of census data.
- Analysis of plan provisions and development of per capita claims costs.
- Calculation of Total OPEB Liability as of the beginning of the fiscal year.
- Determination of Annual OPEB Expense for the fiscal year.
- Preparation of the actuarial valuation report detailing the results of the valuation.
- Determination of the Plan Fiduciary Net Position at fiscal year end.
- Development of Required Supplemental Information and Notes to the Financial Statements to be included on the financial statements.

**Interim Actuarial Valuation Services ..... \$2,750**

GASB 75 Interim Actuarial Valuation for the fiscal year ending 12/31/2019

- Calculation of Total OPEB Liability as of the beginning of the fiscal year.
- Determination of Annual OPEB Expense for the fiscal year.
- Determination of the Plan Fiduciary Net Position at fiscal year end.
- Development of Required Supplemental Information and Notes to the Financial Statements to be included on the financial statements.

For services or additional work that is hourly based, our rates range from \$125 to \$500.  
Every attempt will be made to have the work performed at the lowest billing rate possible.

## APPENDIX B

### YOUR ENGAGEMENT TEAM – FAIRPORT & SYRACUSE OFFICES

Name	Title	Telephone Number	Email Address
Kathleen S. Cost	Senior Consultant	(585) 598-5432	kcost@bpas.com
Aimee Fried-Hardy	Senior Analyst	(315) 703-8937	afriedhardy@bpas.com
Jordyn Torchia	Senior Analyst	(315) 703-8975	jtorchia@bpas.com
Sharon K. Rainka	Vice President	(315) 703-8919	srainka@bpas.com

### About BPAS

BPAS is a national provider of retirement plan and fund administration, transfer agency, collective investment fund, and other institutional trust services. We support 3,800 retirement plans, \$52 billion in trust assets, \$1 trillion in fund administration, and more than 400,000 participants. With our breadth of services, we are well positioned to help our clients solve their benefit plan challenges without the need to engage multiple providers. One company. One call.

BPAS family of services includes: Plan Administration & Recordkeeping, Actuarial & Pension, TPA, Fiduciary, Healthcare Consulting, VEBA & HRA/HSA, AutoRollovers & MyPlanLoan, Transfer Agency, Fund Administration, and Collective Investment Funds.

BPAS subsidiaries include: Hand Benefits & Trust, BPAS Trust Company of Puerto Rico, Northeast Retirement Services, and Global Trust Company.

Specialty retirement plan administration practices include auto enrollment plans, multiple employer plans, plans with employer securities, PR 1081 plans, VEBA/HRA plans, and cash balance plans.

As a solutions-oriented national practice, we are committed to Solving Tomorrow's Benefit Challenges Today.

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**TO:** City Council  
**FROM:** Seth Piccirillo, Niagara Falls Community Development Department  
**DATE:** December 11, 2017  
**RE:** **City Council Agenda Item:**  
**Award of Professional Services – Wendel Engineers**  
**3721 Highland Avenue Fire House**

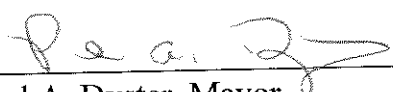
The administration requests City Council approval of a \$76,000 professional services agreement associated with the renovation of 3721 Highland Avenue, soon to be the Niagara Falls Trades Employment Center. This dollar amount will be funded by a New York State Empire State Development grant secured in 2014 through the consolidated funding application process.

This professional services agreement will develop and provide construction documents for bidding and provide all bidding services up to contract award. Asbestos abatement and roof repair are complete at 3721 Highland Avenue. The professional services agreement will allow for the execution of remaining work at the site.

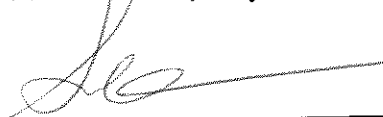
The creation of a trades employment center, in the city's north end, is consistent with the Empire State Poverty Reduction Initiative, and the recently enacted Mayor's Executive Pronouncement on New Community Benefit Agreement Policy. It is essential to create accessible training centers for all Niagara Falls city residents, regardless of specific neighborhood. In addition, this renovation creates an adaptive reuse at the a long vacant building at a prominent intersection.

Will the Council approve the professional services agreement?

Respectfully submitted,

  
Paul A. Dyster, Mayor

  
Nick Melson, City Administrator

  
Seth A. Piccirillo,  
Director of Community Development

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**TO:** City Council  
**FROM:** Seth Piccirillo, Niagara Falls Community Development Department  
**DATE:** December 11, 2017  
**RE:** **City Council Agenda Item:**  
**Belmont Housing Resources for WNY**  
**True Bethel Gardens (Former Sacred Heart School Campus – 1117 Cleveland Avenue)**  
**Tax Production Agreement**

The administration presents an agreement to create positive city, school district, and county tax production on a site that has never produced property taxes, as classified as a religious entity. Just as importantly, the True Bethel Gardens (TB Gardens) development will historically renovate a culturally significant campus, add value to the surrounding neighborhood and ensure local construction hiring. It also continues a positive trend of adaptive reuse of under-utilized or vacant buildings in our city. This project is also supported by True Bethel Baptist Church, located at 1112 South Avenue, also on the campus.

The tax agreement proposed by the developer, Belmont Housing Resources of WNY, would produce a total of **\$198,077** in new local tax revenue over the 15 year term. In year 16, the property would be subject to the standard tax rate. **Currently, the property produces zero tax dollars.** The proposed 15 year tax payment plan is based on net rents accelerates year over year (6%), subject to allowable and scheduled rent increases. Belmont Housing Resources of WNY, as the “company,” shall qualify as a Housing Development Fund Company under Article XI of the New York State Private Housing Finance Law. The City will grant a tax exemption for 15 years under the authority of Article XI. The Company will make annual payments for 15 years in an amount equal to 6% of the property’s actual shelter rent, which is projected as follows:

YEAR		COUNTY	CITY	SCHOOL	TOTAL PAYMENT
1		\$1,700	\$5,946	\$3,808	\$11,454
2		\$1,734	\$6,065	\$3,885	\$11,683
3		\$1,768	\$6,186	\$3,962	\$11,917
4		\$1,804	\$6,310	\$4,042	\$12,155
5		\$1,840	\$6,436	\$4,122	\$12,398
6		\$1,877	\$6,565	\$4,205	\$12,646
7		\$1,914	\$6,696	\$4,289	\$12,899
8		\$1,952	\$6,830	\$4,375	\$13,157
9		\$1,992	\$6,966	\$4,462	\$13,420
10		\$2,031	\$7,106	\$4,551	\$13,688
11		\$2,072	\$7,248	\$4,642	\$13,962
12		\$2,113	\$7,393	\$4,735	\$14,241
13		\$2,156	\$7,541	\$4,830	\$14,526
14		\$2,199	\$7,691	\$4,927	\$14,817
15		\$2,243	\$7,845	\$5,025	\$15,113
16	Full Taxes Are Paid				
Total					\$198,077

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

DEC 11 2017

The proposed TB Gardens tax agreement follows the same net rent percentage and terms of the agreements entered for the Walnut Avenue Homes and Niagara City Lofts projects. Shelter rent is defined as the rent amount less the common area utilities paid for by the building owner. The administration does not refer to these agreements as Payment In Lue of Taxes (PILOT)s as the properties did not originally produce tax revenue. The administration presents this agreement as a Payment In Lue of Nothing agreement. This tax agreement would take effect once a certificate of occupancy is awarded.

TB Gardens is as adaptive reuse/conversion project that includes 30 units of rental housing in the former Sacred Heart School at 1112 South Avenue. It fulfills the public purpose of providing decent, safe, and affordable housing opportunities. This project will include exterior restoration of all three of the existing connected buildings including partial demolition of the old Gymnasium structure. The gymnasium building will be renovated into (10) 1,150 SF two story residential units with exterior entrances. The two-story units include (3) three-bedroom units and (7) two-bedroom units. The middle one-story building will be fully gutted including exterior wall and roof leaving steel structure behind in order to provide a water tight and energy compliant envelope.

This portion will house (6) 730 SF one-bedroom residential units accessed from a central interior corridor that retains the link to the four-story building. The four-story building will be renovated to include an elevator on the interior as well as a small exterior addition to house a lift for ADA access. This building will house (14) 650 SF one-bedroom units. Access to the site will be attained through reworking of the existing parking lot on South and Lockport to add green space and a more defined traffic pattern. As well as work on the three existing driveways that access the inner core of the site. Each unit will receive additional windows, and entry door with light above and a small yard to add visual access to this problem alley and create desirable activity. Residents at True Bethel Gardens will also be provided amenities, including a community room with a kitchen area, playground, bulk storage outside of individual units, and laundry rooms. Tenants will be responsible for electricity, heat, and gas.

The existing exterior brick/stone is to remain on the gymnasium and four-story structures. The middle one-story building, which is only visible from within the properties' parking lot, will be fiber cement or vinyl siding. The color is to be determined, however it will complement the existing brick to remain. Exterior lighting will be via a combination of pole mounted site lighting at a maximum of 16' high and exterior mounted building lighting at each entry door.

**The project will consist of a \$7.5 million renovation of the 41,000-square foot structure.** The funding will consist mainly of \$8.5 million New York State Housing Trust Fund and Housing Tax Credit funding, with an application submitted to New York State on December 5, 2017. **The developer is not requesting any municipal or tribal revenue from the City of Niagara Falls.** The Niagara Falls Community Development has included a \$75,000 United States Department of Housing and Urban Development Community Development Block Grant allocation for the TB Gardens development in the draft 2018 Community Development Action Plan.

*baant*

On Tuesday, October 3, 2017 a community meeting was held at 1112 South Avenue to introduce the proposed renovation project, at Niagara Falls Community Development's request. Our department also arranged a bus tour of existing Belmont Housing Resources for WNY properties in the City of Buffalo. **TB Gardens received site plan approval from the City Of Niagara Falls Planning Board on October 25, 2017.** This new endeavor will further expand the overall True Bethel Campus that already includes a Sanctuary and Retreat Center. The tentative timeline for construction will include a spring 2018 start date with a Winter 2018 completion.


The developer has agreed to enter into a **Community Benefits Agreement (CBA)** for local hiring, consistent with the **Mayor's Executive Pronouncement on New Community Benefit Agreement Policy.** The pronouncement was executed in 2017, with support from the Niagara Organizing Alliance for Hope (NOAH), the Niagara County trades and construction community, the Niagara Ministerial Council and several other community stakeholder groups. The administration presents this tax agreement, and inclusion of the project in the draft 2018 Community Development Action Plan, as the basis for a CBA. The City will negotiate the CBA with the developer, focusing on trades/labor positions that will be filled by local residents. As proven by the Walnut Avenue Homes and Niagara City Lofts developments, there will also be full time positions created by TB Gardens. In addition to producing new tax revenue, neighborhood investment and sustainable housing, TB Gardens will provide an opportunity for local residents to find trades related work as part of this local construction project.

Will the Council approve the proposed tax schedule?

Respectfully submitted,

  
Paul A. Dyster, Mayor

  
Nick Melson, City Administrator

  
Seth A. Piccirillo,  
Director of Community Development



TO: City Council  
FROM: Mayor Paul Dyster  
DATE: December 11, 2017  
RE: City Council Agenda Item:  
Sale of 2208 Lasalle Avenue

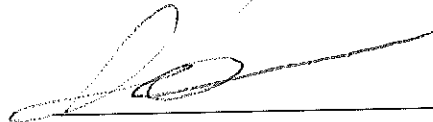
The administration requests that the Niagara Falls City Council approve the sale of 2208 Lasalle Avenue to Tom Huether for the amount of \$500. This dollar amount is consistent with the sale amount of other vacant municipally owned properties. Sale of this property was approved by the Niagara Falls Planning Board as part of the 2016 Home Ownership Auction schedule. Mr. Huether proposes to purchase and renovate the home to meet municipal code.

Will the Council approve the sale of 2208 Lasalle Avenue?

Respectfully submitted,

  
Paul A. Dyster, Mayor

  
Nick Melson, City Administrator

  
Seth A. Piccirillo,  
Director of Community Development

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

8

## CITY OF NIAGARA FALLS, NEW YORK

**TO:** City Council  
**FROM:** Mayor Paul A. Dyster  
**DATE:** December 11, 2017  
**RE:** City Council Agenda Item:  
\$125,000 CDBG Grant  
Parks Improvements

### Council Members:

The Niagara Falls Department of Community Development has undertaken an ambitious and effective strategy for improving the City's public spaces over the course of the last several years. The final phase of this strategy is underway, as three parks projects have been funded using CDBG funds allocated based on the results of a participatory budgeting process. Likewise, a proposal for a park at 7<sup>th</sup> Street that complements the area's recent economic development as well as previous investments by Community Development in the neighborhood's housing and educational infrastructure, has been explored and pitched to a number of potential external funding sources.

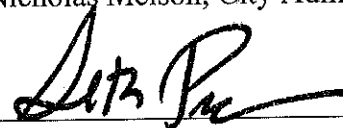
The 2016 CD Action Plan allocated \$125,000 for demolitions. However, no demolition contract was executed for these funds. As Community Development seeks to complete this final phase of their multi-year park strategy, we are asking the City Council to approve a budget amendment transferring \$125,000 from demolitions to be used for several parks projects. This would allow the Department to successfully complete all Gluck Park, Jerauld Avenue Park, and 70<sup>th</sup> Street Park improvements, while also making funds available for a \$50,000 matching grant from the John R. Oishei Foundation for the construction of a play pod at Hyde Park playground that is intentionally inclusive of children of all physical, emotional, and developmental abilities, as well as a portion of the funding to be committed to construction of a playground at 91<sup>st</sup> Street Park.

This action does not expend general fund dollars. Will the Council vote to approve the proposal presented herein and to authorize the budget transfer?

Respectfully submitted,

  
\_\_\_\_\_  
Paul A. Dyster, Mayor

  
\_\_\_\_\_  
Nicholas Melson, City Administrator

  
\_\_\_\_\_  
Seth A. Piccirillo  
Director of Community Development

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

9



Paul A. Dyster  
Mayor

# City of Niagara Falls, New York

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

City Hall  
745 Main Street

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

Website: [www.niagarafallsusa.org](http://www.niagarafallsusa.org)  
e-mail: [paul.dyster@niagarafallsny.gov](mailto:paul.dyster@niagarafallsny.gov)

Phone: (716) 286-4310  
Fax: (716) 286-4349

December 6, 2017

The City Council  
Niagara Falls, New York

***Re: Approval of Participation in funding for Discover Niagara Shuttle***

It is requested that the City contribute the sum of \$100,000 to support the continued operation of the Discover Niagara Shuttle for the 2018 season. During its first two years of operation, almost 70,000 riders have used the shuttle to access over a dozen destinations between downtown Niagara Falls and Fort Niagara. A recently released economic impact study by the prestigious Tripp Umbach firm showed a \$35 million impact for the shuttle, for a return on investment of approximately 43 to 1.

The New York Power Authority, State Parks, Destination Niagara and Niagara University are already lined up as 2018 sponsors. It is believed the willingness of the City to make a contribution is essential to getting other sponsors, including the County, to contribute. The project has bipartisan support, as demonstrated by the presence of both Cong. Brian Higgins and Cong. Chris Collins at a press conference where the results of the impact study were released on December 4<sup>th</sup>.

Funds are available from the Tourism fund, supported by bed tax revenues. No general fund dollars are involved.

Will the Council so approve?

Respectfully submitted,

PAUL A. DYSTER  
Mayor

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

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# City of Niagara Falls, New York

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

December 4, 2017

The City Council  
Niagara Falls, New York

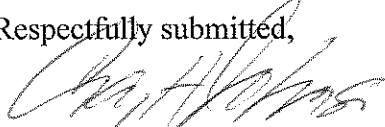
RE: Request for Approval to Settle and Pay Claim of Andrew Colangelo of 2834  
Macklem Avenue, Niagara Falls, NY 14305

## Council Members:

Date Claim Filed:	November 9, 2017
Date Action Commenced:	N/A
Date of Occurrence:	August 22 – 23, 2017
Location:	Parking lot next to Firehouse at 740 10 <sup>th</sup> Street
Nature of Claim:	Vehicle was vandalized while it was parked in the parking lot and he was working.
City Driver:	N/A
Status of Action:	Claim Stage
Recommendation/Reason:	Best interests of City to pay claim/reimbursement is recommended pursuant to section 4.13 of the Uniformed Fire Fighters Local 714 Contract.
Amount to be Paid:	\$195.42
Make Check Payable to:	Andrew Colangelo
Conditions:	General Release to City approved by Corporation Counsel.

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

Respectfully submitted,

  
CRAIG H. JOHNSON  
Corporation Counsel

waf

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



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11

# CITY OF NIAGARA FALLS

## OFFICE OF THE CITY CLERK

**TO:** City Council Members

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

**DATE:** November 29, 2017

**RE:** Resolution 2017-103

Please be advised that, Mayor Paul A. Dyster, on November 28, 2017, duly approved the following:

Resolution 2017-103 relative to Amending Chapter 501 of the Codified Ordinances entitled "Traffic Generally."



Lisa A. Vitello  
City Clerk

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# City of Niagara Falls, New York

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

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DATE: December 6, 2017  
TO: The City Council  
FROM: Lisa A. Vitello  
SUBJECT: Commissioner of Deeds

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The following have requested City Council approval for Commissioner of Deeds for a term from January 1, 2018 to December 31, 2019.

This is in accordance with provision of the Niagara Falls City Charter, Article II, Section 7, Subdivision 5.

Paul Martell  
Kristina Zell

Community Development  
NFPD

Respectfully submitted,

Lisa A. Vitello  
LAV/cs

DEC 11 2017

GRANDINETTI \_\_\_\_\_ SCOTT \_\_\_\_\_ TOMPKINS \_\_\_\_\_ TOUMA \_\_\_\_\_ WALKER \_\_\_\_\_



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RESOLUTION CALLING FOR A PUBLIC HEARING  
RELATIVE TO GRANT BY NIAGARA FALLS URBAN RENEWAL AGENCY TO  
SANDSTONE SPRINGS, LLC AND SANDSTONE SPRINGS HOLDINGS, LLC OF  
OPTION TO PURCHASE 3625 HIGHLAND AVENUE  
RESOLUTION 2017-

BY: Council Chair Charles Walker  
Council Member Andrew P. Touma  
Council Member Kristen M. Grandinetti

**WHEREAS**, the Niagara Falls Urban Renewal Agency (NFURA) has heretofore designated Sandstone Springs, LLC a qualified sponsor and entered into a lease with right of first refusal with Sandstone Springs, LLC for 3625 Highland Avenue, Niagara Falls, NY ("Property"), and

**WHEREAS**, NFURA has received a request from Sandstone Springs, LLC and Sandstone Springs Holdings, LLC for an option ("Option") to purchase the Property for \$865,000.00. The Option would be exercised at any time that the lease is in effect, including the initial three year term and the additional three year term if the right to extend the lease is exercised. If the Option to purchase is exercised, one-half of the rent paid by Sandstone shall be applied against the purchase price when the sale takes place, and

**WHEREAS**, on November 28, 2017 NFURA did direct publication of public notice pursuant to General Municipal Law §507(2)(d) refer the Option to the Niagara Falls City Council for its approval after a public hearing, and

**WHEREAS**, a public notice pursuant to General Municipal Law §507(2)(d) was published in the Niagara Gazette as directed by NFURA,

**NOW THEREFORE BE IT RESOLVED**, that a public hearing be held on December 26, 2017 at 6:00 PM Eastern Daylight Time, in the City Council Chambers at City Hall, 745 Main Street, and that the City Clerk is directed to publish the required notice of said hearing in the Niagara Gazette preceding said hearing. The purpose of the hearing is the proposed option to purchase the Property for \$865,000.00, as described herein.

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

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2017 DEC -6 AM 11:23

**RESOLUTION 2017-****NIAGARA FALLS CITY COUNCIL RESOLUTION ON  
COMMUNITY BENEFIT AGREEMENTS**

**WHEREAS**, as council of the City of Niagara Falls and residents of the City of Niagara Falls, we are aware and proud of the diversity of the population within the City of Niagara Falls; and

**WHEREAS**, we understand that diversity is important to the growth and economic development of all communities, including the City of Niagara Falls, which consists of a population which is 22% African-American, and of the City's total population, 29% are members of a minority group; and

**WHEREAS**, as council for the city of Niagara Falls, we believe that it is important for all residents of the City of Niagara Falls to be afforded the opportunity to be employed, and that this is especially true for the African- American population in the City of Niagara Falls where the poverty rate is 40% of that population; and

**WHEREAS**, we believe that economic development initiatives in which the City of Niagara Falls participates, must be crafted so as to empower all people to achieve improvements in their quality of life, reduce the poverty rate, reduce unemployment and generally create a prosperous economic and cultural environment in the City of Niagara Falls; and

**WHEREAS**, as council of the city of Niagara Falls, we have supported initiatives to encourage apprenticeship training programs through Laborers Local 91, the Buffalo-Niagara Trades Association, the Niagara Ministerial Council, Empire State Poverty Reduction Initiative (ESPRI), Niagara Organizing Alliance for Hope (NOAH), and the Isaiah 61 Project; and

**WHEREAS**, as council of the city of Niagara Falls, we are committed to the growth and development of an effective Minority and Women Owned Business Enterprise (MWBE) Program to promote equality of economic opportunities for MWBEs and eliminate barriers to their



participation in qualifying City initiatives and contracts; and

**WHEREAS**, as used in this resolution, "Minority" means: A United States citizen or permanent resident alien who can demonstrate membership in one of the following groups: (a) Black persons having origins in any of the Black African racial groups; (b) Hispanic or Latino persons of Mexican, Puerto Rican, Dominican Cuban, Central or South American descent of either Indigenous or Hispanic origin, regardless of race; (c) Asian and Pacific Islander persons having origins in any of the Far East countries, Southeast Asia, the Indian subcontinent or the Pacific Islands; or (d) Native American or Alaskan Native persons having origins in any of the original peoples of North America. "Minority and Women Owned Business Enterprise (MWBE)" means: a business that is at least fifty-one percent (51%) minority and or women owned; and

**WHEREAS**, council of the city of Niagara Falls, we believe that in development projects more than one million dollars where the City of Niagara Falls is a party and the developer is negotiating to receive financial incentives from the City of Niagara Falls in one form or another, it is important to include community benefit agreement provisions which contain, among other benchmarks, employment goals and opportunities for minority groups.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. That the City of Niagara Falls include in development agreements more than one million dollars to which the City of Niagara Falls is a party and in which a developer will be receiving financial incentives from the City in one form or another, contain community benefit agreement terms and conditions which require MWBE goals tailored to the size of the project and the financial incentive provided to the developer by the City of Niagara Falls.
2. That as part of community benefit agreement terms and conditions contained in a development agreement, those terms and conditions include goals for hiring local hiring benchmarks specifically drafted for that project.
3. That we, the council of Niagara Falls, in approving development agreements brought forth by the Mayor and the Economic Development office of the City of Niagara Falls, affirm that we vote with best interest of our community by insuring a community benefit agreement is

14 cont

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attached with the terms and conditions as described herein.

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

15  
RESOLUTION No. 2017-

***REGARDING THE ABANDONMENT OF A PORTION OF THE ALLEY RUNNING  
EAST/WEST BETWEEN 7<sup>TH</sup> STREET AND THE NORTH/SOUTH ALLEY BETWEEN  
6<sup>TH</sup> AND 7<sup>TH</sup> STREET ADJACENT TO THE SOUTH SIDE OF 414- 7<sup>TH</sup> STREET***

BY:

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

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**WHEREAS**, the City Council of the City of Niagara Falls desires to abandon a portion of the alley running east/west between 7<sup>th</sup> Street and the north/south alley between 6<sup>th</sup> and 7<sup>th</sup> Streets adjacent to the south side of 414 – 7<sup>th</sup> Street in order to facilitate the development of the real estate; and

**WHEREAS**, the City Council did, by resolution, give notice of its intention to abandon a portion of the aforementioned alley and did direct the City Clerk to publish notice of such intention and that a public hearing would be held by the City Council at its meeting to be held in the Council Chambers on December 11, 2017 at 6:00 p.m. eastern standard time and advise that all persons interested would be heard on that said time and place; and

**WHEREAS**, the hearing was duly held on December 11, 2017 at 6:00 p.m. eastern standard time in regards to said abandonment.

DEC 11 2017

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

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Niagara Falls, New York that a portion of the alley running east/west between 7<sup>th</sup> Street and the north/south alley between 6<sup>th</sup> and 7<sup>th</sup> Streets adjacent to the south side of 414 – 7<sup>th</sup> Street is hereby abandoned. The said alley portion is bounded and described as follows:

**ALL THAT TRACT OR PARCEL OF LAND** situated in the City of Niagara Falls, County of Niagara, State of New York, bounded and described as follows:

Commencing at a point on the west line of 7<sup>th</sup> Street, said point being 87 feet north of the intersection of said west street line and the north line of Niagara Street, as it currently exists; and also being the point of intersection of said west street line with the south line of an east/west alley;

Thence west along the south line of the east/west alley 132.2 feet to its point of intersection with the east line of the north/south alley between 6<sup>th</sup> and 7<sup>th</sup> streets;

Thence north along the east line of said north/south alley a distance of twelve (12) feet to its point of intersection with the north line of the east/west alley;

Thence east along the north alley line a distance of 132 feet to its point of intersection with the west line of 7<sup>th</sup> Street;

Thence south along the west line of 7<sup>th</sup> Street a distance of twelve (12) feet to the point and place of beginning.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be filed in the Office of the Clerk of the County of Niagara and that the Mayor may sign deeds or other documents desirable to effectuate this abandonment.

16  
RESOLUTION No. 2017-

**RESTORE NEW YORK GRANT APPLICATION FOR THE CANNON  
BLOCK PROJECT**

BY:

Council Chairman Charles Walker  
Council Member Kristen Grandinetti  
Council Member Ezra P. Scott, Jr.  
Council Member Kenneth M. Tompkins  
Council Member Andrew Touma

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**WHEREAS**, City staff have prepared a Restore NY grant application for the above referenced project; and

**WHEREAS**, a public hearing was held on the 11<sup>th</sup> day of December, 2017 at 6:00 PM Eastern Standard Time, in the City Hall Chambers of the City of Niagara Falls, New York at City Hall, 745 Main Street, and that the required notices of said hearing was published in the Niagara Gazette preceding said hearing. At the hearing public comments were heard regarding a Restore NY Grant application for The Cannon Block Project. The application is for \$2 million for a portion of the costs of partial demolition and reconstruction and new construction of the building projected for residential/commercial mixed use.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Niagara Falls, New York hereby finds that the proposed project is consistent with the municipality's local revitalization or urban development plan; that the proposed financing is appropriate for the specific project, that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources.

DEC 11 2017

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