

RESOLUTION NO. 2022-

***RELATIVE TO CALLING FOR THE CONTINUATION  
OF THE PUBLIC HEARING ON THE POSSIBLE ACQUISITION  
BY EMINENT DOMAIN OF 907 FALLS STREET AND  
A PORTION OF THE PROPERTY ALONG  
JOHN DALY MEMORIAL PARKWAY  
CONSISTING OF SBL NOS. 159.09-3-3 AND 159.09-3-2,  
IN THE CITY OF NIAGARA FALLS***

**WHEREAS**, the City Council of the City of Niagara Falls is considering the acquisition of certain real property located at 907 Falls Street and a portion of the property located at John Daly Memorial Parkway in the City of Niagara Falls, those being designated as tax parcel numbers 159.09-3-2 and 159.09-3-3 (the “Property”); and

**WHEREAS**, the City Council is considering said acquisition for the following public purpose: to complete the assemblage of real estate necessary to move forward with a multifaceted year-round event campus and community redevelopment project referred to as the Niagara Falls Centennial Park Events Center (“Centennial Park” or the “Project”) at the Property; and

**WHEREAS**, the City Council, pursuant to Eminent Domain Procedure Law Article 2, held a public hearing on the proposed acquisition at a special meeting on June 29, 2022, at 6:00 p.m., to inform the public of the proposed acquisition, to review the public use to be served by the acquisition, and to receive comments from the public on the proposed acquisition; and

**WHEREAS**, at the public hearing on June 29, 2022, the City Council informed the public of the proposed acquisition, discussed the Centennial Park proposal, heard comments on those issues from the owners of the Property, who were represented at the hearing by their attorneys, and it also heard comments from other interested parties and members of the public on the proposed acquisition and the Project who had an interest in the same; and

**WHEREAS**, at the conclusion of the hearing, the City Council determined that the public hearing on the proposed acquisition and the Centennial Park proposal should remain open to allow for further public consideration and comment on the same;

**WHEREAS**, the City Council, pursuant to Eminent Domain Procedure Law Article 2, wishes to hold a continuation of the June 29, 2022, public hearing, to further inform the public of the proposed acquisition, to continue discussions on the public use to be served by the acquisition, and/or to receive any further comments from the public on the proposed acquisition or the Project that might be made.

**Bax \_\_\_\_\_ Myles \_\_\_\_\_ Tompkins \_\_\_\_\_ Zajac \_\_\_\_\_ Spanbauer \_\_\_\_\_**

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Niagara Falls as follows:

1. A continuation of the public hearing concerning the acquisition of the Property and the proposed Centennial Park project will be held at 6:00 p.m. on August 31, 2022 at City Hall, 745 Main Street, Niagara Falls, New York, 14031: (a) to inform the public of the City Council's proposal to take, by eminent domain, the Property; (b) to continue the City Council's review both the public use to be served by the proposed public project; and (c) to continue its consideration of the impacts on the environment and residents of the locality where such Project will occur.
2. The City Clerk is directed to publish the attached Public Notice in the City's Official Newspaper, the Niagara Gazette, which is a daily paper, in five successive issues, with the first publication no less than ten nor more than 30 days before the hearing, and to post the Public Hearing Notice at City Hall.
3. The City Clerk is to mail notice of the hearing, certified mail, return receipt requested, to the record owners of the subject property, no less than ten nor more than 30 days before the hearing.
4. This Resolution is effective immediately.

**PASSED AND ADOPTED** by the City Council of the City of Niagara Falls the 15th day of August, 2022.