

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

June 10, 2022

The City Council
Niagara Falls, New York

**RE: *Proposed Agreement with USA Niagara Development Corporation
(Demolition of Walkway/Escalator Enclosure – Old Falls Street)***

Council Members:

USA Niagara Development Corporation (“USAN”) is the owner of real property commonly known as 333 1st Street, Niagara Falls, NY. The City of Niagara Falls is owner of a three-sided walkway/escalator enclosure (approximately 4000 sq. ft.) directly adjacent to the south side of the structure on the USAN property, which is located entirely within City’s right of way on Old Falls Street.

USAN desires to demolish the structure on its property to permit the redevelopment of the site; however, demolition of the structure would leave the City’s walkway/escalator enclosure as a blighted and hazardous structure which would serve no legitimate purpose. Consequently, USAN has requested permission from the City to demolish the walkway/escalator enclosure as part of the demolition work on its own property. This will help protect the safety and welfare of pedestrians and promote economic development by removing an unsafe and undesirable structure from the downtown area.

As it is in the best interests of the City to allow USAN to demolish the enclosure to achieve the intended goals of this project, it is hereby proposed by this Administration that the City Council approve the granting of a license to USAN, its employees, agents, contractors, consultants and other necessary parties to enter onto and into the City’s walkway/escalator enclosure and the surrounding right of way for the purposes of the design and construction of the project. This will include inspections, site work, design work, demolition preparation and demolition of the enclosure, all at no cost to the City. A proposed agreement between the parties will reflect those terms.

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

Respectfully submitted,

ROBERT M. RESTAINO
Mayor

Bax _____ Myles _____ Tompkins _____ Zajac _____ Spanbauer _____