

NIAGARA FALLS CITY COUNCIL  
JUNE 13, 2022- SPECIAL MEETING

COUNCIL CHAMBERS

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5:30 P.M.

ROLL CALL - COUNCIL MEMBERS

BAX\_ X \_MYLES\_ A\_ TOMPKINS\_ X \_ZAJAC\_ E\_ CHAIRMAN SPANBAUER\_ X

Also Present: Mayor Robert M. Restaino, City Administrator Anthony Restaino, Corporation Counsel Christopher Mazur, Controller Daniel Morello

Presentation: Cindy Wood of GOBikes

June 9, 2022

Members of the City Council  
and  
City Clerk

*Re: Mayor's Special Meeting of Niagara Falls City Council*

Council Members and City Clerk:

You are hereby notified of the Mayor's Special Meeting of the City Council of the City of Niagara Falls, New York called pursuant to Section 3.9.b of the City Charter, to be held on **Monday, June 13, 2022, at 5:30 p.m.** in the Council Chambers, City Hall, 745 Main Street, Niagara Falls, New York for the following purposes:

1. Approval of Waiver of Parking Fees for City Parking Lot – 256 Third Street (Niagara Falls City School District – Senior Prom); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

2. Approval of Encroachment Request – 8643 Buffalo Avenue (American Legion Post #1142); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

3. Approval of Encroachment Request - 435 Third Street (The GoldBar); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

4. Approval of Agreement Relative to Redevelopment of 519 Cayuga Drive (WillberCo Development, Inc.); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

5. Approval of Agreement to Implement IT Strategic Plan and Upgrades (Avero Advisors); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

6. Approval of Waiver of Pavilion Fee – Hyde Park Oasis (Family of Staff Sgt. Aram Bass); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

7. Approval of Right of Entry and Access Agreement – Early Voting Site at City Train Station (County of Niagara); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

8. Approval of Allocation of American Rescue Plan Funding (Security Camera Rebate Program for Local Businesses Program); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

9. Approval of Sale of Real Property (1335 Willow Avenue, Niagara Falls NY 14301); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

10. Approval of Lifeguard Training/Certification Agreement (Matthew Leo); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

11. Relative to Amendment of City of Niagara Falls Zoning Ordinance to Create a High Energy Usage Overlay District; VOTE

	AMENDED		APPROVE	
	yea	nay	yea	nay
Council Member Bax	X		X	
Council Member Myles	A		A	
Council Member Tompkins	X		X	
Council Member Zajac	E		E	
Council Chairman Spanbauer	A		X	
Total:	3	0	3	0

12. Relative to the Creation, Establishment, Development, Construction, Expansion, Enlargement and Operation of Commercial Data Centers in the City of Niagara Falls, Extending the Moratorium on the Consideration and/or Issuance of All Permits and/or Approvals Through September 13, 2022; VOTE

	yea	nay	yea	nay
2022-031 Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

13. Resolution Calling for a 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; VOTE

	yea	nay	yea	nay
2022-32 Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

14. Approval of Agreement to Purchase User Fee Software (WAM Software Inc.);VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

15. Approval of Third-Party Legal Consultant Agreement (Department of Community Development); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

16. Approval of Proposed Agreement Regarding Demolition of Walkway/Escalator Enclosure – Old Falls Street (USA Niagara Development Corporation); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

17. Appointment of Vicky Wideman as Niagara Falls City Clerk; VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

18. Approval of Invoice for Emergency Overhead Electrical Feed Replacement - 911 Robbins Drive (M&M Electric Construction Company, Inc.); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

19. Approval of Waiver of Bandstand Fee – Legends Park (Niagara Falls Juneteenth Event); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

20. Approval of Waiver of Bandstand Fee - Hyde Park Oasis (Niagara Falls City School District); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

21. Approval of Air Filling Station (SCBA) for City of Niagara Falls Fire Department (Fletch Air Systems); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

22. Approval of 2022-23 Community Development Annual Action Plan; VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

23. Approval of Award for Independence Day Fireworks Display (Skylighters Fireworks of New York, LLC); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

24. Purchase of Vehicle Air Conditioning Service Unit (Auto Plus-Niagara); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

25. Approval of Extension of CARES Act Grants (Community Development); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

26. Approval for Purchase of Forcible Entry Door Simulator - Niagara Falls Fire Department (East Coast Rescue Solutions); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

27. Approval of Award for Hyde Park Pool Interior Resurfacing (Patterson-Stevens, Inc.); VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

28. Approval of Certification of Base Percentages, Current Percentages, and Current Base Proportions for Homestead and Non-Homestead Assessment Roll; VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		



29. Request for Approval to settle property damage claim of Jessica H. Shaw;  
 In the amount of \$1927.36 VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

30. Request for Approval to settle property damage claim of Progressive Insurance  
 Company A/S/O James Allen Powell; in the amount of \$6719.52 VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

31. Request for Approval to settle property damage claim of Progressive Insurance  
 Company A/S/O Jacqueline Rivera; in the amount of \$4596.81 VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

32. Request for Approval to settle property damage claim of Ada M. Hayes; in the amount  
 of \$2849.00 VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	A			
Total:	3	0		

33. Request for approval to settle property damage claim of Roberta K. Beckwith; in the amount of \$1833.19 VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

34. Approval of Consulting Agreement for Temporary Management of the City Market (Alfonse Muto); and VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	A			
Council Member Tompkins	X			
Council Member Zajac	E			
Council Chairman Spanbauer	X			
Total:	3	0		

35. Relative to Honoring Norma Higgs. VOTE

		MOVED TO BEGINNING OF MEETING		APPROVEp	
		yea	nay	yea	nay
2022- 30	Council Member Bax	X		X	
	Council Member Myles	A		A	
	Council Member Tompkins	X		X	
	Council Member Zajac	E		E	
	Council Chairman Spanbauer	X		X	
	Total:	3	0	3	0

Respectfully submitted,

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Robert M. Restaino, Mayor