

NIAGARA FALLS CITY COUNCIL  
AGENDA FOR OCTOBER 5, 2022

LEGISLATIVE MEETING

COUNCIL CHAMBERS

6:00 P.M.

ROLL CALL - COUNCIL MEMBERS

BAX X MYLES X TOMPKINS X ZAJAC X SPANBAUER X

ALSO PRESENT: Mayor Robert M. Restaino, City Administrator Anthony Restaino, Corporation Counsel Chris Mazur, City Controller Dan Morello

PRAYER - COUNCIL MEMBER BAX

PLEDGE OF ALLEGIANCE

The Council Chairman asked if anyone wished to speak on the Public Hearing:  
RELATIVE TO RESTORE NY COMMUNITIES INITIATIVE MUNICIPAL GRANT PROGRAM APPLICATION  
AND RELATED PROPERTY ASSESSMENT LIST:

Henry Krawczyk
Jockline Pryor
Gloria J. Dolson

PRESENTATIONS: JOHN PERCY, DESTINATION NIAGARA'S PRESIDENT & CEO  
HOLLY CURCIONE, NIAGARA MILITARY AFFAIRS COUNCIL

PUBLIC SPEAKERS

1. AGENDA ITEMS

Henry Krawczyk	Agenda Item #12
Ken Hamilton	Agenda Items #27, #28, #29
Sandy Mock	Agenda Items #27, #28, #29
Karen Mock	Agenda Items #27, #28, #29

ADMINISTRATIVE UPDATE:

CONTROLLERS REPORT

COMMUNITY HAPPENINGS

REVIEW OF AGENDA ITEMS

LEGISLATIVE MEETING

INFORMATIONAL ITEMS

FROM THE CITY CLERK

1. City Clerk's Report for the Month of August 2022

R & F

ITEMS FOR COUNCIL ACTION

FROM THE MAYOR

2. Approval of the contract for Porter Road Bridge Expansion Joint Replacement Project Design Services to Greenman-Pederson, Inc. VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

3. Approval of the contract to FM Communications, Inc. for up-fitting for One ( ) 2022 Blue Ford Utility Police Interceptor VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

4. Approval of the contract with Buffalo Niagara Waterkeeper (Ecological Restoration Projects) VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

5. Approval of the Microgrant Program Extension for Buffalo Avenue Heritage district VOTE

	AMEND		APPROVE	
	yea	nay	yea	nay
Council Member Bax	X		X	
Council Member Myles	X		X	
Council Member Tompkins	X		X	
Council Member Zajac	X		X	
Council Chairman Spanbauer	X		X	
Total:	5	0	5	0

6. Approval of reimbursement for Improvement to City Alleyway to Plati Niagara, Inc.

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

7. Approval of the contract with Inmar, Inc. for Consumer Drug Take-Back Program

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

8. Approval of the contract with Orkin, LLC for Pest Control Services

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

9. Approval of the contract with NF Water Board for NFPD Substation

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

10. Approval of the contract to Penn Terra-USRE for redevelopment of 550 Main St (Niagara Wanderlusting, Inc.)

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

11. Approval of the sale of City-owned Real Property NF Housing authority

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

12. Approval of the sale of City-owned Real Property (RJ Davis & Company Development)

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

13. Approval of the sale of City-owned Real Property (RJ Niagara, LLC.)

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

14. Approval of the sale of Real Property by City of Niagara Falls (Niagara Wanderlusting, Inc.), 550 Main St

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

15. Approval of the transfer of City-owned Properties to Niagara Orleans Regional Land Improvement Corp., (NORLIC)-Land Bank; 2901 Grand Ave., 231 70<sup>th</sup> St., 530 18<sup>th</sup> St., 1331 Willow Ave., 1129 Niagara Ave.

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

16. Approval of reorganization in the Fire dept. (Clerical)

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

17. Approval of Budget Amendment in the Dept. of Economic Development (Increase in Director's Pay)

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

18. Approval of Neighborhood Legal ESG Grant extension

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

19. Approval of transfer of City-owned Properties (Property Purchase Program)

VOTE

	AMEND		APPROVE	
	yea	nay	yea	nay
Council Member Bax	X		X	
Council Member Myles	X		X	
Council Member Tompkins	X		X	
Council Member Zajac	X		X	
Council Chairman Spanbauer	X		X	
Total:	5	0	5	0

20. Approval of Settlement Agreement between the City & United Steelworkers Local 9434

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	abstain			
Total:	4	0		

Chairman Spanbauer Abstained due to association with persons involved

21. Approval of the contract with Northpointe Council, Inc. (Employee Assistance Program)

VOTE

	yea	nay	yea	nay
Council Member Bax	accused			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	4	0		

Council Member Bax accused herself from voting due to affiliation

22. Approval of the Parking Agreement with NCCC (Rainbow Parking Ramp)

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

ADDITIONAL ITEMS

THE FOLLOWING COMMUNICATION WAS SUBMITTED BY CORPORATION COUNSEL

23. Approval to settle rental cost claim of Progressive Insurance Company A/S/O Jacqueline Rivera in the amount of \$638.60

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

RESOLUTIONS

24. Relative to Honoring Marsha McWilson

BY: Mayor Robert M. Restaino, All Council Members

VOTE

	yea	nay	yea	nay
2022- Council Member Bax	X			
56 Council Member Myles	X			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	5	0		

25. Relative to Restore NY Communities Initiative Municipal Grant Program Application

BY: Council Member Tompkins, Chairman Spanbauer

VOTE

		yea	nay	yea	nay
	Council Member Bax	X			
2022-	Council Member Myles	X			
57	Council Member Tompkins	X			
	Council Member Zajac	X			
	Council Chairman Spanbauer	X			
	Total:	5	0		

26. Relative to scheduling a Public Hearing relative to an estimate of the amount necessary to pay the expenses for the Recycling and Refuse Program for Fiscal Year 2023

BY: Council Member Tompkins, Chairman Spanbauer

VOTE

		yea	nay	yea	nay
	Council Member Bax	X			
2022-	Council Member Myles	X			
58	Council Member Tompkins	X			
	Council Member Zajac	X			
	Council Chairman Spanbauer	X			
	Total:	5	0		

27. Relative to amending Chapter 1137 of the Codified Ordinances entitled "Landlord Rental and Property Owner Registration:

BY: Council Member Tompkins

VOTE

		yea	nay	yea	nay
	Council Member Bax	X			
2022-	Council Member Myles	X			
59	Council Member Tompkins	X			
	Council Member Zajac	X			
	Council Chairman Spanbauer	X			
	Total:	5	0		

28. Relative to adding Chapter 1142 of the Codified Ordinances entitled "Rental Dwelling Unit Registration"

BY: Council Member Tompkins

VOTE

		yea	nay	yea	nay
	Council Member Bax	X			
2022-	Council Member Myles	X			
60	Council Member Tompkins	X			
	Council Member Zajac	X			
	Council Chairman Spanbauer	X			
	Total:	5	0		



29. Relative to adding Chapter 1143 of the Codified Ordinances entitled "Property Manager Registration"

BY: Council Member Tompkins

VOTE

		yea	nay	yea	nay
	Council Member Bax	X			
2022-	Council Member Myles	X			
61	Council Member Tompkins	X			
	Council Member Zajac	X			
	Council Chairman Spanbauer	X			
	Total:	5	0		

30. Approval of the Inter-Municipal contract with the County of Niagara (transfer of vehicle to the NFFD)

VOTE

		ADD TO AGENDA		APPROVE	
		yea	nay	yea	nay
	Council Member Bax	X		X	
	Council Member Myles	X		X	
	Council Member Tompkins	X		X	
	Council Member Zajac	X		X	
	Council Chairman Spanbauer	X		X	
	Total:	5	0	5	0

31. Approval of the Supplement contract to purchase hardware/software/web services from Axon Enterprises, Inc. for NFFD

VOTE

		ADD TO AGENDA		APPROVAL	
		yea	nay	yea	nay
	Council Member Bax	X		X	
	Council Member Myles	X		X	
	Council Member Tompkins	X		X	
	Council Member Zajac	X		X	
	Council Chairman Spanbauer	X		X	
	Total:	5	0	5	0

32. Approval of reorganization in Finance Dept. (B & C)

VOTE

		ADD TO AGENDA		APPROVAL	
		yea	nay	yea	nay
	Council Member Bax	X			
	Council Member Myles	X			
	Council Member Tompkins	X			
	Council Member Zajac	X			
	Council Chairman Spanbauer	X			
	Total:	5	0		

33. Approval to settle and pay property damage claim of Patricia L. Gibbons  
in the amount of \$116.94

VOTE

	ADD TO AGENDA		APPROVE	
	yea	nay	yea	nay
Council Member Bax	X		X	
Council Member Myles	X		X	
Council Member Tompkins	X		X	
Council Member Zajac	X		X	
Council Chairman Spanbauer	X		X	
Total:	5	0	5	0

PUBLIC SPEAKERS

2. FOR THE GOOD OF THE COMMUNITY

Dana Eric Misenheimer	Trespassing issues
John Cooper	Code Blue for Gospel Mission
Jeff Flach	Conservation
Chris Smith	Roads in Black Community; various
Marlon Moor	Various
Henry B. Krawczyk	Properties
Gloria Dolson	Neighbor's dog
Irene Lynch	Various
Chris Zych	Mayor doing a good job

ADJOURNMENT OF MEETING

10:30 PM