

NIAGARA FALLS CITY COUNCIL
MAY 16, 2022 – SPECIAL MEETING

COUNCIL CHAMBERS

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5:30 P.M.

ROLL CALL – COUNCIL MEMBERS

BAX Excused MYLES Absent TOMPKINS X ZAJAC X CHAIRMAN SPANBAUER X

Also Present:

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

May 11, 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, May 16, 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 Agreement – Vinny Bagwell (Harriet Tubman Statue);
2. Approval of Creation of *Recreation Specialist* – 2 Position (Department of Parks and Public Works);
3. Approval of Emergency Demolition Funding – American Rescue Plan (Department of Code Enforcement);
4. Approval of Change Order – Reverse Osmosis Filtration System Replacement - Hyde Park Ice Pavilion (Keppler Water Treatment Inc.);
5. Approval of Change Order – Emergency Demolition Of 911 Robbins Drive (Regional Environmental Demolition);
6. Approval of Modification of Parking Restrictions (Highland Avenue – between Beech Avenue and Profit Lane);
7. Approval to Waive City Bandstand Fee - Summerfest at the Sal (Niagara Falls Fire Fighters Toy Fund);
8. Approval to Waive City Bandstand Fee – Niagara Falls City School District;
9. Approval of Reacquisition of Cannon Block Properties - Penn Terra USRE Corp.;
10. Approval of Proposed Purchase of Real Property by City of Niagara Falls from Muto Development, LLC (774 19th Street, 810 19th Street, 812 19th Street, 814 19th Street, 818 19th Street, and 820 19th Street);
11. Approval of Agreement to Terminate the City Market Lease (Muto Development, LLC);
12. Approval of Amendment of Deed Restrictions - 324 Niagara Street (324 Niagara Street Landlord, LLC);
13. Approval of Award for Purchase of High-Capacity Washers and Dryers – Niagara Falls Fire Department (Statewide Machinery, Inc.);

14. Approval of Award for Clearing and Cutting of Lots – Department of Parks and Public Works (K.J. Smith Enterprises, Inc.);
15. Approval of Purchase of Fleet Vehicle - Niagara Falls Police Department - (Joe Basil Chevrolet, Inc.);
16. Relative to Approval to Call for a Public Hearing on the possible acquisition by Eminent Domain of 907 Falls Street and a portion of the property along John Daly Boulevard, consisting of SBL nos. 159.09-3-3 and 159.09-3-2;
17. Approval of Agreement for Environmental Assessment and Traffic Impact Study – Centennial Park Project (Wendel Architecture P.C.); and
18. Approval of Agreement with USA Niagara Development Corporation (Supplemental Parking Lot).

Respectfully submitted,

Robert M. Restaino, Mayor

FROM THE MAYOR

- #1. Approval of funding in the Contract with Vinny Bagwell for the creation of Harriet Tubman Statue VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

- #2. Approval of funding in hourly pay rate increase for Recreation Specialist at Dept. of Parks & Public Works VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#3. Approval of Emergency Demolition Funding from American Rescue Plan for Dept. of Code Enforcement

VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#4 Approval of funding of the change order #1/Final in the Contract to Keppler Water Treatment, Inc. for the reverse Osmosis Filtration System replacement at Hyde Park Ice Pavilion

VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#5 Approval of the funding of the Change Order #1 in the Contract to Regional Environmental Demolition for emergency demolition of 911 Robbins Drive

VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#6 Approval of Modification of Parking Restrictions on Highland Avenue-between Beech Avenue & Profit Lane VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#7 Approval of the waiver of Bandstand Fee for Summerfest at the Sal VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#8 Approval of the waiver of Bandstand Fee for NFSD Hyde Park School & Cataract Elementary School VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#9 Approval of funding of Reacquisition of Cannon Block Properties from Penn Terra USRE Corp. VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#10 Approval of Proposed Purchase of Real Property by City 774 19th St, 810 19th St, 812 19th St, 814 19th St, 818 19th St and 820 19th St, Review and Recommendation of NFPB

VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#11 Approval of funding in the Contract to terminate the City Market Lease, Muto Development LLC.

VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#12 Approval of the Amendment of Deed Restrictions for 324 Niagara Street Landlord, LLC

VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#13 Approval of funding in the Contract to Statewide Machinery, Inc. for purchase of High Capacity Washers & Dryers for the NFFD

VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#14 Approval of funding in the Contract to K.J. Smith Enterprises, Inc. for Cleaning & Cutting of Lots VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#15 Approval of funding in the Contract to Joe Basil Chevrolet, Inc. for purchase of Fleet Vehicles for the NFPD VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#16 Resolution relative to calling for a Public Hearing on the possible Acquisition by Eminent Domain of 907 Falls St and a portion of the property along John Daly Blvd. consisting of SBL NOS. 159.09-3-3 and 159.09-3-2, in the City of Niagara Falls
 BY: Mayor Robert M. Restaino VOTE

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

PULLED

**THIS ITEM WAS PULLED BY MAYOR RESTAINO
 NO ACTION TAKEN**

#17 Approval of funding in the Contract to Wendel Architecture P.C. for Environmental Assessment and Traffic Impact Study for the Centennial Park Project VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

#18 Approval of funding for the proposed Contract with USA Niagara Development Corp.
 for Supplemental Parking Lot

VOTE

	yea	nay	yea	nay
Council Member Bax	EXCUSED			
Council Member Myles	ABSENT			
Council Member Tompkins	X			
Council Member Zajac	X			
Council Chairman Spanbauer	X			
Total:	3	0		

ADJOURNMENT OF MEETING 5:52 P.M.