

NIAGARA FALLS CITY COUNCIL
AGENDA FOR SEPTEMBER 6, 2023

LEGISLATIVE MEETING COUNCIL CHAMBERS 6:00 P.M.

ROLL CALL - COUNCIL MEMBERS

BAX X CAULEY X MYLES X TOMPKINS X ZAJAC X

PRAYER - COUNCIL MEMBER DONTA MYLES

PLEDGE OF ALLEGIANCE

PUBLIC SPEAKERS

1. AGENDA ITEMS

Ally Spanger	Agenda Item #26
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CONTROLLERS REPORT

COMMUNITY HAPPENINGS

REVIEW OF AGENDA ITEMS

LEGISLATIVE MEETING

INFORMATIONAL ITEMS

FROM THE CITY CLERK

- | | |
|---|-------|
| 1. CITY CLERK CLAIMS FOR THE MONTH OF JULY 2023 | R & F |
| 2. CITY CLERK'S REPORT FOR THE MONTH OF JULY 2023 | R & F |

ITEMS FOR COUNCIL ACTION

FROM THE MAYOR

- | | |
|--|------|
| 3. Approval of Waiver of Bandstand Fee for NFHA (Community Day-9/9/23) | VOTE |
|--|------|

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

4. Approval of Emergency Demolition Funding-American Rescue Plan (Dept. of Code Enforcement)

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley		X		
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	4	1		

5. Approval of Give X Initiative Grant (NFPD)

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley		X		
Council Member Myles		X		
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	3	2		

6. Approval of Brokerage Agreement-City Market (J.R. Militello Realty, Inc/Altair Real Estate Services)

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley		X		
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	4	1		

7. Approval of the Contract with Pit Chic, Inc., Animal Sheltering

VOTE

	AMENDED		APPROVE	
	yea	nay	yea	nay
Council Member Bax	X		X	
Council Member Cauley	X			X
Council Member Myles	X		X	
Council Member Tompkins	X		X	
Council Chairperson Zajac	X		X	
Total:	5	0	4	1

8. Approval of the Contract for Sheltering Services, Transition, (Niagara County S.P.C.A.) VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

9. Approval of reorganization in Finance Dept. (Parking Violations Division) VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

10. Approval of the Contract to RMUS, LLC for unmanned aerial system for the City VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

11. Approval of the Contract to DroneSense, Inc. for unmanned aerial system (UAS) for the City VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

12. Approval of the Contract to Great Lakes Environmental/Safety Consultants for subsurface investigation for D'Amelio Park Splash Pad VOTE

	AMEND		APPROVE	
	yea	nay	yea	nay
Council Member Bax	X		X	
Council Member Cauley	X			X
Council Member Myles	X		X	
Council Member Tompkins	X		X	
Council Chairperson Zajac	X		X	
Total:	5	0	4	1

13. Approval of Change Order #1 in the Contract to Mark Cerrone, Inc. for automatic entry gate at the New Road Corporation Yard VOTE

	yea	nay	yea	nay
	Council Member Bax	X		
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

14. Approval of Change Order #3/Final to Regional Environmental Demolition for Utility Abandonment, Asbestos Abatement and/or Demolition of Bldgs (various locations) VOTE

	yea	nay	yea	nay
	Council Member Bax	X		
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

15. Approval of Change Order #1/Final in the Contract to 4th Generation Construction Co., for 2022 Drainage Structure Replacement/Repair Project VOTE

	yea	nay	yea	nay
	Council Member Bax	X		
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

16. Approval of the Contract to Scott Lawn Yard, Inc. for reconstruction of North Military Rd and Rehabilitation of Cayuga Dr-PIN 5761.89 VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

17. Approval of Change Order #3/Final to Louis Del prince & Sons for Sal Maglie Athletic Field Improvements VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

18. Approval of the Contract to Regional Environmental Demolition for 2023-24 Sidewalk Replacements at various locations VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

19. Approval of the Contract to DV Brown & Associates for Radiator Control Valve Replacement Project at NF City Hall VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

20. Approval of Community development 2020, 2021 and 2022 Action Plan Amendments

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

21. Approval of appointment of Elizabeth Eaton as Niagara Falls City Clerk

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

ADDITIONAL ITEMS

FROM THE CORPORATION COUNSEL

22. Approval of Encroachment on City Right-Of Way-1308 Ontario Ave-NF National Heritage Area

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	x			
Total:	5	0		

23. Approval of Encroachment on City Right-of Way, 2749 Lockport Rd-Sevenson Environmental Services, Inc.

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

24. Approval of Encroachment on City-Right-of Way, 1400 Hyde Park Blvd.-Sammy's Pizzeria VOTE

	yea	nay	yea	nay
Council Member Bax	ABSTAIN			
Council Member Cauley	X			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	4	0		

25. Approval to Settle and Pay Personal Injury lawsuit of Charles A. Walker, IV as parent and natural guardian of K.W. an infant in the amount of \$60,000 VOTE

	yea	nay	yea	nay
Council Member Bax	X			
Council Member Cauley	ABSTAIN			
Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	4	0		

RESOLUTIONS

26. Relative to acceptance of Maintenance Responsibility of Three (3) sections of asphalt trail within the Niagara River Greenway Corridor

BY: Council Member Tompkins

VOTE

	yea	nay	yea	nay
Council Member Bax	X			
2023- Council Member Cauley	X			
36 Council Member Myles	X			
Council Member Tompkins	X			
Council Chairperson Zajac	X			
Total:	5	0		

27. Relative to the City council's SEQORA Determination of significance concerning the applications of US Data Technologies Group for a data Center and Digital Asset Mining Facility at 2450 Buffalo Ave., NFN

BY: Council Member Tompkins

VOTE

		yea	nay	yea	nay
	Council Member Bax	X			
2023-	Council Member Cauley		X		
37	Council Member Myles		X		
	Council Member Tompkins	X			
	Council Chairperson Zajac	X			
	Total:	3	2		

28. Approval of Asphalt Art Project (NF National Heritage Area) originally from Council Meeting July 26, 2023

	REMOVE FROM TABLE		ADD TO AGENDA		APPROVE	
	yea	nay	yea	nay	yea	nay
Council Member Bax	X		X			X
Council Member Cauley	X		X			X
Council Member Myles	X		X			X
Council Member Tompkins	X		X			X
Council Chairperson Zajac	X		X			X
Total:	5	0	5	0	0	5

THIS ITEM WAS MOVED BY COUNCIL MEMBER TOMPKINS FOR ALL 3
THIS ITEM WAS NOT APPROVED

PUBLIC SPEAKERS

2. FOR THE GOOD OF THE COMMUNITY
THERE WERE NO SPEAKERS

ADJOURNMENT OF MEETING

7:15