

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

April 30, 2020

The City Council
Niagara Falls, New York

RE: Appropriation of Additional Funding for Hyde Park Inclusionary Playground

Council Members:

In 2017, the City of Niagara Falls Community Development department (“NFC”) proposed that the City undertake the installation of an Inclusionary Playground in Hyde Park. With the assurance of the former NFC director Seth Piccirillo that there was adequate funding available for the project, the City Council approved all the grant awards and vendor contracts related thereto. To date, the project is substantially complete; however, the invoice submitted by one of the contractors, 4th Generation, Inc., remains unpaid despite several attempts by the company to collect on the debt.

As you know, we have been conducting an extensive review of the operations of NFC since the beginning of this year. This investigation has found that despite the assurances from the former director that an adequate funding was secured for the Inclusionary Playground, the project was \$25,000.00 short of what was needed to bring it to completion. Unfortunately, this is yet another example of the cavalier behavior at NFC that was tolerated by the previous administration.

Since 4th Generation has performed work and properly invoiced the City for payment, the City is now obligated to compensate the company for services rendered. This Administration therefore requests that the City Council approve additional funding in the amount of \$25,000.00 to cover the aforementioned shortfall. The City Controller has determined that the source for this amount is available from reprogrammed CDBG funds (from previous years).

In addition, you will find that there is a second item on your agenda related to the Inclusionary Playground project. That item is a request for an additional \$34,882.00 for a change order associated with the construction of the playground. Please note that it is necessary to secure City Council approval of both this item and the change order request in order to compensate 4th Generation for their work on the project. The total amount related to both items is \$59,882.00.

Kennedy _____ Spanbauer _____ Tompkins _____ Touma _____ Voccio _____

Again, the City Controller has determined that the \$25,000.00 funding for this item is available from previous years' reprogrammed CDBG funds.

Will the Council so approve?

Respectfully submitted,

ROBERT M. RESTAINO
Mayor

Funding Approval:

Daniel Morello, City Controller
City Council Meeting, May 6, 2020