

NIAGARA FALLS CITY COUNCIL**DRAFT MINUTES FOR THE REGULAR MEETING OF MARCH 12, 2025****REGULAR MEETING****COUNCIL CHAMBERS****6:00 P.M.****I. MEETING CALLED TO ORDER**

- A. CALL TO ORDER BY THE CHAIR.
- B. ROLL CALL BY THE CITY CLERK.

ARCHIE P BAX E PERRY P MYLES P ZAJAC P

Also present: THOMAS DEBOY, ACTING CORPORATION COUNSEL, ELIZABETH EATON, CITY CLERK

II. OPENING CEREMONIES, FOLLOWED BY PUBLIC HEARING

- A. INVOCATION - Prayer by Council Member Zajac
- B. PLEDGE OF ALLEGIANCE - Led by Council Member Zajac.

III. PRESENTATIONS AND PUBLIC SPEAKERS

- A. Presentations: None.
- B. Public Speakers on Legislative Agenda Items for Council Action:
 1. Cherrish Beals – Agenda Item #2.
 2. Lawrence Blaber- Agenda Items #1 and # 2.
 3. Vincent Cauley – Agenda Items #2 and #5.
- C. Administrative Update: None at this meeting.
- D. Community Happenings:
 1. Black Achiever’s Awards Ceremony – March 15th, 2025. Niagara Falls Convention Center. Celebration of the outstanding achievements of Black leaders in our community.

IV. REVIEW AND ADOPTION OF THE AGENDA

MOTION BY COUNCIL MEMBER ZAJAC TO ADOPT THE AGENDA AS ORIGINALLY PROPOSED.
 SECONDED BY COUNCIL MEMBER MYLES.

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	x	
BAX	E	
MYLES	x	
ZAJAC	X	
PERRY	X	
Totals:	4	

THE CLERK ANNOUNCED THE VOTE TALLY.
 THE AGENDA WAS ADOPTED AS PROPOSED

LEGISLATIVE AGENDA**V. REVIEW AND APPROVAL OF MINUTES**

- A. The Council unanimously approved the minutes for the Regular Meeting on February 26, 2025.

VI. INFORMATIONAL ITEMS FROM THE CITY CLERK

A. None.

VII. AGENDA ITEMS FOR COUNCIL ACTION

FROM THE MAYOR

- 1. APPROVE AND AUTHORIZE THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH A MILTON CAT DEALERSHIP FOR A NEW CATERPILLAR ASPHALT WHEEL PAVER FOR THE DEPARTMENT OF PUBLIC WORKS AND AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH THE SAID VENDOR AS MORE FULLY OUTLINED IN THE MAYOR'S RECOMMENDATION MEMO DATED MARCH 6, 2025.**

MOTION BY COUNCIL MEMBER ARCHIE TO APPROVE ITEM #1 AS SUBMITTED.
SECONDED BY COUNCIL MEMBER ZAJAC.

NO DEBATE ON MOTION.

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	x	
BAX	E	
MYLES	x	
ZAJAC	X	
PERRY	X	
Totals:	4	

THE CLERK ANNOUNCED THE VOTE TALLY.
THE CHAIR ANNOUNCED THE MOTION WAS ADOPTED.

- 2. APPROVE AND AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH GRANICUS THAT WILL EXTEND THAT VENDOR'S SERVICES RELATIVE TO THE CITY'S SHORT-TERM RENTALS FOR A FOURTH YEAR, AS MORE FULLY OUTLINED IN THE MAYOR'S RECOMMENDATION MEMO DATED MARCH 6, 2025.**

MOTION BY COUNCIL MEMBER ARCHIE TO APPROVE ITEM #2 AS SUBMITTED.
SECONDED BY COUNCIL MEMBER ZAJAC.

DEBATE ON MOTION.

MOTION BY COUNCIL CHAIRPERSON PERRY TO POSTPONE VOTE FOR MORE INFORMATION.
SECONDED BY COUNCIL MEMBER ZAJAC.

VOTE TO POSTPONE

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	x	
BAX	E	
MYLES	x	
ZAJAC	X	
PERRY	X	
Totals:	4	

THE CLERK ANNOUNCED THE VOTE TALLY.

THE CHAIR ANNOUNCED THE MOTION WAS ADOPTED.

- 3. **APPROVE THE WAIVER OF CITY PARKING FEES AT THE SURFACE LOT ON 238 3RD STREET ON MARCH 15, 2025, FOR THE BENEFIT OF BLACK ACHIEVERS, INC., AS MORE FULLY OUTLINED IN THE MAYOR’S RECOMMENDATION MEMO DATED MARCH 6, 2025.**

MOTION BY COUNCIL MEMBER ARCHIE TO APPROVE ITEM #3 AS SUBMITTED.
SECONDED BY COUNCIL MEMBER ZAJAC.

NO DEBATE ON MOTION

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	x	
BAX	E	
MYLES	x	
ZAJAC	X	
PERRY	X	
Totals:	4	

THE CLERK ANNOUNCED THE VOTE TALLY.
THE CHAIR ANNOUNCED THE MOTION WAS ADOPTED.

- 4. **APPROVE THE WAIVER OF CITY PARKING FEES AT THE SURFACE LOT ON 238 3RD STREET ON MARCH 21, 2025, FOR THE BENEFIT OF COMMUNITY MISSIONS OF NIAGARA FRONTIER, INC., AS MORE FULLY OUTLINED IN THE MAYOR’S RECOMMENDATION MEMO DATED MARCH 6, 2025.**

MOTION BY COUNCIL MEMBER ARCHIE TO APPROVE ITEM #4 AS SUBMITTED.
SECONDED BY COUNCIL MEMBER ZAJAC.

NO DEBATE ON MOTION

Roll Call Vote:

Council Member	yeas	nays
ARCHIE	x	
BAX	E	
MYLES	x	
ZAJAC	X	
PERRY	X	
Totals:	4	

THE CLERK ANNOUNCED THE VOTE TALLY.
THE CHAIR ANNOUNCED THE MOTION WAS ADOPTED.

- 5. **APPROVE THE WAIVER OF CITY PARKING FEES AT THE SURFACE LOT ON 238 3RD STREET ON MARCH 20, 2025, FOR THE BENEFIT OF NIAGARA UNIVERSITY’S 8th ANNUAL STATEWIDE YOUTH ACTION CONFERENCE, AS MORE FULLY OUTLINED IN THE MAYOR’S RECOMMENDATION MEMO DATED MARCH 6, 2025.**

MOTION BY COUNCIL MEMBER ARCHIE TO APPROVE ITEM #5 AS SUBMITTED.
SECONDED BY COUNCIL MEMBER ZAJAC.

NO DEBATE ON MOTION.

Roll Call Vote:

Council

Member	yeas	nays
ARCHIE	x	
BAX	E	
MYLES	x	
ZAJAC	X	
PERRY	X	
Totals:	4	

THE CLERK ANNOUNCED THE VOTE TALLY.
 THE CHAIR ANNOUNCED THE MOTION WAS ADOPTED.

FROM THE CORPORATION COUNSEL

6. **APPROVE A \$65,000.00 INDEMNITY-ONLY SECTION 32 SETTLEMENT RELATING TO A PENDING WORKERS' COMPENSATION MATTER AS MORE FULLY OUTLINED IN THE ACTING CORPORATION COUNSEL'S RECOMMENDATION MEMO DATED MARCH 6, 2025.**

MOTION BY COUNCIL MEMBER ARCHIE TO APPROVE ITEM #6 AS SUBMITTED.
 SECONDED BY COUNCIL MEMBER ZAJAC.

NO DEBATE ON MOTION.

Roll Call Vote:

Council

Member	yeas	nays
ARCHIE	x	
BAX	E	
MYLES	x	
ZAJAC	X	
PERRY	X	
Totals:	4	

THE CLERK ANNOUNCED THE VOTE TALLY.
 THE CHAIR ANNOUNCED THE MOTION WAS ADOPTED.

RESOLUTION

7. **RESOLUTION RELATIVE TO AMENDING THE APPOINTMENT OF PATRICK CICARELI TO THE ZONING APPEALS BOARD.**

MOTION BY COUNCIL MEMBER ARCHIE TO APPROVE ITEM #7 AS SUBMITTED.
 SECONDED BY COUNCIL MEMBER ZAJAC.

NO DEBATE ON MOTION.

Roll Call Vote:

Council

Member	yeas	nays
ARCHIE	x	
BAX	E	
MYLES	x	
ZAJAC	X	
PERRY	X	
Totals:	4	

THE CLERK ANNOUNCED THE VOTE TALLY.

THE CHAIR ANNOUNCED THE MOTION WAS ADOPTED.

VIII. PUBLIC SPEAKERS FOR THE GOOD OF THE COMMUNITY

1. Sean Mapp: Stated that the City of Niagara Falls has been neglected and called for accountability and real support for the community. Referenced various political races, including at the County level.
2. Bob Belton: Requested Council Agenda supporting materials be posted on the website for better transparency and public access
3. Tanya Barone: Questioned how the casino revenue is being spent in the City of Niagara Falls.
4. Vincent Cauley: Questioned the Centennial Park project and ongoing projects in the City of Niagara Falls. Requested a feasibility study and asked about the dog shelter and stray dog population.
5. Dante Richardson: Advocated for economic development and job opportunities in the City of Niagara Falls.
6. Janine Gallo: Promoted “Paws in the Falls” dog sheltering business. Clarified that while she is the owner, the shelter is managed by Nicole Dyer.
7. Crystal Dutchess: Questioned what the City is doing to address the stray dog population.
8. Ken Hamilton: Requested the City Controller to be present at Council meetings, to assist the Council in making sound fiscal decisions. Also spoke in opposition to Agenda Item #2.
9. Arlene Doss: Questioned how the City of Niagara Falls plans to appropriately manage its finances and pursue a strategy of fiscal responsibility and growth.
10. Lawerence Blaber: Advocated for the repair of the Hyde Park ADA playground. Requested that appropriate equipment be provided so children of all abilities can enjoy City parks.

IX. MEETING ADJOURNMENT

With no further business remaining, Chairman Perry adjourned the meeting at 7:14 pm. Without a motion or second, as permitted by RONR (12th ed.) 21:27.



City of Niagara Falls, New York

P.O. Box 69, Niagara Falls, NY 14302-0069

TO: The City Council
 FROM: Elizabeth Eaton
 RE: Informational Item: City Clerk's Report
 DATE: March 13, 2025

Council Members:

The following is a report of the licenses issued and collections made in the Office of the City Clerk during the month of February 2025.

		<u>CONTROLLER</u>	<u>TOTAL</u>
A1255.001 A012	Vital Statistics	\$ 4,552.00	\$ 4,552.00
A1255.008 A804	Copies of Records	\$ 220.00	\$ 220.00
A1255.009 A805	Certificates of Marriage	\$ 50.00	\$ 50.00
A2501.007 A043	Auction	\$ 200.00	\$ 200.00
A2501.014 A046	Electrician - Active	\$ 125.00	\$ 125.00
A2501.016 A047	Stationary Engineers	\$ 120.00	\$ 120.00
A2542.000 A053	Dogs/NYS Agr. & Mkts	\$ -	\$ 124.00
A2542.000 A053	Additional Dogs	\$ 1,416.00	\$ 1,416.00
A2545.001 A054	Marriage License/NYSHD	\$ 37.50	\$ 150.00
A1255.002 A123	Commissioners of Deeds	\$ 20.00	\$ 20.00
A2501.010 A125	Business Licenses	\$ 250.00	\$ 250.00
A2501.031 A811	Pawn Broker	\$ 200.00	\$ 200.00
A2545.023 A318	Hunters/NYS DEC RAU	\$ -	\$ 56.68
A2545.023 A318	Hunters Fees	\$ 3.32	\$ 3.32
TA63008 A597	Marriage Performance	\$ 900.00	\$ 900.00
TOTAL:		<u>\$ 293.18</u>	<u>\$ 8,093.82</u>

Check #	<u>50017</u>	NYS Dept. of Arg. & Mkts	\$ 124.00
Check #	<u>50000</u>	NYS Health Department	\$ 112.50
Check #	<u>ET</u>	NYS DEC RAU	\$ 56.68

Elizabeth Eaton

EE/igj

Niagara Falls City Clerk's Office
 2025 MAR 13 AM 8:52



City of Niagara Falls, New York

OFFICE OF THE MAYOR

TO: City Council
FROM: Mayor Robert M. Restaino
DATE: March 20, 2025
SUBJECT: Change Order #5 - \$81,000.00 Stantec
Additional Survey & Environmental Services for the John B. Daly
Boulevard Extension and Porter Road Development Project

A contract for the above-referenced project was awarded to the firm of Stantec Consulting Services, Inc., (f/k/a Stantec Consulting Group Inc., and Sear-Brown Group, Inc.) on June 7, 2004, for professional consultant services and design related tasks in the amount of \$430,449.00. Subsequent change orders (Nos. 1-4), reflecting City-requested changes to the design scope, have resulted in the contract's current total of \$962,449.00.

Following repeated requests for additional right-of-way acquisition from the New York State Department of Transportation, the City is engaging its design firm, Stantec, to perform the requisite survey and environmental analysis as needed. In addition, these same services are needed at the City's Porter Road development site, per the New York State Department of Environmental Conservation. The cost breakdown for these required tasks is as follows:

(i)	J.B. Daly, additional survey	\$28,000.00
(ii)	J.B. Daly, additional environmental	\$35,000.00
(iii)	Porter Rd., additional environmental	<u>\$18,000.00</u>
		\$81,000.00

The Engineering Department, which is requesting this Change Order, has determined that it is necessary and does not constitute a new undertaking and/or alter the essential identity or main purpose of the underlying contract for professional engineering and design services.

If this Change Order is approved, it will bring Stantec's design services contract total to \$1,043,449.00. However, please note that funding for all John B. Daly Boulevard-related work is reimbursable at 95% while existing tribal revenues are available for the Porter Road-related tasks.

Will the Council vote to so approve and authorize the Mayor to execute a change order in a form acceptable to the Corporation Counsel?

Submitted by:

Mayor Robert M. Restaino

Archie _____ Bax _____ Myles _____ Zajac _____ Perry _____

ITEM 02



City of Niagara Falls, New York

OFFICE OF THE MAYOR

TO: City Council
FROM: Mayor Robert M. Restaino
DATE: March 20, 2025
SUBJECT: Grant Amendments for Pinnacle Community Services, Inc.

Council Members:

In 2023, the Council approved a revision of the award of an Emergency Solutions Grant (ESG) and CDBG-CV funds to Pinnacle Community Services, Inc. The funding was to be used for street outreach and various improvements at Passage House and Casey House.

Pinnacle was awarded \$80,738 for the street outreach program. Only \$64,523.50 was drawn down. That project is now complete and no more funds will be drawn. Pinnacle was also awarded \$26,145.15 for porch and interior renovations at Passage House and Casey House. That project was never completed and only \$665.62 was drawn down. This leaves a balance of \$41,693.93 in grant money that can be reallocated for use by Pinnacle.

Pinnacle has now requested that this balance be applied to pay for the installation of a generator and the repair and renovation of the air conditioning at Passage House. Pinnacle has secured quotes for this project and is ready to direct the contractors to proceed.

Will the Council vote to approve amendment of the grants as presented herein, and to authorize the Mayor to execute any documents necessary to effectuate the same?

Submitted by:

Mayor Robert M. Restaino

Archie _____ Bax _____ Myles _____ Zajac _____ Perry _____



City of Niagara Falls, New York

OFFICE OF THE MAYOR

ITEM 03

TO: City Council
FROM: Mayor Robert M. Restaino
DATE: March 20, 2025
SUBJECT: Niagara Area Habitat for Humanity, Inc.
Additional Grant Funds for 476 25th St.

Council Members:

On December 6, 2023, the Council approved the grant of HOME funds in the amount of \$186,130.00 to the Niagara Area Habitat for Humanity, Inc. (Habitat), on the basis of Habitat's status as a Community Housing Development Organization (CHDO), and HUD's requirement that such funds may only be disbursed to a CHDO. The grant stipulated that such funds were to pay for Habitat's new single-family home construction project at 476 25th Street, after which it must sell the property to an eligible low or moderate-income home buyer.

Construction of the 25th Street home is nearly complete, but the HOME funds previously awarded have been exhausted. Therefore, Habitat has requested \$12,000.00 in additional funds to finish the project. Fortunately, the City can pay the requested sum out of its unallocated 2018 HOME funds.

Will the Council vote to approve the grant of an additional \$12,000 in HOME funds to Habitat as stipulated herein, and further authorize the Mayor to execute any documents necessary to effectuate the same?

Submitted by:

Mayor Robert M. Restaino

Archie _____ Bax _____ Myles _____ Zajac _____ Perry _____



City of Niagara Falls, New York

OFFICE OF THE MAYOR

TO: City Council
FROM: Mayor Robert M. Restaino
DATE: March 20, 2025
SUBJECT: 2025-26 Community Development Annual Action Plan

The City of Niagara Falls prepares an Annual Action Plan to implement federal grant programs. These grant programs fund housing, community development and neighborhood-based services within the City. The annual action plan provides a framework for the annual expenditure of federal entitlement funds available through the Community Development Block Grant (CDBG) Program, HOME Investment Partnerships (HOME) Program, and Emergency Solutions Grant (ESG) Program. The City of Niagara Falls submits this plan to the United States Department of Housing and Urban Development (HUD) for approval. The proposed 2025-26 Annual Action Plan and grant funding recommendations have been provided to Council members and are on file in the Community Development Office and the City Clerk's Office. A summary of goals and proposed expenditures is as follows:

Total Emergency Solutions Grant (ESG) Recommendations:

\$73,000 Heart Love & Soul – Street Outreach Services
 \$110,000 Community Missions - Homeless Prevention Services and Emergency Shelter Services

Total HOME Investment Partnerships Program (HOME) Recommendations:

\$165,000 City of Niagara Falls Owner Occupied Rehabilitation Program
 \$197,800 Niagara Area Habitat for Humanity CHDO Project – New Construction SF Home

Total Community Development Block Grant (CDBG) Grant Recommendations:

\$10,000 Girl Scouts of WNY -After School Girl Scout Program
 \$50,000 Heart Love and Soul - Daybreak Pantry and Dining Room Services
 \$50,000 Niagara Falls Housing Authority - After School Program
 \$35,000 Niagara Falls School District – After School Tutoring Program
 \$50,000 Niagara Falls Boys and Girls Club (716 United Youth Program)
 \$24,000 Parachute Credit Counseling - Financial and Credit Counseling
 \$40,000 NOAH - Youth and Adult Enrichment Program
 \$30,000 Niagara Beautification Commission – Neighborhood Cleanup Activities
 \$30,000 Literacy Buffalo Niagara – Adult Literacy Program
 \$25,000 Niagara Falls NHS/NeighborWorks – First Time Homebuyer Workshop Program
 \$100,000 Niagara Falls NHS/NeighborWorks – Closing Cost Program
 \$50,000 YWCA Youth Services - Carolyn's House Services
 \$126,000 City of Niagara Falls Owner Occupied Rehabilitation Program
 \$900,000 City of Niagara Falls Road Milling and Paving
 \$400,000 City of Niagara Falls Demolition of City-Owned Structures

Archie _____ Bax _____ Myles _____ Zajac _____ Perry _____

A public comment period for the Annual Action Plan opened Friday, January 24, 2025. Public comments were required to be received in writing on or before February 27, 2025. A public hearing on the plan was held February 27, 2025. No comments were received during the comment period and public hearing.

Will the Council so approve the aforementioned 2025-2026 Annual Action Plan and the related grant award recommendations and authorize the Mayor to take such actions as are necessary to implement the same?

Submitted by:

Mayor Robert M. Restaino



City of Niagara Falls, New York

OFFICE OF THE MAYOR

ITEM 05

TO: City Council
FROM: Mayor Robert M. Restaino
DATE: March 20, 2025
SUBJECT: Approval of a 1-year Extension Agreement with Granicus to support the City's Short Term Rental (STR) Program.

In February 2022, this Council approved an initial agreement with Granicus, Inc., so that the vendor could deploy and manage its Software as a Service (SaaS) tailored to short-term rental monitoring and compliance, which we need to help enforce the City's STR Ordinance that beefed up licensing requirements and restricted the locations of where STRs may lawfully operate. To summarize the scope of services that we utilize, Granicus provides us with Address Identification, Compliance Monitoring, Mobile Permitting & Registration, Tax Collection, 24/7 Web and Phone Hotline, and Rental Activity Monitoring.

The Council last authorized the Mayor to engage Granicus for three years, after which the City entered into an agreement with Granicus without the necessity of a bid or RFP, as we piggy-backed on the contract National Cooperative Purchasing Alliance (NCPA) awarded to Granicus in response to its RFP Solicitation: #39-20. NCPA has since changed its name to OMNIA Partners, and it recently extended its contract with Granicus for another year. That development has allowed Granicus to offer the City a fourth-year extension, which would enable us to continue utilizing their services for the remainder of 2025, and into February 2026.

If approved, the new contract term will be effective as of February 18, 2025 and extend through February 17, 2026. The total contract cost for this fourth year is \$36,907.06, representing an increase of \$1,755.76 over year three. Funding is available from Budget Code A.3620.0000.0444.007.

Will the Council so approve and authorize the Mayor to execute the requested agreement provided that it is satisfactory to the Corporation Counsel in both form and content?

Submitted by:

Mayor Robert M. Restaino

Archie _____ Bax _____ Myles _____ Zajac _____ Perry _____



City of Niagara Falls, New York

OFFICE OF THE MAYOR

ITEM 06

TO: City Council
FROM: Mayor Robert M. Restaino
DATE: March 20, 2025
SUBJECT: Approve and authorize the Mayor to award and sign engineering, construction, and other contracts necessary to expedite the completion of the Year 1 City Park Project Components for which Greenway Funds have already been allocated.

Council Members:

Please recall that on November 20, 2024, the City Council approved the allocation of \$3,054,067.80 of Niagara River Greenway Commission Funds to be spent on improving the City's parks over the next three years - as summarized by the attached Exhibit A, which was originally attached to the Resolution approved by this Council last November 20. This Exhibit aptly demonstrates that \$2,864,067.80 of the total allocated Greenway funds are earmarked to be spent in Year 1 (2025).

I don't need to tell you that Year 1 is upon us and the construction season will soon be at full steam. With this in mind, it is my goal to economize whenever possible and to utilize City workforces in the Department of Public Works where it makes sense to engage them in portions of the Year 1 Park Restoration Projects - outlined in greater detail by the attached Exhibit B. Nevertheless, we will need to rely heavily on some number of contractors to be determined, to get us across the finish line for the Year 1 Project Components.

Knowing that the Council takes a summer recess in August, and understanding that the public is anxious to see significant progress made this year in the repair and updating of our park facilities, it is my recommendation that you authorize me to award and sign all agreements necessary to achieve the Year 1 Project Components pursuant to the required bid, RFP, or alternate process as allowed by law, so long as the sum of such agreements does not exceed the maximum Year 1 expenditure of \$2,864,067.80 stipulated in Exhibit A.

Will the Council so approve and authorize the Mayor to award and execute agreements as proposed herein, provided that each is satisfactory to the Corporation Counsel in both form and content?

Submitted by:

Mayor Robert M. Restaino

Archie _____ Bax _____ Myles _____ Zajac _____ Perry _____

EXHIBIT A

Allocation of \$3,054,067.80 of Greenway Funds

Project Component	Year 1 (2025)	Year 2 (2026)	Year 3 (2027)	TOTAL
Ecosystem + Public Access Design and Engineering	\$350,000	\$150,000	-	\$500,000
RestoreCorps + Water Quality Monitoring	\$20,000	\$20,000	\$20,000	\$60,000
YELP	\$55,000	-	-	\$55,000
Park Restoration	\$2,439,067.80	-	-	\$2,439,067.80
TOTAL	\$2,864,067.80	\$170,000	\$20,000	\$3,054,067.80

Project Site Address:

Jayne – 8600 Joliet Avenue
 Gill Creek – 3085 Niagara Street
 Hyde Park – 3200 Pine Avenue
 91st Street – 9100 South Military Road
 Garden Ave Pocket – 1031 Garden Avenue
 Black Creek – 9501 Colvin Boulevard
 Nor-Lock – 2330 Lockport Street
 Gluck – 1550 Weston Avenue
 Liberty – 1010 20th Street
 Stephenson – 7406 Stephenson Avenue
 70th Street – 540 70th Street

EXHIBIT B

Park	Project Description	Project Description 2	Cost
Jayne	Demo Old Restroom		17,000.00
	Baskeball hoops and posts		7,800.00
Gilt Creek	Replace metal roof on utilities building		20,500.00
	Swing replacemetnt (2)		438.00
	Repair playsurface		2,500.00
Hyde	Demo Dock and Building		25,500.00
	Metal roof replacements		
		Centennial Shelter	21,500.00
		Oasis Shelter	21,500.00
		Shelter C	11,000.00
		Shelter D	11,000.00
		Duck Island Comfort Station	21,500.00
		Utility Building - Bowling Green	8,500.00
		Comfort Station Little League	25,000.00
		Duke Center Shelter	17,000.00
		Comfort Station Splash Pad	21,500.00
	Roof Repairs		
		Splash Pad Shelter	4,000.00
		Storage Building (Animal Shelter)	200,000.00
	Replace Lifeguard Shed - Pool		5,000.00
	Storage Building (Animal Shelter) doors		50,000.00
	Replace Duke Center Windows		8,000.00
	Replace/Repair Play Surface - Inclusive Playground		40,000.00
	Remove and relocated old Marquee Sign and Install new sign - Sal Maglie		112,000.00
	Install New Picnic Shelter		20,000.00
	Repurpose portion of bowling green to Roller/ice rink		110,000.00
	Repair Existing BowlingGreen		50,000.00
	Repurpose tennis courts for pickleball		55,000.00
	Repurpose tennis courts for basketball		24,000.00
	Repair remiaing tennis courts		15,000.00
	Drainage, infrastructure, and utilities		100,000.00
	New Scoreboard - Sal Maglie		150,000.00
	Repair beach volleyball courts		5,000.00
	Repair Swings		219.00
	Inclusionary Swing		4,200.00
	Spin and sit		12,900.00
	Play surface (4 Pods Non-inclusive)		7,000.00
91st Street	Demo and repair of playground		35,000.00
	New swings		7,400.00
	New Roof on utilities building		24,000.00
	Walk Bridge (2)	2,700.00	5,400.00
	New Playsurface		3,500.00
Garden Ave Pocket Park	Gazebo		35,000.00
Black Creek	Repairs		100,000.00
	Remove interpretaive panel frame and install picnic shelter		
	Tree removal	72,000.00	
	New slide	7,200.00	
	Playsurface	3,000.00	
	Sky Rail	10,400.00	
Norlock			250,000.00
	ADA Chin bar	4,700.00	
	Baby swings (2)	574.00	
	Swing Replacement	438.00	
	Clean and repair adult fitness equipment	3,750.00	
	Remove old foundations (both sides of adult fitness area)	3,750.00	7,500.00
	New perimeter treatment for adult fitness equipment		1,500.00
	New ADA accessible surface in ADA playground		75,000.00
	Repair ADA Swings	1,230.00	
	Demo and install new playground equipment (octagon climber)	18,300.00	
	Install new pathways from sidewalk to connect to exist path and create ADA accessible path to ADA play area		7,000.00
	Install new benches (see below)		
	New perimeter treatment for ADA and play equipment		23,000.00

Gluck	Install new baby swing		287.00
	Install new benches (see below)		
	Remove water fountain (in house)		0.00
Liberty	New Swings		219.00
	Install play equipment		20,884.00
Stevenson Park	Swing Set	2,100.00	2,100.00
	Swing Set	3,123.00	3,123.00
	Activity Set (small)		24,500.00
	Swing Replacement (4)	219.00	876.00
70th Street	Garbage cans	1,425.00	17,100.00
Various	Benches(36)	785.00	28,260.00
Total			1,876,206.00
Contingency and Escalation (30%)			2,439,067.80



City of Niagara Falls, New York

OFFICE OF THE MAYOR

ITEM 07

TO: City Council
FROM: Mayor Robert M. Restaino
DATE: March 20, 2025
SUBJECT: Support of Resolution to amend Chapter 171 of the City Ordinances relative to health insurance benefits for elected officials.

Council Members:

I am writing to support Item 8 of next Wednesday’s Agenda, which is a Resolution Relative to Amending Chapter 171 of the Codified Ordinances Entitled “Benefits of Employees Not Covered By Collective Bargaining Agreements.”

With the City on much stronger financial footing than sixteen years ago, I believe the time has come to correct the predicament that elected officials of the City were put in when it was decided to take away their health and dental insurance upon separation. The proposed amendment reflects language that is more consistent with the benefits still being provided to many of our unionized as well as unrepresented employees.

I am also aware of the difficulty that some Council Members have encountered when they attempted to file for the medical opt-out payment provided by the applicable Section 171.05 (b) or (c) of the Codified City Ordinances. This issue was exacerbated by a lack of funds in the Council’s 2025 Budget to fund the line item for that particular benefit. Therefore, *conditioned upon the Council approving Item 8*, I request that the Council authorize me to fund its appropriate budget line to pay for additional Members who wish to receive medical opt-out payments, by withdrawing the necessary money from undesignated funds provided that such funds are have not been previously allocated, and thereafter transferring it into the appropriate line of the City Council’s 2025 Budget?

Will the Council approve and authorize the Mayor to execute any documents necessary to effectuate the transfer of funds as outlined above, with the understanding that any authorization granted in response to this request will be deemed a nullity if Item 8 is not approved by the Council?

Submitted by:

Mayor Robert M. Restaino

Archie _____ Bax _____ Myles _____ Zajac _____ Perry _____

RESOLUTION No. 2025-

RELATIVE TO AMENDING CHAPTER 171 OF THE CODIFIED ORDINANCES ENTITLED "BENEFITS OF EMPLOYEES NOT COVERED BY COLLECTIVE BARGAINING AGREEMENTS"

BY:

Council Chairman James Perry

BE IT RESOLVED by the City Council of the City of Niagara Falls, New York, that Chapter 171 of the Codified Ordinances entitled "BENEFITS OF EMPLOYEES NOT COVERED BY COLLECTIVE BARGAINING AGREEMENTS" is hereby amended such that section 171.05 of said Chapter shall read as follows:

171.05 HEALTH INSURANCE.

(e) Health and dental insurance coverage (collectively, "health insurance"), {as provided for in section 171.05 (a), above,} shall be paid by the City for elected City officials as provided for in section 171.05 (a) and (c) above. This coverage shall be continued for elected City officials separated from service whose years of service plus age equals 70 at the time of their separation from service. For purposes of this {subdivision} subsection, years of service shall mean only the number of years of employment with the City of Niagara Falls per section 171.01(d) and shall include time earned as an elected official for the City of Niagara Falls. City officials first elected after January 1, 2008, will not be entitled to health insurance or the medical opt-out payment provided by the applicable Section 171.05 (b) or (c) following separation from service, except that they will become entitled to continued City paid health insurance following separation from service if they meet the additional requirements of subsection (f) below.

(f) Any person on the City of Niagara Falls payroll as of January 1, 2025, who was first elected as a City officer after January 1, 2008, shall be treated as if they were first elected as a City Officer before January 1, 2008, for the sole purpose of determining their eligibility to continue receiving City paid health insurance following separation from service; but, they shall otherwise be required to meet all other section 171.05 (e) eligibility requirements applicable to City officials elected before January 1, 2008.

(g) Any elected City official who qualifies to receive the medical opt-out payment provided by the applicable Section 171.05 (b) or (c) shall receive the appropriate opt-out payment from the day he or she files for the benefit. Such funds to cover the required opt-out payment shall be allocated from source funds derived from other undesignated funds if such funds are not previously allocated.

(h) All persons who qualify for post-separation health insurance paid for by the City under section 171.05 (f) shall immediately enroll in the Medicare Advantage Program when they attain the age of 65 or acquire a qualifying disability or medical condition requiring enrollment in Medicare. Once so enrolled, the Medicare Advantage Program shall be the person's primary medical coverage at which time medical coverage from the City of Niagara Falls shall become secondary.

(i) Consistent with 171.05 (e), all elected City officials shall, upon separation from service, immediately become ineligible to receive or continue receiving any opt-out payment under Section 171.05 (b) or (c).

AND BE IT FURTHER RESOLVED that any Member of the City Council who attempted to claim or file for the medical opt-out payment provided by the applicable Section 171.05 (b) or (c) of Chapter 171 prior to the adoption of this Resolution but was harmed by funds not being properly allocated to the Council's 2025 Budget, shall be made whole retroactively to January 1, 2025, as soon as possible after the effective date of this Resolution.

RESOLUTION No. 2025-

**RELATIVE AMENDING THE COUNCIL'S SPECIAL RULES OF ORDER
GOVERNING SPEAKERS AT COUNCIL MEETINGS**

BY:

Chairperson James M. Perry
Council Member Brian Archie
Council Member Traci Bax

WHEREAS, rules of speaking during a City Council meeting periodically should be reviewed and adjusted to meet with the dynamics of our social mores; and

WHEREAS, the public meetings of the City Council should be held to a particularly high standard, marked by appropriate decorum and civility.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Niagara Falls, New York, that we hereby adopt a special rule of order pursuant to Robert's Rules of Order Newly Revised [RONR (12th ed.) 2:15-22] that henceforth limits debates to five (5) minutes per speaker. Otherwise, all other restrictions placed on debates by RONR remain in full effect, including, for example, the rule that speakers must (1) confine their remarks to the merits of the pending question, (2) maintain a courteous tone, (3) refrain from attacking or making any allusion to the motives of other members, (4) refrain from speaking adversely on a prior action not pending. [RONR (12th ed.) 4:30, 43:19-28];

AND BE IT FURTHER RESOLVED that the special rule of order adopted by Council Resolution 2020-10 on January 15, 2020, governing members of the public who wish to speak at Council meetings is hereby amended to read as follows:

RULES FOR PUBLIC SPEAKERS

If you wish to address the Council at a permitted time during a public meeting, you must comply with the following rules:

1. You must sign the appropriate sign-in sheet at least ten (10) minutes before the meeting begins, and you may not have someone else sign in for you. You may only sign for yourself.
2. You may sign in to speak on a specific Legislative Agenda item and/or for the 'Good of the Community', but not both. Choose one or the other.
3. Each speaker is given up to three (3) minutes maximum, although less time may be used.

Archie _____ Bax _____ Myles _____ Zajac _____ Perry _____

4. Speakers on legislative items must start by introducing themselves and then identify the exact agenda item they intend to address; they are not permitted to speak on “all items” grouped as one but must select one item on the agenda to speak on.
5. Speakers for the ‘Good of the Community’ shall indicate before speaking which segment of the population their suggestion is to benefit.
6. You may not transfer your time or the balance of your time to anyone else.
7. You will address the Council as a body; if you wish to address an individual on the Council, you will do so before or after the meeting.
8. There will be a limit of three (3) speakers on any one topic at the discretion of the Council Chair. The first three people who sign up for a specific topic have a preference over others who sign up after them.
9. The Council Chairperson may limit the number of speakers on a topic or agenda item or the overall speaking time if the same will unduly delay the Meeting.
10. Remain focused on the topic that you selected to speak on.
11. Your opportunity to speak at a Council Meeting is not for airing one or more of your personal grievances. If you wish to verbally attack any organizations, members of government or private organization you will be asked to sit down
12. Each person who wishes to speak for “The Good of the Community” will be limited to one (1) address per meeting. If you choose to speak on a legislative item – you will not be allowed to speak “For the Good of the Community” at the same meeting, and vice versa.
13. The Chairperson will enforce all the rules and will maintain order.