

On April 30, 2019 the Niagara Falls City Council is going to make one of the most important good governance decisions in the City's history. The public debate on this property has been intense. Government officials who have weighed in on it have done so in the context that the legal issues are an open question. *An internal email sent by the city attorney* shows that all city officials concerned know there is no question regarding the legality. IT WAS NOT A LEGAL SALE. Nor was it legal for Seth Piccirrilo to allow it to happen. The City Council's decision has much broader implications and depending what they decide may CONSTITUTE A GOVERNMENT COVERUP. Many principles are at stake in this decision:

- Separation of powers
- Legislative oversight
- Integrity of their own charter
- Transparency
- Public resources
- Fair and equal opportunity in competition

The property disposition to be decided is 424 Memorial Parkway. This property was sold by the City through a Request for Proposal (RFP) process. This process differs from in-rem auctions which do not place on conditions on the purchaser. Both in-rem, RFP and even the city's special home ownership auction process if executed correctly are keeping with the principle of *fair and equal opportunity in competition*. The key is "correctly executed" and it review of other cases demonstrates a pattern of deviation from the process that raises serious questions of favoritism and corrupting the process to benefit persons with close relationships and special access to the government official most responsible for executing the process, the Director of Community Development. Because this official is currently running for mayor and this specific case has come to the public's attention now it is too easy to lose site of the real issues and write it all off as political, I assure it is not.

The RFP for 424 Memorial Parkway was awarded to couple on condition that they rehabilitate the property to meet building codes within one year and live in it for 5 years with the date of the contract starting those clocks, 26 July 2017. By 26 July 2018, not only had they completely failed to rehab the property or reside there, the city at its expense was maintaining the yard of the property as they were failing to do at least that much. In accordance with the contract, on July 27, 2019 Seth Piccirrilo *should* have enforced the contracts reverter clause and took possession of the property.

Multiple parties expressed interest and inquired about the property seeking to learn when it would be rebid so that they may compete for it. They were led to believe *it would be rebid as required by law* it was just uncertain when that would be. The property was never rebid and was purchased by Karen Mock on December 6, 2018 directly from the couple who did not have clear title as the original contract with the city would at best not grant them clear title for at least five years. For all intent and purpose **424 Memorial Parkway was public property**. In public statements Seth Piccirilo has admitted he gave permission to the couple to sell the property, however Seth Piccirilo as a member of the executive branch does not have the authority to alter the contract only the authority to enforce it. In order for the purchase to be legal he would have to ask the City Council to approve such a deviation from the contract and this is what he is asking the council to do after the fact on 30 April 2019.

There are all sorts of details that lend to a theory of special interest and access on the part of Karen Mock to Seth Piccirilo. Lost in all of that are the overarching principles of governance. The supreme law of the City is its Charter that places contracting authority in the City Council and enforcement authority in the Executive branch, *this is a clear violation of separation of powers*. Seth Piccirilo didn't have the authority to allow the sale without council permission and his years of experience in the position make it impossible to believe that he was ignorant of his authority and the internal email by the City Attorney clearly shows that the all government officials have been reminded; *"The City Council is the only entity that can grant a reprieve from complying with conditions that it imposed"*.

It is expected that the council will be asked to decide between allowing Mock to keep the property or buying the property from Mock for the alleged price she paid of \$10,000 however public records show she claims to have paid \$1 and the couple originally purchased it from the city for \$1,000. While this is the request Seth Piccirilo will make, it is not the Council's only option. They may also elect to direct the enforcement of the contract and have the city take possession of the property as it should have sometime soon after July 27 2018.

Allowing Mock to keep the property once again violates:

1. Fair and equal competition (other parties were interested)
2. Public resources (the public is entitled to receive the best possible price for their property and we do not know what that price is without bidding it)
3. Separation of Powers (allowing Seth's exceeding his authority to be excused after the fact shred's the city charter and sets a precedent that any administration official may at any time

usurp council authority and if it becomes an issue remedy it by putting council in the uncomfortable position of approving it because undoing the decision may be more difficult)

4. Integrity of the Charter (same basic reason as above)

5. Government oversight (what this situation demonstrates is a flaw in how the Niagara Falls City council provides oversight. They should require regular updates regarding contract progress and enforcement, the City Council sometime between July and December should have been asking about the status of this property and various city councilmen were made aware of it by various other interested parties the city council is not completely without fault in this matter).

The decision to pay Mock \$10,000 would violate items 3, 4 and 5 above for the same basic reasons.

The decision to simply enforce the contract and take back the property is the only option that does not violate principles of good governance. It can be clearly demonstrated that Mock played an integral role in this whole story from the decision to award the couple the RFP to today. She cannot be rewarded for knowingly circumventing the process to gain the property from the public. Mock has done this in the past to the extent she failed to remedy code violations on a structure on the lot she owned adjacent to her current home, the city demolished it and she failed to pay the bill, the city took the property and Mock later purchased it at a much lower cost than the original demolition. The executive branch must be disciplined so they do not exceed authority in the future and our City Charter should be strictly adhered to and our council should resolve to be more diligent in their oversight responsibility.

The public deserves to clearly understand this before the April 30, 2019 meeting. The public deserves to know all officials already understand the larger important issues and that what the executive branch is asking for is for the council to excuse their violations of principles, laws, rules and regulations after the fact and be the executive's subordinate puppet instead of a co-equal branch of government capable and willing to provide the checks and balances necessary to maintain the public's trust and protect the public interest. Please use this information and supporting documents and through your platform inform the public.

The public also deserves to know that a similar RFP for 326 Cedar Avenue has exceedingly questionable circumstances that touch on the same issues of good governance. This property was awarded through an RFP with the same requirements and criteria as Memorial Parkway,

however the council did not require the winner to reside there it did require rehabilitation on a given time line. The winning bidder in this case was Bernice Raddle who is currently running for Buffalo Common Council. Raddle appears to have met her conditions but at the time of the RFP award as documented in the council minutes, Seth Piccirilo said it was important for the council to note that the property management plan did not include use as an internet based unit rental (airbnb). Ms. Raddle's contract however did not have any conditions in it what so ever. She was never even legally obligated to execute the renovations and the council would have never been able to enforce the contract agreement the believed they were approving.

To compound this special treatment of Raddle's contract she is using the property as an airbnb and has not taken any of the steps to do so legally and Seth Piccirilo while making a point on TV news of showing his tough stance of "illegal rentals" has avoided taking any action against Ms. Raddle even though he has been informed of her activities. The City Council is also failing in their oversight by not calling these RFP issues and failure of the executive branch to enforce equally the laws they so recently enacted.

These 2 cases as well as a comprehensive review of others demonstrates conclusively that the residents of Niagara Falls are not receiving the quality of government their City Charter Directs. Ultimately, the best decision of the council at their 30 April 2019 meeting is to resolve to

1. Enforce their contract on Memorial Parkway
2. Exercise their investigative authority and rebalance their status of a co-equal branch of government

Subject: Re: 424 Memorial Parkway

From: Craig.Johnson@niagarafallsny.gov

Date: 2/4/2019, 12:59 PM

To: Seth.Piccirillo@niagarafallsny.gov

CC: Mark.Diodate@niagarafallsny.gov, Nicholas.Melson@niagarafallsny.gov, Andrew.Touma@niagarafallsny.gov, William.Kennedy@niagarafallsny.gov, Ezra.Scott@niagarafallsny.gov, Christopher.Voccio@niagarafallsny.gov, Kenny.Tompkins@niagarafallsny.gov, "James Bragg" <jbragg@nfez.org>

The Legal Department is not being proactive in this situation. This department is merely reacting to information presented to the City Council prior to its meeting on January 23, 2019.

The only thing the Legal Department has done regarding this matter is gather facts and information and prepare a proposed letter to begin the process of protecting the City's rights and its position if it comes to that. The proposed letter was prepared as a defensive strategy so that when the media or Memorial Park Block Club members question how this transfer in December took place and what the City planned to do about it, I had an answer. That proposed letter has not yet gone out and was sent to you and City Administrator Melson for review and comment. At the time I prepared that letter, I was not aware that you had information about this situation.

You cite two (2) precedents for a home ownership auction property to be transferred/sold by the successful auction bidder to a third party. The first is 3543 Ferry Avenue. Because of extenuating circumstances the City, through NFCD, bought the property back from the successful bidder. This, however, was only done **after** approval by the City Council. You also cite 2890 McKoon Avenue as precedent. This property was transferred/sold by the successful home ownership auction bidder to a family member due to extenuating circumstances. We have not yet ascertained whether this transfer was done with or without Council approval.

The fact of the matter is that the City Council approved the sale of 424 Memorial Parkway and as part of that sale, imposed certain conditions which were among your home ownership auction conditions.

The City Council is the only entity that can grant a reprieve from complying with conditions that it imposed. Therefore, prior to the December, 2018 transfer from Cali and Melcher to Mock and Munoz, proper protocol would have been for a request to have been made to the City Council to amend its prior approval of this transfer based upon the extenuating circumstances of one of the parties and a recommended solution similar to what was done with 3543 Ferry Avenue. That did not happen here which has resulted in certain neighbors in the vicinity of 424 Memorial Parkway to crying "foul."

At this point it appears that a request should be made to the City Council to determine whether or not it will approve this transfer/sale from Cali and Melcher to Mock and Munoz nunc pro tunc. In the event the City Council approves this transfer/sale on a nunc pro tunc basis because of extenuating circumstances, I do not see this office having any further involvement in this matter. If however the City Council does not approve this transfer/sale nunc pro tunc, then I do not see this office having any choice other than to proceed to enforce the City's right of reverter.

If you wish to discuss this further I am available to do so.

The City of Niagara Falls is seeking competitive purchase/renovation proposals for 424 Memorial Parkway. The City took ownership of the property via tax foreclosure and it has been vacant for at least three years. The house is also eligible for both federal and New York State historic preservation tax credit application.

The City will accept proposals, received in the Purchasing Department office at City Hall, Room 17, 745 Main Street, Niagara Falls, New York, 14302-0069 on or before 12:00PM on May 26, 2017. All developers submitting proposals will be notified of the selection of the successful developer by mail on or around June 15, 2017.

A certified or bank check in the amount of \$500.00, payable to the City Controller of the City of Niagara Falls, NY, is required with each Proposal. This check will be returned in the event that the City does not select your proposal. If your Proposal is selected, the \$500 will be applied as a partial deposit against the purchase price.

RFP Requirements:

- 1. Identify if the proposed owner or a property manager will live in one of the residential units as a prime occupant.**
 - 2. Identify the proposed owner and the proposed construction and management contractors, if known. Identify all investors and officers in the owner and management entities. Provide information of comparable project development and management experience for owners or investors who will be active in the development or management.**
 - 3. Provide a project budget. Identify proposed sources and uses of financing and equity investment.**
 - 4. A complete project description, including any historic preservation plan, proposed uses, scale, quality of materials, simple site plan and project sketches or floor plans.**
 - 5. Project timetable, including dates, for obtaining financing, closing, start and completion of construction.**
-

Record and return to:
Richard Zucco
Community Development
MPO Box 69
Niagara Falls, NY 14302

2017334132

2017-15299
08/04/2017 03:01:55 PM
3 Pages
DEED

Joseph A. Jastrzemski, Niagara County Clerk

Clerk: TH

THIS INDENTURE made the 26 day of July 2017 between **CITY OF NIAGARA FALLS, NEW YORK**, a municipal corporation organized and existing pursuant to the laws of the State of New York, with offices at City Hall, 745 Main St. P.O. Box 69, Niagara Falls, NY 14302, Grantor, and **RYAN P. CALI and MATHEW B. MELCHER**, residing at 835 - 17th St., NY 14301, Grantees,

WITNESSETH, that the said Grantor, in consideration of One and More Dollars (\$1.00 & more) lawful money of the United States, paid by the Grantees, receipt and sufficiency of which is hereby acknowledged, does hereby remise, release and quitclaim unto the party of the Grantee, the heirs, distributes and assigns of Grantee, in "as is" condition,

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Niagara Falls, County of Niagara and State of New York known as and being SBL #159.31-1-24, Ward 05 Pro 0210, 424 Memorial Parkway, with a frontage of 66 feet and depth of 132 feet on the west side of Memorial Parkway, and being Serial No. 51 as contained in the Petition and Notice of Foreclosure filed under Index No. 156206 pursuant to Article 11 of the Real Property Tax Law of the State of New York.

TOGETHER WITH the appurtenances and all the estate and rights of the Grantor in and to the said premises.

SUBJECT TO the following conditions:

GRANTEES must submit a detailed repair/rehabilitation plan to Grantor within 60 days of the date of this deed;

GRANTEES must rehabilitate the property up to Code within one year of the date of this deed and must reside in the home for not less than five (5) years from the date of completion of rehabilitation;

THE PREMISES shall revert to Grantor upon failure of Grantees to comply with these conditions,

TO HAVE AND TO HOLD, the above granted premises unto the said Grantees, and said Grantee's heirs, distributees and assigns forever.

SUBJECT TO the trust fund provision of section thirteen of the lien law.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal the day and year first above written.

CITY OF NIAGARA FALLS, NEW YORK

ATTEST:

Lisa A. Vitello
City Clerk

Paul A. Dyster
PAUL A. DYSTER, Mayor

2017

Dear Members of the Niagara Falls Planning Board,

It is with great concern for our neighborhood that we write this letter / petition.

It has come to our attention that Community Development is attempting to award 424 Memorial Parkway along with other City owned homes to an out of town developer/investor group rather than a home owner. We want to make it clear that the neighborhood is NOT in support of this action and STRONGLY opposes it. We maintain our long standing position that the highest and best use for this home and other homes owned by the City on Memorial Parkway is owner occupied.

We would not want the City to be short sighted and consider purchase price to be the determining factor when choosing a purchaser for the home. You must consider the impact on the community as the foremost factor. Our understanding is that preference would be given to an owner who will occupy the property. As stated in the RFP, preference should be given to a "prime occupant." This home is not an apartment building therefore it would be unreasonable to have an "on site manager." This a single family home.

It has also come to our attention that this home is being offered as part of a package deal, which was not made public. If there is a package deal being offered then why was that same package not offered out to be bid on through an open and transparent RFP process? A package deal being offered would be attractive to many investors, therefore creating competition and driving the price higher. We DO NOT want investors buying these homes, however if there were no owner occupants interested then having an open and transparent process would be the next best option for a package offering.

We were under the impression that a goal of the City of Niagara Falls is to increase the home ownership. That mission is not being upheld here.

A recent study by Penn State concluded that "owner occupied homes increase surrounding property values as neighbors are willing to pay more to live near owner/occupiers. The value of home ownership has largely been qualified through the behavioral patterns of owners versus renters and the subsequent positive effects in the community."

It is vital the Planning Board understands that we will use every measure possible to protect the interest of the current home owners and the entire community. We are asking that the Planning Board reject the proposed sale of 424 Memorial Pkwy. If you are unwilling to disapprove the sale then please table it and give the community a chance to have input during the process as this sale will greatly impact our neighborhood.

We appreciate your thoughtful consideration to this matter.

Respectfully,

Memorial Parkway neighbors

~~Scott~~ ~~Park~~ 451 Memorial Pkwy
Paul 42513 " " 17

Karen Mack 437 Memorial Pkwy

Noah Munoz 433 Memorial Pkwy

Andre Gomez 437 Memorial Pkwy

Tina Galyon 452 Memorial Pkwy.

Andrea Galyon 452 Memorial Pkwy.

Aubrey Hunt 439 Mem Pkwy

Clarie C Miller 452 Memorial Apt 2

Joe Monaco 433 Memorial

Cheryl Monaco 433 Memorial

~~Jeff~~ ~~James~~ 449 Memorial Pkwy

Michael 444 Memorial Pkwy

Paul Noddin Brian Harrell 458 Memorial Pkwy



NIAGARA COUNTY - STATE OF NEW YORK
JOSEPH A. JASTRZEMSKI - NIAGARA COUNTY CLERK
P.O. BOX 461, LOCKPORT, NEW YORK 14095-0461

COUNTY CLERK'S RECORDING PAGE
THIS PAGE IS PART OF THE DOCUMENT - DO NOT DETACH



INSTRUMENT #: 2018-22588

Receipt#: 2018399616
Clerk: TH
Rec Date: 12/21/2018 04:29:20 PM
Doc Grp: DEED
Descrip: DEED
Num Pgs: 3

Party1: MELCHER MATHEW B
CALI RYAN P
Party2: MOCK KAREN
MUNOZ NOAH
Town: NIAGARA FALLS

Recording:

Cover Page	8.00
Recording Fee	11.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 169.00

Transfer Tax
Transfer Tax 0.00

Sub Total: 0.00

Total: 169.00
**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 2869
Transfer Tax

Total: 0.00

Record and Return To:

JASON J CAFARELLA PC
BOX 21

WARNING***

** Information may change during the verification
process and may not be reflected on this page.

Joseph A. Jastrzemski
Niagara County Clerk

WARRANTY DEED WITH FULL COVENANTS

THIS INDENTURE, made the 5th day of December, 2018 between Mathew B. Melcher, 8409 Troy Avenue, Niagara Falls, NY 14304, and Ryan P. Cali, 8409 Troy Avenue, Niagara Falls, NY 14304, party of the first part and Karen Mock, of 437 Memorial Parkway, Niagara Falls, New York 14303, and Noah Munoz, of 437 Memorial Parkway, Niagara Falls, New York 14303, as joint tenants with the right to survivorship, party of the second part,

WITNESSETH, that the party of the first part, in consideration of one (\$1.00) and more dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL THAT TRACT OF PARCEL OF LAND, situate in the City of Niagara Falls, County of Niagara and State of New York known as and being SBL #159.31-1-24, Ward 05 Pro 0210, 424 Memorial Parkway, with a frontage of 66 feet and depth of 132 feet on the west side of Memorial Parkway, and being Serial No. 51 as contained in the Petition and Notice of Foreclosure filed under Index No. 156206 pursuant to Article 11 of the Real Property Tax Law of the State of New York.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the costs of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

AND the party of the first part covenants as follows:

FIRST. That said party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

SECOND. That the party of the second part shall quietly enjoy the said premises;

THIRD. That the said premises are free from encumbrances, except as aforesaid;

R. E. JASNA Cafarella

2018339616

2018-22588
12/21/2018 04:29:20 PM
3 Pages
DEED

Joseph A. Jastrzemski, Niagara County Clerk

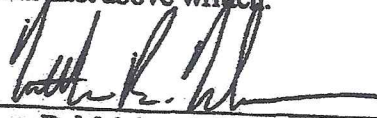
Clerk: TH

FOURTH. That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

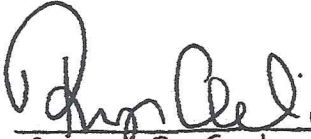
FIFTH. That said party of the first part will forever warrant the title to said premises.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.



Mathew B. Melcher

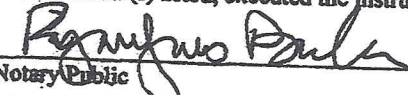


Ryan P. Cali

STATE OF NEW YORK
COUNTY OF NIAGARA

)
) ss.:

On the 5th day of December in the year 2018, before me, the undersigned, personally appeared, Mathew B. Melcher, ~~personally known to me or~~ proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) ~~is~~ (are) subscribed to the within instrument and acknowledged to me that they executed the same in their capacity(ies), and that by their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Notary Public

RYAN JAMES BREHMER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01BR6381346
Qualified in Niagara County
My Commission Expires 10-15-2022

Ryan P. Cali and



The City of Niagara Falls is seeking competitive purchase/renovation proposals for 326 Cedar Avenue, located in a nationally registered and locally designated historic district, mere yards from the Niagara Gorge.

The City will accept proposals, received in the Purchasing Department office at City Hall, Room 17, 745 Main Street, Niagara Falls, New York, 14302-0069 on or before 12:00PM on May 13, 2016. All developers submitting proposals will be notified of the selection of the successful developer by mail on or around May 27, 2016.

A certified or bank check in the amount of \$500.00, payable to the City Controller of the City of Niagara Falls, NY, is required with each Proposal. This check will be returned in the event that the City does not select your proposal. If your Proposal is selected, the \$500 will be applied as a partial deposit against the purchase price.

RFP Requirements:

- 1. Identify if the proposed owner or a property manager will live in one of the residential units as a prime occupant.***
 - 2. Identify the proposed owner and the proposed construction and management contractors, if known. Identify all investors and officers in the owner and management entities. Provide information of comparable project development and management experience for owners or investors who will be active in the development or management.***
 - 3. Provide a project budget. Identify proposed sources and uses of financing and equity investment.***
 - 4. A complete project description, including proposed uses, scale, quality of materials, simple site plan and project sketches or floor plans.***
 - 5. Project timetable, including dates, for obtaining financing, closing, start and completion of construction.***
-

Record and return to:

Bernice Radle

PO Box 236

Buffalo, NY 14205

Via Chicago Title

2017-19688

10/04/2017 11:56:14 AM

2 Pages

DEED

Joseph A. Jastrzemski, Niagara County Clerk

Cleric MAF

THIS INDENTURE made the 3 day of May, 2017 between CITY OF NIAGARA FALLS, NEW YORK, a municipal corporation organized and existing pursuant to the laws of the State of New York, with offices at City Hall, 745 Main St. P.O. Box 69, Niagara Falls, NY 14302, Grantor, and LITTLE WHEEL HOLDINGS LLC, ~~PO Box 236~~, Buffalo, NY ~~14205~~, Grantee, 1330 Niagara St.

WITNESSETH, that the said Grantor, in consideration of One and More Dollars (\$1.00 & more) lawful money of the United States, paid by the Grantee, receipt and sufficiency of which is hereby acknowledged, does hereby remise, release and quitclaim unto the party of the Grantee, the heirs, distributes and assigns of Grantee,

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Niagara Falls, County of Niagara and State of New York known as and being SBL #144.77-1-50, 326 Cedar Avenue, with a frontage of 40 feet and depth of 130 feet on the north side of Cedar Avenue and being Serial No. 209 as contained in the Petition and Notice of Foreclosure filed under Index No. 156206 pursuant to Article 11 of the Real Property Tax Law of the State of New York.

TOGETHER WITH the appurtenances and all estate and rights of the Grantor in and to premises.

THE PROPERTY CONVEYED HEREIN IS CONVEYED IN "AS IS" CONDITION,

TO HAVE AND TO HOLD, the above granted premises unto the said Grantee, and said Grantee's heirs, distributees and assigns forever.

SUBJECT TO the trust fund provision of section thirteen of the lien law.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal the day and year first above written.

CITY OF NIAGARA FALLS, NEW YORK

By:

Paul A. Dyster
PAUL A. DYSTER, Mayor

ATTEST:

Lisa A. Vitello
City Clerk

STATE OF NEW YORK
COUNTY OF NIAGARA

) ss.

On the 3rd day of May in the year 2017 before me, the undersigned, personally appeared PAUL A. DYSTER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

THOMAS M. O'DONNELL
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN NIAGARA COUNTY
COMMISSION EXPIRES 04/30/2019

Thomas M. O'Donnell
Notary Public

326 Cedar

THE FOLLOWING COMMUNICATION WAS SUBMITTED BY THE CITY CLERK

CITY CLERK'S REPORT FOR THE MONTH OF JUNE 2016
Agenda Item #1

THIS ITEM WAS RECEIVED AND FILED

THE FOLLOWING COMMUNICATIONS WERE SUBMITTED BY THE MAYOR

CITY PROPERTY: 109 24TH STREET, SALE TO SANDSTONE SPRINGS

Agenda Item #2

The City Council and Niagara Falls Urban Renewal Agency board of directors have completed the steps to authorize the sale by NFURA of 109 - 24th Street to Sandstone Springs, LLC. The parcel is surplus property from the old Allen-McKenna Urban Renewal Plan. The City owned much of the property in the Allen-McKenna Urban Renewal Area. The City deeded its property to NFURA for the purpose of carrying out the Allen-McKenna Urban Renewal Plan.

The title examiner preparing the title search for 109 - 24th Street cannot find a deed for this parcel from the City to NFURA.

The 109 - 24th Street property is shown on tax and assessor records as belonging to NFURA. We are still searching NFURA archives to see if a deed for this parcel can be located, but have exhausted most avenues of inquiry. We are requesting that the City Council authorize execution of a quit-claim deed to clear up any title questions. The quit-claim deed will run to NFURA or to Sandstone Springs, LLC, as the purchaser and title examiner may determine. We hope to close on the sale in August.

Will the Council vote to approve execution of a quit-claim deed for 109 - 24th Street as set forth herein, and authorize the Mayor to execute any documents necessary to effectuate the same?

Council Member Grandinetti moved that the communication be received and filed and the recommendation approved.

Yeas
Nays

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0

APPROVED

CITY PROPERTY: 326 CEDAR AVENUE, SALE TO BUFFALOVE DEVELOPMENT

Agenda Item #3

The Administration recommends the sale of 326 Cedar Avenue to Buffalove Development at a sale price of \$10,000. Disposition of this property was recommended by the Niagara Falls Planning Board on July 13, 2016. This property is owned by the City of Niagara Falls due to tax foreclosure.

The Niagara Falls Community Development Department (CD), in consultation with the Purchasing and Planning Departments, released a Request for Proposal (RFP) for 326 Cedar Avenue in April 2016, with proposals due on May 13, 2016.

Three proposals were received and graded in five categories, on a one to five scale (1 = Weakest / 5 = Strongest)

- Strength of Developer's Renovation Plan and Schedule
- Strength of Developer's Renovation Experience
- Developer's Recognition of the Historic Nature of the Renovation
- Strength of the Developer's Property Management Experience

It is CD's recommendation to sell 326 Cedar Avenue to Buffalove Development for \$10,000. All three proposals presented strong renovation plans. As documented in the review sheets, Buffalove Development's understanding of the historic nature of this renovation, as well as its plan to create market rate apartments, led to its high score. It is important to note that internet based unit rentals are not part of the property management plan.



The Cedar House - Niagara Falls, USA.

Niagara Falls



Bernice

🏠 Entire apartment

6 guests 2 bedrooms 4 beds 1 bath

🔑 Great check-in experience

100% of recent guests gave the check-in process a 5-star rating.

🔑 Self check-in

Check yourself in with the lockbox.

🧼 Sparkling clean

12 recent guests said this place was sparkling clean.

Welcome to the Cedar House!

This historic 2 bedroom apartment is located in the sleepy Park Place Historic District - walking distance from the Niagara Falls attractions!

The Cedar House is a good spot for families, a weekend with friends and business travel.