

FOIL REQUEST FORM: to the City of Niagara Falls, NY (ver 02.08.23)

FOIL #: 24052

PLEASE TYPE OR PRINT LEGIBLY:

DATE: 02/07/24

Legal / Controller

DEPARTMENT TO RECEIVE REQUEST

DEPARTMENT ADDRESS

I HEREBY APPLY FOR COPIES OF / TO INSPECT (CIRCLE ONE) THE FOLLOWING RECORD(S):

1. Any and all bills and/or invoices submitted to the City of Niagara Falls for any and all services rendered by the firm, Hodgson Russ, if they relate to the development of the proposed Central Park "Event Campus" in Niagara Falls for the time
2. period starting June 30, 2022 and ending Feb. 7, 2024

*PROVIDE IN ELECTRONIC FORMAT IF AVAILABLE?

☒ YES

☐ NO

(CIRCLE ONE)

Mark Scher

SIGNATURE / PRINT

473 Third St., Niagara Falls, NY 14301

MAILING ADDRESS / EMAIL ADDRESS

Niagara Gazette

REPRESENTING (self or company/organization)

(716) 286-2311, ext. 2254

PHONE NUMBER

*** NO CHARGE FOR EMAILED RECORDS *** 8.5" X 11" PAPER COPIES ARE 25 CENTS / PAGE ***

FOR AGENCY USE ONLY

☐ APPROVED WITHOUT REDACTION.

☒ APPROVED WITH REDACTION FOR REASON(S) CHECKED:

☐ DENIED FOR REASON(S) CHECKED:

RECORDS NOT LOCATED BECAUSE:

☐ THIS DEPARTMENT IS NOT THE CUSTODIAN, or
☐ RECORDS OF WHICH THIS DEPARTMENT IS A
CUSTODIAN COULD NOT BE FOUND AFTER
DILIGENT SEARCH.

RECORDS REDACTED OR WITHHELD BECAUSE:

☒ EXEMPTED BY STATUTE OTHER THAN FOIL
[POL §87(2)(a)]
☐ TO PREVENT ENDANGERING SAFETY OF ANY
PERSON [POL §87(2)(f)]
☐ UNWARRANTED INVASION OF PRIVACY [POL

§87(2)(b) and §89(2)]

☐ LAW ENFORCEMENT EXCEPTION

[POL §87(2)(e)]

☐ TO PREVENT IMPAIRMENT OF IMMINENT
CONTRACT AWARD OR CBA NEGOTIATIONS

[POL §87(2)(c)]

☒ TO PREVENT DISCLOSURE OF EXEMPT INTER-
AGENCY OR INTRA-AGENCY MATERIAL

[POL §87(2)(g)]

☐ OTHER (SPECIFY):

SIGNATURE

TITLE

DATE

NOTICE: YOU HAVE A RIGHT TO APPEAL WITHIN 30 DAYS OF A DENIAL OF YOUR FOIL REQUEST. COMPLETE THE BELOW FORM AND MAIL IT TO: CORPORATION COUNSEL, CHRISTOPHER MAZUR, AT 745 MAIN ST., NIAGARA FALLS, NY 14301. [phone # (716) 286-4427] YOU MUST INCLUDE A WRITTEN EXPLANATION OF YOUR APPEAL THAT IDENTIFIES THE DATE AND LOCATION OF YOUR REQUEST FOR RECORDS, AND A DESCRIPTION, TO THE EXTENT POSSIBLE, OF THE RECORDS THAT YOU CLAIM WERE DENIED.

APPELLANT'S FULL NAME (print)

APPELLANT'S RETURN ADDRESS

I HEREBY APPEAL:

DATE

(sign)

Feb. 7, 2024

~~Vicky Wideman~~ *Elizabeth Eston*
Records Access Officer
City of Niagara Falls
745 Main St.
Niagara Falls, New York 14301

RE: FOIL request

Dear Ms. Wideman,

Pursuant to the New York State Freedom of Information Law (1977 N.Y. Laws ch. 933), I hereby request the following:

- Copies of any and all bills and/or invoices submitted to the City of Niagara Falls for any and all services rendered by the law firm, Hodgson Russ, as they relate to the development of the proposed Centennial Park “events campus” in Niagara Falls for the time period starting June, 30 2022 and ending Feb. 7, 2024.

I ask that any fees related to this request be waived and that you inform me of any charges you might assess that would exceed \$50. Please provide the records in an electronic format via email.

As you know, the New York Freedom of Information Law requires a response within five business days. If you

2024 FEB -7 AM 1:56
CITY OF NIAGARA FALLS
RECORDS ACCESS OFFICE

intend to take more than those five days to provide the records, please advise me in writing as to when you intend to do so. I wish to note the requirements stipulated in Section 89, 3a of FOIL:

If an agency determines to grant a request in whole or in part, and if circumstances prevent disclosure to the person requesting the record or records within twenty business days from the date of the acknowledgement of the receipt of the request, the agency shall state, in writing, both the reason for the inability to grant the request within twenty business days and a date certain within a reasonable period, depending on the circumstances, when the request will be granted in whole or in part.

If any portion of my request is denied, please state the statutory exemption and provide the name and address of the person or body to whom an appeal should be directed.

Thank you in advance for your anticipated cooperation in this matter. Please contact me with any questions you might have.

Sincerely,

Mark Scheer
Reporter
Niagara Gazette newspaper

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OFFICE

473 Third Street
Niagara Falls, New York 14301
716-282-2311, ext. 2254

2024 FEB -7 AM 1:56

NY 11500'S OFFICE
RECEIVED
FEB 7 2024

FREEDOM OF INFORMATION REQUEST RECEIVED

Dear FOIL Submitter:

FEB 07 2020
Your FOIL request dated [redacted] as received by the City of Niagara Falls, New York, on [redacted] and pursuant to the New York State Freedom of Information Law, Public Officers Law Article 6, is hereby acknowledged. It is anticipated that your request will be granted or denied *within twenty (20) business days*. However, due to the disruption in operations caused by the novel coronavirus, (COVID-19), response times may be effected. Your patience under these circumstances is appreciated.

In addition, to the extent that the documents requested are not maintained electronically, additional time may be required to locate and review documents and respond to the request.

Access to the records, in whole or part, will be determined in accordance with Article 89 section 5 of the Freedom of Information Law. Once the research has been completed, you will be notified of the results of the records search.

Pursuant to FOIL, a fee of \$.25 per page for photocopies not exceeding 9"x14" will be charged, unless you choose to have the records emailed to you. Please note that until further notice, responsive documents cannot be picked up in person at City Hall. Hard copies may be mailed to your attention subject to the above-mentioned charges and mailing costs.

Thank you in advance for your cooperation. If you have any questions, or require further information, please do not hesitate to contact me at 716-286-4390.

Sincerely,

Nadine A. Wasson
Records Access Officer
City of Niagara Falls, New York

2024 FEB - 7 AM 1:55

RECEIVED
CITY OF NIAGARA FALLS
FOIL REQUESTS OFFICE

City of Niagara Falls, New York

TO: City Clerk / FOIL Officer
FROM: Thomas DeBoy, Acting Corporation Counsel
DATE: July 25, 2024
RE: FOIL Request 24.052.Gazette.HR invoices 6/30/22 – 2/7/24

Please remind the Niagara Gazette that it previously received the Controller's response to FOIL 22.352, covering Hodgson Russ invoices for the period starting on 1/1/2020 and ending with the invoice dated 9/30/22. The four (4) invoices from that period totaled \$44,274.20 in legal services relative to the proposed Centennial Park project.

The instant FOIL request (24.052) seeks the same type of invoices for the period "starting June 30, 2022, and ending Feb. 7, 2024." Hence, there is an overlap with the Gazette's prior FOILs: 22.352 and 23.468. To avoid any further confusion, the enclosed response picks up from where the response to FOIL 22.352 left off – the invoice dated 9/30/22.

After conducting a diligent search of all Hodgson Russ invoices received after the one dated 9/30/22, and excluding the redaction of billing description information, it has been determined that the only responsive invoices consist of the fourteen (14) enclosed herewith, starting with the Hodgson Russ invoice dated 10/8/22, up to and including the one dated 2/21/24. These total \$46,700.00 in legal services for Centennial Park.

Thus, the total cost of all Hodgson Russ legal services rendered relative to the proposed Centennial Park project, up to and including the invoice dated 2/21/24, is \$90,974.20.

The Guaranty Building
140 Pearl Street, Suite 100
Buffalo, NY 14202-4040
716.856.4000

Federal ID #16-0708550



CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: October 18, 2022
Invoice Number: 1173141
Matter Number: 005140.00038
Billing Attorney: AWP

Please return this copy with your payment.

CURRENT INVOICE:

Professional Services	\$	1,668.50
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Total Current Invoice	\$	1,668.50
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Payable in U.S. Funds

For ACH and Wire payments, please email AccountsReceivable@hodgsonruss.com with detailed remittance information.

ACH/Wire: **ABA Routing:** 022000046 **Account:** 64345 **Beneficiary Name:** Hodgson Russ LLP
 Swift Code: MANTUS33XXX **Bank Name:** M&T Bank **Bank Address:** One M&T Plaza, Buffalo, NY 14203

Checks: **Payable to:** Hodgson Russ LLP **Firm Address:** ATTN: MP, 140 Pearl St., Buffalo, NY 14202-4040
 Memo line: Reference Invoice Number or Matter Number

****We will not alter these instructions by phone, email, or a text; If you receive such instructions, call Accounting Help Desk at 716.848.1255 to verify.**** **Payment due in 15 days.** **Thank you for your business.**

Albany, NY	Buffalo, NY	Greensboro, NC	Hackensack, NJ	New York, NY
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Federal ID #16-0708550



CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: October 18, 2022
Invoice Number: 1173141
Matter Number: 005140.00038
Billing Attorney: AWP

RE: CENTENNIAL PARK - SPECIAL COUNSEL

ITEMIZED SERVICES:

Date	Initials	Description	Hours
09/19/22	JJT		3.40
09/20/22	JJT		1.30
	JJT	Joel J. Terragnoli	4.70 hours @ 355.00 1,668.50
		Professional Services	\$ 1,668.50
Total Current Invoice			\$ 1,668.50

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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: November 21, 2022
Invoice Number: 1177944
Matter Number: 005140.00038
Billing Attorney: AWP

Please return this copy with your payment.

CURRENT INVOICE:

Professional Services \$ 1,318.50

Total Current Invoice	\$ 1,318.50
------------------------------	--------------------

Payable in U.S. Funds

For ACH and Wire payments, please email AccountsReceivable@hodgsonruss.com with detailed remittance information.

ACH/Wire: **ABA Routing:** 022000046 **Account:** 64345 **Beneficiary Name:** Hodgson Russ LLP
Swift Code: MANTUS33XXX **Bank Name:** M&T Bank **Bank Address:** One M&T Plaza, Buffalo, NY 14203

Checks: **Payable to:** Hodgson Russ LLP **Firm Address:** ATTN: MP, 140 Pearl St., Buffalo, NY 14202-4040
Memo line: Reference Invoice Number or Matter Number

****We will not alter these instructions by phone, email, or a text; If you receive such instructions, call Accounting Help Desk at 716.848.1255 to verify. ****
Payment due in 15 days. Thank you for your business.

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Federal ID #16-0708550



CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: November 21, 2022
Invoice Number: 1177944
Matter Number: 005140.00038
Billing Attorney: AWP

RE: CENTENNIAL PARK - SPECIAL COUNSEL

ITEMIZED SERVICES:

Date	Initials	Description	Hours
10/03/22	DAS		0.40
10/26/22	JJT		0.80
10/27/22	DAS		0.40
10/27/22	JJT		0.60
10/31/22	JJT		1.30

DAS	Daniel A. Spitzer	0.80	hours @ 450.00	360.00
JJT	Joel J. Terragnoli	2.70	hours @ 355.00	958.50

Professional Services \$ 1,318.50

Total Current Invoice	\$ 1,318.50
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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: December 13, 2022
Invoice Number: 1180610
Matter Number: 005140.00038
Billing Attorney: AWP

Please return this copy with your payment.

CURRENT INVOICE:

Professional Services \$ 3,452.00

Total Current Invoice	\$ 3,452.00
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Payable in U.S. Funds

For ACH and Wire payments, please email AccountsReceivable@hodgsonruss.com with detailed remittance information.

ACH/Wire: **ABA Routing:** 022000046 **Account:** 64345 **Beneficiary Name:** Hodgson Russ LLP
Swift Code: MANTUS33XXX **Bank Name:** M&T Bank **Bank Address:** One M&T Plaza, Buffalo, NY 14203

Checks: **Payable to:** Hodgson Russ LLP **Firm Address:** ATTN: MP, 140 Pearl St., Buffalo, NY 14202-4040
Memo line: Reference Invoice Number or Matter Number

****We will not alter these instructions by phone, email, or a text; If you receive such instructions, call Accounting Help Desk at 716.848.1255 to verify. ****
Payment due in 15 days. Thank you for your business.

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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: December 13, 2022
Invoice Number: 1180610
Matter Number: 005140.00038
Billing Attorney: AWP

RE: CENTENNIAL PARK - SPECIAL COUNSEL

ITEMIZED SERVICES:

Date	Initials	Description	Hours
11/22/22	JJT		4.10
11/23/22	AWP		0.20
11/23/22	JJT		1.00
11/27/22	DAS		2.20
11/28/22	DAS		0.60
11/28/22	JJT		0.60
11/28/22	CNF		0.10
11/29/22	DAS		0.10

AWP	Adam W. Perry	0.20	hours @ 490.00	98.00
DAS	Daniel A. Spitzer	2.90	hours @ 450.00	1,305.00
JJT	Joel J. Terragnoli	5.70	hours @ 355.00	2,023.50
CNF	Cheyenne N. Freely	0.10	hours @ 255.00	25.50

Professional Services \$ 3,452.00

Total Current Invoice	\$ 3,452.00
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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: January 25, 2023
Invoice Number: 1185175
Matter Number: 005140.00038
Billing Attorney: AWP

Please return this copy with your payment.

CURRENT INVOICE:

Professional Services \$ 229.50

Total Current Invoice	\$ 229.50
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Payable in U.S. Funds

For ACH and Wire payments, please email AccountsReceivable@hodgsonruss.com with detailed remittance information.

ACH/Wire: **ABA Routing:** 022000046 **Account:** 64345 **Beneficiary Name:** Hodgson Russ LLP
Swift Code: MANTUS33XXX **Bank Name:** M&T Bank **Bank Address:** One M&T Plaza, Buffalo, NY 14203

Checks: **Payable to:** Hodgson Russ LLP **Firm Address:** ATTN: MP, 140 Pearl St., Buffalo, NY 14202-4040
Memo line: Reference Invoice Number or Matter Number

****We will not alter these instructions by phone, email, or a text; If you receive such instructions, call Accounting Help Desk at 716.848.1255 to verify.****
Payment due in 15 days. Thank you for your business.

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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: January 25, 2023
Invoice Number: 1185175
Matter Number: 005140.00038
Billing Attorney: AWP

RE: CENTENNIAL PARK - SPECIAL COUNSEL

ITEMIZED SERVICES:

Date	Initials	Description	Hours
12/01/22	CNF		0.10
12/02/22	CNF		0.30
12/02/22	CNF		0.50
	CNF	Cheyenne N. Freely	0.90 hours @ 255.00 229.50
		Professional Services	\$ 229.50
Total Current Invoice			\$ 229.50

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Federal ID #16-0708550



CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: February 24, 2023
Invoice Number: 1189353
Matter Number: 005140.00038
Billing Attorney: AWP

Please return this copy with your payment.

CURRENT INVOICE:

Professional Services \$ 787.50

Total Current Invoice	\$ 787.50
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Payable in U.S. Funds

For ACH and Wire payments, please email AccountsReceivable@hodgsonruss.com with detailed remittance information.

ACH/Wire: **ABA Routing:** 022000046 **Account:** 64345 **Beneficiary Name:** Hodgson Russ LLP
Swift Code: MANTUS33XXX **Bank Name:** M&T Bank **Bank Address:** One M&T Plaza, Buffalo, NY 14203

Checks: **Payable to:** Hodgson Russ LLP **Firm Address:** ATTN: MP, 140 Pearl St., Buffalo, NY 14202-4040
Memo line: Reference Invoice Number or Matter Number

****We will not alter these instructions by phone, email, or a text; If you receive such instructions, call Accounting Help Desk at 716.848.1255 to verify.**** **Payment due in 15 days.** **Thank you for your business.**

Albany, NY	Buffalo, NY	Greensboro, NC	Hackensack, NJ	New York, NY
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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: February 24, 2023
Invoice Number: 1189353
Matter Number: 005140.00038
Billing Attorney: AWP

RE: CENTENNIAL PARK - SPECIAL COUNSEL

ITEMIZED SERVICES:

Date	Initials	Description	Hours
01/13/23	JJT		1.10
01/28/23	JJT		1.00
	JJT	Joel J. Terragnoli	2.10
		hours @ 375.00	787.50
		Professional Services	\$ 787.50
Total Current Invoice			\$ 787.50

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Federal ID #16-0708550



CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: March 28, 2023
Invoice Number: 1193361
Matter Number: 005140.00038
Billing Attorney: AWP

Please return this copy with your payment.

CURRENT INVOICE:

Professional Services \$ 4,035.00

Total Current Invoice	\$ 4,035.00
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Payable in U.S. Funds

For ACH and Wire payments, please email AccountsReceivable@hodgsonruss.com with detailed remittance information.

ACH/Wire: **ABA Routing:** 022000046 **Account:** 64345 **Beneficiary Name:** Hodgson Russ LLP
Swift Code: MANTUS33XXX **Bank Name:** M&T Bank **Bank Address:** One M&T Plaza, Buffalo, NY 14203

Checks: **Payable to:** Hodgson Russ LLP **Firm Address:** ATTN: MP, 140 Pearl St., Buffalo, NY 14202-4040
Memo line: Reference Invoice Number or Matter Number

****We will not alter these instructions by phone, email, or a text; If you receive such instructions, call Accounting Help Desk at 716.848.1255 to verify. ****
Payment due in 15 days. Thank you for your business.

Albany, NY	Buffalo, NY	Greensboro, NC	Hackensack, NJ	New York, NY
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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: March 28, 2023
Invoice Number: 1193361
Matter Number: 005140.00038
Billing Attorney: AWP

RE: CENTENNIAL PARK - SPECIAL COUNSEL

ITEMIZED SERVICES:

Date	Initials	Description	Hours
02/02/23	JJT		0.10
02/03/23	DAS		0.30
02/07/23	DAS		0.80
02/07/23	JJT		0.20
02/08/23	DAS		1.20
02/13/23	DAS		4.70
02/13/23	JJT		1.00
02/15/23	JJT		0.50

DAS	Daniel A. Spitzer	7.00	hours @ 480.00	3,360.00
JJT	Joel J. Terragnoli	1.80	hours @ 375.00	675.00

Professional Services \$ 4,035.00

Total Current Invoice	\$ 4,035.00
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The Guaranty Building
140 Pearl Street, Suite 100
Buffalo, NY 14202-4040
716.856.4000

Federal ID #16-0708550



CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: April 30, 2023
Invoice Number: 1198516
Matter Number: 005140.00038
Billing Attorney: AWP

Please return this copy with your payment.

CURRENT INVOICE:

Professional Services	\$	3,945.50
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Total Current Invoice	\$	3,945.50
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Payable in U.S. Funds

For ACH and Wire payments, please email AccountsReceivable@hodgsonruss.com with detailed remittance information.

ACH/Wire: **ABA Routing:** 022000046 **Account:** 64345 **Beneficiary Name:** Hodgson Russ LLP
 Swift Code: MANTUS33XXX **Bank Name:** M&T Bank **Bank Address:** One M&T Plaza, Buffalo, NY 14203

Checks: **Payable to:** Hodgson Russ LLP **Firm Address:** ATTN: MP, 140 Pearl St., Buffalo, NY 14202-4040
 Memo line: Reference Invoice Number or Matter Number

****We will not alter these instructions by phone, email, or a text; If you receive such instructions, call Accounting Help Desk at 716.848.1255 to verify.**** **Payment due in 15 days.** **Thank you for your business.**

Albany, NY	Buffalo, NY	Greensboro, NC	Hackensack, NJ	New York, NY
Palm Beach, FL	Rochester, NY	Saratoga Springs, NY	Toronto, ON, CANADA	

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716.856.4000

Federal ID #16-0708550



CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: April 30, 2023
Invoice Number: 1198516
Matter Number: 005140.00038
Billing Attorney: AWP

RE: CENTENNIAL PARK - SPECIAL COUNSEL

ITEMIZED SERVICES:

Date	Initials	Description	Hours
03/31/23	DAS		5.70
03/31/23	EJF		1.00
03/31/23	EJF		2.50
03/31/23	EJF		0.60

DAS	Daniel A. Spitzer	5.70	hours @ 480.00	2,736.00
EJF	Emily J. Florczak	4.10	hours @ 295.00	1,209.50

Professional Services \$ 3,945.50

Total Current Invoice	\$ 3,945.50
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The Guaranty Building
140 Pearl Street, Suite 100
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Federal ID #16-0708550



CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: June 30, 2023
Invoice Number: 1205598
Matter Number: 005140.00038
Billing Attorney: AWP

Please return this copy with your payment.

CURRENT INVOICE:

Professional Services \$ 8,299.00

Total Current Invoice	\$ 8,299.00
------------------------------	--------------------

Payable in U.S. Funds

For ACH and Wire payments, please email AccountsReceivable@hodgsonruss.com with detailed remittance information.

ACH/Wire: **ABA Routing:** 022000046 **Account:** 64345 **Beneficiary Name:** Hodgson Russ LLP
Swift Code: MANTUS33XXX **Bank Name:** M&T Bank **Bank Address:** One M&T Plaza, Buffalo, NY 14203

Checks: **Payable to:** Hodgson Russ LLP **Firm Address:** ATTN: MP, 140 Pearl St., Buffalo, NY 14202-4040
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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: June 30, 2023
Invoice Number: 1205598
Matter Number: 005140.00038
Billing Attorney: AWP

RE: CENTENNIAL PARK - SPECIAL COUNSEL

ITEMIZED SERVICES:

Date	Initials	Description	Hours
05/20/23	CWM		3.80
05/21/23	CWM		9.70
05/22/23	CWM		5.40
05/23/23	CWM		0.40

CWM Charles W. Malcomb, II 19.30 hours @ 430.00 8,299.00

Professional Services \$ 8,299.00

Total Current Invoice	\$ 8,299.00
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The Guaranty Building
140 Pearl Street, Suite 100
Buffalo, NY 14202-4040
716.856.4000

Federal ID #16-0708550



CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: August 14, 2023
Invoice Number: 1210700
Matter Number: 005140.00038
Billing Attorney: AWP

Please return this copy with your payment.

CURRENT INVOICE:

Professional Services \$ 6,397.00

Total Current Invoice	\$ 6,397.00
------------------------------	--------------------

Payable in U.S. Funds

For ACH and Wire payments, please email AccountsReceivable@hodgsonruss.com with detailed remittance information.

ACH/Wire: **ABA Routing:** 022000046 **Account:** 64345 **Beneficiary Name:** Hodgson Russ LLP
Swift Code: MANTUS33XXX **Bank Name:** M&T Bank **Bank Address:** One M&T Plaza, Buffalo, NY 14203

Checks: **Payable to:** Hodgson Russ LLP **Firm Address:** ATTN: MP, 140 Pearl St., Buffalo, NY 14202-4040
Memo line: Reference Invoice Number or Matter Number

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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: August 14, 2023
Invoice Number: 1210700
Matter Number: 005140.00038
Billing Attorney: AWP

RE: CENTENNIAL PARK - SPECIAL COUNSEL

ITEMIZED SERVICES:

Date	Initials	Description	Hours
06/08/23	MBR		0.10
06/10/23	AWP		0.70
06/18/23	CWM		2.80
07/03/23	CWM		0.90
07/07/23	DAS		2.70
07/07/23	MBR		0.40
07/28/23	CWM		0.30
07/28/23	AWP		1.20
07/28/23	DAS		0.50
07/28/23	EJF		0.20
07/29/23	AWP		0.50
07/30/23	CWM		0.80
07/30/23	DAS		1.40
07/31/23	AWP		1.30

CWM	Charles W. Malcomb, II	4.80	hours @ 430.00	2,064.00
AWP	Adam W. Perry	3.70	hours @ 505.00	1,868.50
DAS	Daniel A. Spitzer	4.60	hours @ 480.00	2,208.00
MBR	Michael B. Risan	0.50	hours @ 395.00	197.50
EJF	Emily J. Florczak	0.20	hours @ 295.00	59.00

Professional Services \$ 6,397.00

Total Current Invoice	\$ 6,397.00
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The Guaranty Building
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716.856.4000

Federal ID #16-0708550



CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: September 18, 2023
Invoice Number: 1214273
Matter Number: 005140.00038
Billing Attorney: AWP

Please return this copy with your payment.

CURRENT INVOICE:

Professional Services \$ 2,180.50

Total Current Invoice	\$ 2,180.50
------------------------------	--------------------

Payable in U.S. Funds

For ACH and Wire payments, please email AccountsReceivable@hodgsonruss.com with detailed remittance information.

ACH/Wire: **ABA Routing:** 022000046 **Account:** 64345 **Beneficiary Name:** Hodgson Russ LLP
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Memo line: Reference Invoice Number or Matter Number

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Federal ID #16-0708550



CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: September 18, 2023
Invoice Number: 1214273
Matter Number: 005140.00038
Billing Attorney: AWP

RE: CENTENNIAL PARK - SPECIAL COUNSEL

ITEMIZED SERVICES:

Date	Initials	Description	Hours
08/09/23	CWM		0.30
08/17/23	EJF		0.30
08/26/23	CWM		0.10
08/27/23	DAS		2.30
08/28/23	DAS		0.50
08/29/23	DAS		1.20

CWM	Charles W. Malcomb, II	0.40	hours @ 430.00	172.00
DAS	Daniel A. Spitzer	4.00	hours @ 480.00	1,920.00
EJF	Emily J. Florczak	0.30	hours @ 295.00	88.50

Professional Services \$ 2,180.50

Total Current Invoice	\$ 2,180.50
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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: October 16, 2023
Invoice Number: 1218323
Our File Number: 005140.00038
Billing Attorney: AWP

Please return this copy with your payment.

CURRENT INVOICE:

Professional Services \$ 8,526.00

\$

Total Current Invoice	\$ 8,526.00
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Payable in U.S. Funds

To Wire Payment: Manufacturers and Traders Trust Company, One M&T Plaza, Buffalo, NY 14203
ABA# 022000046 Acct# 64345 For Foreign Wires: M&T Swift Code MANTUS33
OR: Contact the Accounting Help Desk at 716.848.1255

We will not alter these instructions or account numbers by email or text; if you receive such instructions you must call to verify.

Payment due in 15 days. Make checks payable to Hodgson Russ LLP.
Outstanding invoices reflect this matter only.
Thank you for your business.

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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: October 16, 2023
Invoice Number: 1218323
Our File Number: 005140.00038
Billing Attorney: AWP

RE: CENTENNIAL PARK - SPECIAL COUNSEL

ITEMIZED SERVICES:

Date	Initials	Description	Hours
09/01/23	AWP	Emails with Mayor and DAS regarding status.	0.20
09/01/23	DAS	Conference call with opposing counsel and client on request to delay filing of jurisdictional statement.	0.40
09/02/23	CWM	Reviewed correspondence from R. Altieri regarding extension confirmation for jurisdictional response.	0.10
09/05/23	CWM	Follow up on extension request.	0.10
09/05/23	AWP	Emails with Mayor and DAS regarding interference issue.	0.20
09/06/23	AWP	Emails with Mayor and DAS regarding response to interference.	0.20
09/06/23	DAS	Conference calls and e-mails regarding Council agenda and possible declaration.	0.50
09/15/23	CWM	Conferred with DAS, ED regarding response to motion to renew; worked on same.	1.00
09/15/23	AWP	Emails with DAS regarding status and strategy.	0.10
09/15/23	DAS	Drafted response to motion to renew.	4.50
09/15/23	ED	Conference with DAS and CWM regarding motion to reargue and renew and strategy for response; researched NY case law and statutes regarding response to motion papers; drafted argument; and revised draft affirmation; additional conferences with DAS regarding final response.	4.50

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Federal ID #16-0708550



October 16, 2023

Invoice Number: 1218323

Our File Number: 005140.00038

Date	Initials	Description	Hours
09/15/23	ALW	Telephone call with DAS regarding Jurisdictional Response due on September 18, 2023; Researched NYSCEF and Court of Appeals' guidelines; telephone call with DCB regarding the same; telephone call with R. Brucato to make arrangements with Counsel Press to assist with filing; Conveyed the same to DAS and DCB; Reviewed letter from Counsel Press; Conveyed guidelines to DAS and DCB.	1.30
09/18/23	CWM	Worked on jurisdictional statement; conferred with DAS regarding same.	0.50
09/18/23	DAS	Continued working on jurisdictional letter in opposition to court of appeals hearing.	3.20
09/18/23	ALW	Reviewed Jurisdictional Response; E-mails with DAS and Counsel Press regarding the same; Reviewed finalized versions of Response and Affidavit of Service from Counsel Press; Provided confirmation to file the same.	0.80
09/19/23	DAS	Meeting with mayor and attorney for common council regarding Urbacon project and illegal contractor proposal.	1.70

CWM	Charles W. Malcomb, II	1.70	hours @ 430.00	731.00
AWP	Adam W. Perry	0.70	hours @ 505.00	353.50
DAS	Daniel A. Spitzer	10.30	hours @ 480.00	4,944.00
ED	Emanuela (Amy) D'Ambrogio	4.50	hours @ 450.00	2,025.00
ALW	Angel L. Weismann	2.10	hours @ 225.00	472.50

Professional Services \$ 8,526.70

Total Current Invoice	\$ 8,526.70
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Federal ID #16-0708550



CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: November 16, 2023
Invoice Number: 1222386
Matter Number: 005140.00038
Billing Attorney: AWP

Please return this copy with your payment.

CURRENT INVOICE:

Professional Services \$ 303.00

Total Current Invoice	\$ 303.00
------------------------------	------------------

Payable in U.S. Funds

For ACH and Wire payments, please email **AccountsReceivable@hodgsonruss.com** with detailed remittance information.

ACH/Wire: **ABA Routing:** 022000046 **Account:** 64345 **Beneficiary Name:** Hodgson Russ LLP
Swift Code: MANTUS33XXX **Bank Name:** M&T Bank **Bank Address:** One M&T Plaza, Buffalo, NY 14202

Checks: **Payable to:** Hodgson Russ LLP **Firm Address:** ATTN: MP, 140 Pearl St., Buffalo, NY 14202-4040
Memo line: Reference Invoice Number or Matter Number

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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: November 16, 2023
Invoice Number: 1222386
Matter Number: 005140.00038
Billing Attorney: AWP

RE: CENTENNIAL PARK - SPECIAL COUNSEL

ITEMIZED SERVICES:

Date	Initials	Description	Hours
10/19/23	AWP	Analyzed emails from NPR; emails with Mayor and DAS concerning same and status; reviewed prior correspondence regarding same.	0.60

AWP Adam W. Perry 0.60 hours @ 505.00 303.00

Professional Services \$ 303.00

Total Current Invoice	\$ 303.00
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Federal ID #16-0708550



CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: January 16, 2024
Invoice Number: 1229485
Matter Number: 005140.00038
Billing Attorney: AWP

Please return this copy with your payment.

CURRENT INVOICE:

Professional Services \$ 816.00

Total Current Invoice	\$ 816.00
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Payable in U.S. Funds

For ACH and Wire payments, please email **AccountsReceivable@hodgsonruss.com** with detailed remittance information.

ACH/Wire: **ABA Routing:** 022000046 **Account:** 64345 **Beneficiary Name:** Hodgson Russ LLP
Swift Code: MANTUS33XXX **Bank Name:** M&T Bank **Bank Address:** One M&T Plaza, Buffalo, NY 14202

Checks: **Payable to:** Hodgson Russ LLP **Firm Address:** ATTN: MP, 140 Pearl St., Buffalo, NY 14202-4040
Memo line: Reference Invoice Number or Matter Number

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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: January 16, 2024
Invoice Number: 1229485
Matter Number: 005140.00038
Billing Attorney: AWP

RE: CENTENNIAL PARK - SPECIAL COUNSEL

ITEMIZED SERVICES:

Date	Initials	Description	Hours
11/09/23	AWP	Emails with Mayor, DAS, and MBR regarding status and strategy for matters.	0.40
11/27/23	CWM	Attention to correspondence on meeting with J. Horn.	0.20
11/27/23	AWP	Opined on procedure for meeting and related issues; emails with Mayor and DAS regarding same.	0.60
12/14/23	CWM	Reviewed decision dismissing appeal.	0.10
12/14/23	DAS	Reviewed decision; e-mail to client regarding same.	0.10
12/18/23	CWM	Attention to correspondence on meeting with NFR.	0.20
12/18/23	DAS	E-mails with NFR regarding meeting.	0.10

CWM	Charles W. Malcomb, II	0.50	hours @ 430.00	215.00
AWP	Adam W. Perry	1.00	hours @ 505.00	505.00
DAS	Daniel A. Spitzer	0.20	hours @ 480.00	96.00

Total Current Invoice	\$ 816.00
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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: February 21, 2024
Invoice Number: 1233643
Matter Number: 005140.00038
Billing Attorney: AWP

Please return this copy with your payment.

CURRENT INVOICE:

Professional Services \$ 4,742.00

Total Current Invoice	\$ 4,742.00
------------------------------	--------------------

Payable in U.S. Funds

*For ACH and Wire payments, please email **AccountsReceivable@hodgsonruss.com** with detailed remittance information.*

ACH/Wire: **ABA Routing:** 022000046 **Account:** 64345 **Beneficiary Name:** Hodgson Russ LLP
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Checks: **Payable to:** Hodgson Russ LLP **Firm Address:** ATTN: MP, 140 Pearl St., Buffalo, NY 14202-4040
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CITY OF NIAGARA FALLS
ATTN MAYOR ROBERT RESTAINO
NIAGARA FALLS CITY HALL
745 MAIN ST
NIAGARA FALLS, NY 14302

Invoice Date: February 21, 2024
Invoice Number: 1233643
Matter Number: 005140.00038
Billing Attorney: AWP

RE: CENTENNIAL PARK - SPECIAL COUNSEL

ITEMIZED SERVICES:

Date	Initials	Description	Hours
01/02/24	DAS	Prepared for and participated in meeting with NFR regarding Urbacon and park projects.	2.90
01/09/24	CWM	Reviewed correspondence from J. Horn.	0.20
01/10/24	CWM	Reviewed correspondence from J. Horn.	0.20
01/10/24	DAS	E-mails and conference calls on delaying EDPL appeals and park plan.	0.60
01/12/24	CWM	Reviewed motion for leave to appeal to the Court of Appeals.	0.70
01/13/24	ALW	Reviewed Motion for Leave to Appeal to the Appellate Division, Fourth Department; e-mailed DAS regarding our deadline to oppose and how it interferes with the return date; calendared deadline to oppose and return date; Circulated Outlook invitations.	0.30
01/16/24	CWM	Followed up on response to motion for leave to appeal to the Court of Appeals.	0.10
01/18/24	DAS	Worked on responding affirmation to motion for leave to appeal.	2.80
01/18/24	ALW	E-mails with CWM concerning opposition deadline pursuant to Appellate Division Rules and updated calendar.	0.20
01/19/24	CWM	Worked on opposition to motion for leave to appeal to the Court of Appeals; conferred with ALW regarding same.	1.00
01/19/24	DAS	Finalized response affidavit.	0.30
01/19/24	ALW	Drafted Affirmation of Service of Affirmation in Opposition to Motion for Leave to Appeal for OP 23-00057; telephone call with DAS; Italicized cases in Affirmation, per DAS request; Finalized Affirmation in Opposition and Affirmation of Service and electronically filed the same.	1.20

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Federal ID #16-0708550



February 21, 2024

Invoice Number: 1233643

Matter Number: 005140.00038

Date	Initials	Description	Hours
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CWM	Charles W. Malcomb, II	2.20 hours @ 455.00	1,001.00
DAS	Daniel A. Spitzer	6.60 hours @ 505.00	3,333.00
ALW	Angel L. Weismann	1.70 hours @ 240.00	408.00

Professional Services \$ 4,742.00

Total Current Invoice	\$ 4,742.00
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February 21, 2024

Invoice Number: 1233643

Matter Number: 005140.00038