

August 30, 2018

The City Council
Niagara Falls, New York

RE: Request for Approval to Settle and Pay Claim of Accadia Site Contracting Inc.

Council Members:

Date Claim Filed:	N/A
Date Action Commenced:	May 28, 2013
Date of Occurrence:	On or about April 9, 2013
Location:	Lewiston Road reconstruction project.
Nature of Claim:	Defamatory comments allegedly made by then City Engineer on or about April 9, 2013 Regarding Plaintiff's conducting of a soil compaction test during Lewiston reconstruction project.
Status of Action:	Litigation
Recommendation/Reason:	Settlement reached pursuant to Court supervised settlement discussions.
Amount to be Paid:	\$75,000.00
Make Check Payable to:	Accadia Site Contracting, Inc.
Conditions:	Settlement Agreement and General Release to City approved by Corporation Counsel.

It is the recommendation of this Department that the above claim be paid under the terms set forth above. Will the Council so approve?

Respectfully submitted,

CRAIG H. JOHNSON
Corporation Counsel

Kennedy Scott Tompkins Voccio Touma