

AUDIENCE PARTICIPATION - None

COMMUNICATIONS FROM CITY OFFICIALS

I.1 Mayor

January 3, 2012

North Tonawanda Common Council
City Hall, 216 Payne Avenue
North Tonawanda, New York 14120

Re: Appointment to North Tonawanda Environmental Committee

Dear Honorable Body:

Please be advised that I am appointing Steve Behrns, 342 Elmwood Ave., North Tonawanda, NY 14120 to the Environmental Committee for a three (3) year term effective January 1, 2012 and expiring on December 31, 2014.

Thank you for your attention to this matter.

Sincerely,
Robert G. Ortt
Mayor

MOVED by Alderman Needler SECONDED by Alderman Andres
That the Common Council hereby receives and files the aforementioned communication.
CARRIED.

I.2 Mayor

January 24, 2012

North Tonawanda Common Council
City Hall, 216 Payne Avenue
North Tonawanda, New York 14120

Dear Honorable Body:

Please be advised that I am appointing David Kenyon, 791 Niagara Parkway, North Tonawanda, NY 14120 as the Chairman of the Planning Commission.

Thank you for your attention to this matter.

Faithfully yours,
Robert G. Ortt
Mayor

MOVED by Alderman Rizzo SECONDED by Alderman Donovan
That the Common Council hereby receives and files the aforementioned communication.
CARRIED.

II.1 Attorney

January 20, 2012

Honorable Mayor & Common Council
216 Payne Avenue
North Tonawanda, New York 14120

Re: Tentative Agreement between the City and CSEA

Dear Honorable Body:

The City and the CSEA met seven times to negotiate a new collective bargaining agreement and also one meeting with a mediator from PERB. I have attached a copy of all the clauses, many of which are corrections to typographical errors in the present agreement. The pertinent changes are as follows:

1. Section 1.21. A four-year agreement beginning on January 1, 2011 and ending on December 31, 2014.
2. Section 5.48. Notwithstanding the above, the City shall insure that there will be no lay-offs within the wastewater treatment plant so long as the Calgon Carbon Corporation or any successor corporation continues to lease any of the wastewater treatment plant facilities.

Furthermore, future reductions in staffing levels at the water filtration plant and the water distribution division shall be by attrition.

3. Section 6.11. Amend the first paragraph by removing the phrase “and third within all other city employees” and amend the second paragraph by removing the phrase “and second within all other city employees”.
4. Sections 7.1 and 7.2: Compensation:
 - 2011: 0%
 - 2012: a one-time stipend of \$175.00 plus 1% on 1/1/12 and 1% on 7/1/12
 - 2013: 1.25% on 1/1/13 and 1.25% on 7/1/13
 - 2014: 2%
5. Section 7.12 corrects job groups that have been changed throughout the last contract.
6. Section 9.35. The vacation allowance stated above may be used in units of one day or ½ day only with the permission of any individual department head inasmuch as it does not interfere with the normal operation of the department.
7. Section 9.36. Any vacation day(s) requested after the posting period will be granted according to the date in which it was requested. Such vacation requests shall be granted as per section 9.34, 9.35 and 9.36. The employee must give reasonable notice and submit the form in Appendix Q to his/her supervisor.
8. Section 10.34. Change the word “sickness” to “absence”.
9. Section 10.35. Change the last paragraph to read: “In cases of absence which exceed two consecutive weeks, an employee must furnish an additional certificate each four-week period (or portion thereof) beyond the first two weeks.”
10. Section 10.38. Sick leave credits shall be used only in units of one (1) or one-half (½) day off. Sick leave credits may also be used in two (2) hour increments, up to twelve (12) times per year for doctor and/or dentist appointments.
11. Section 11.15. Clarify section to insure that an employee on jury duty will receive paid leave time regardless of his shift

12. **Section 12.11(a): increase life insurance for employees from \$10,000 to \$15,000.**
13. **Section 12.12. The City shall provide the following health insurance program:**
 - (a). **The plan shall have a level of benefits equal to the BC/BS POS 201/201 Plus Plan with a \$0/\$20/\$40 three-tier prescription co-pay. (Summary of benefits attached as Appendix "N".)**
14. **Section 12.12(f). The city shall increase its contribution to the Optical Insurance Plan from \$15,000.00 to \$20,000.00.**
15. **Section 12.12(g). This section would increase the medical insurance coverage for a surviving spouse, should an employee die while an still an employee, from 12 months to 24 months.**
16. **Section 12.14. This section would increase longevity payments by \$150.00 per tier and would add an additional tier for employees with over 25 years of seniority at \$1,200.00 per year.**

This section would also amend the last paragraph to read: "In the year of employment in which the employee leaves the City services, the employee will receive Longevity pay on a pro-rated basis for every month worked until separation from City service. Unused sick days cannot be used to extend service time to the employee's Longevity pay for the purpose of receiving Longevity payment."

17. **Section 16.12. This amendment would add "bereavement leave" to the types of leave that qualify as "time worked" for the purpose of determining hours worked to compute overtime payments.**
18. **Section 16.15. Replace current section with: "All 24 hour shift personnel who work the shift when the clocks are set ahead for Daylight Savings Time in the Spring or setback for Eastern Standard Time in the Fall will be scheduled and compensated as follows:**

Employees who work their normal schedule on the shift during which the clocks are set ahead in the Spring, must be paid for a full shift (including the "lost" hour) and cannot be required to charge the "lost" hour to credits.

Those working the entire shift when clocks are set back in the Fall are considered to have worked the additional hour which must also be paid as overtime if the employee is otherwise eligible (as per NYS Dept. of Civil Service, attendance and leave manual section 20.1 – basic workweek).

19. **Section 20.01: The city shall increase the amount granted for safety shoes for those employees required to wear safety shoes from up to \$75.00 to up to \$125.00 per year.**
20. **Appendix "F": Delete #4: Purpose of Leave.**

In addition, in a separate agreement, the Memorandum of Understanding regarding staffing levels in the Water Works Department, signed on October 7, 2009 is concluded, the city agrees to restore two positions within water distribution. One as soon as possible after ratification and approval by the Common Council and the second immediately upon any retirement/resignation occurring at water filtration, but in no event later than November 15, 2012. The right of first refusal for the second restored position shall be afforded to Derek Anthony.

If you concur with the tentative agreement, please authorize the mayor to sign any Memorandum of Agreement and the Final Contract. Thank you.

**Very truly yours,
Robert Sondel
Assistant City Attorney**

IV.3 Engineer

February 2, 2012

Honorable Robert G. Ortt, Mayor
and Common Council Members
City Hall
North Tonawanda, New York 14120

Re: Project No. 2011-01, Erie Avenue 1 MG Elevated Storage Tank
Amendment of Engineering Agreement

Honorable Body:

The Water Superintendent and I have reviewed the enclosed additional engineering proposal and we both respectfully recommend that the Common Council approve the agreement amendment with Wendel, 140 John James Audubon Parkway, Buffalo, NY 14228, in an amount not to exceed \$5,300; authorizing the Mayor to sign said agreement subject to the review by the City Attorney.

Very truly yours,
Dale W. Marshall, P.E.
City Engineer

MOVED by Alderman Needler

SECONDED by Alderman Rizzo

That the Common Council hereby approves the agreement amendment with Wendel, 140 John James Audubon Parkway, Buffalo, NY 14228, regarding Project No. 2011-01, Erie Avenue 1 MG Elevated Storage Tank, in an amount not to exceed \$5,300; authorizing the Mayor to sign said agreement subject to the review by the City Attorney.

Ayes: Needler, Donovan, Rizzo, Andres

(4)

Nays: None

(0)

CARRIED.

VII.1 Accountant

January 26, 2012

Honorable Robert G. Ortt, Mayor
and Common Council
City Hall
North Tonawanda, New York 14120

Dear Honorable Body:

In accordance with Article V, Division 1, Section 5.002 and 5.003 of the City Charter, an Abstract Sheet, comprised of a Warrant of Claims, has been submitted by this office for your review and approval.

Accordingly, please authorize for payment the current Warrant of Claims for Common Council audit, dated February 7, 2012, and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Donovan

SECONDED by Alderman Needler

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated February 7, 2012 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$617,242.01
02	Water Fund	49,703.38
04	Sewer Fund	116,165.25
06	Capital Project Fund	33,227.70
07	Trust & Agency Fund	8,968.02
11	General Fund (Encumbered)	168,824.26
12	Water Fund (Encumbered)	47,370.93
14	Sewer Fund (Encumbered)	8,209.19
17	Home Rehab Program	<u>500.00</u>
	Final Total	<u>\$1,050,210.74</u>

Ayes: Needler, Donovan, Rizzo, Andres

(4)

Nays: None

(0)

CARRIED.

VII.2 Accountant

January 26, 2012

**Honorable Robert G. Ortt, Mayor
and Common Council
City Hall
North Tonawanda, New York 14120**

Dear Honorable Body:

In accordance with the adopted AFSCME negotiated contract, Section 5.49(a) provides for the City to use seasonal help for sanitation work for twelve months of the calendar year, provided that there will be no layoffs of any bargaining unit members. The management team from Public Works met with the Accounting management team and the Mayor, to coordinate the protocol for the administration of this section. Accordingly, a decision was made to recommend an additional \$2.75 to the hourly rate of Sanitation Laborers only, covered under the Part Time Wage Schedule.

Further, during the 2012 Budget adoption process, a discussion was had relative to providing an increase of 25 cents per hour for part time clerical type employees. These positions were last increased in fiscal year 2007.

Accordingly, please amend the attached Part Time Wage Schedule by providing an additional \$2.75 to the hourly rate of Department of Public Works Sanitation Laborers and provide an increase of 25 cents per hour for all part time clerical type employees, retroactive to January 1, 2012.

**Very truly yours,
David R. Jakubaszek
City Accountant**

VII.3 Accountant

February 1, 2012

Honorable Robert G. Ortt, Mayor
and Common Council
City Hall
North Tonawanda, New York 14120

Dear Honorable Body:

In accordance with Article V, Division 2, Section 5.023 and Section 2.2 of the Budgetary Transfer Policy, please authorize the City Accountant to make the following transfers of fiscal year 2012 appropriations, based on the request of Department Heads, copy attached:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>Into Appropriation Account</u>
1	49,000.00	4-8130.100 Sewage Treatment Personal	4-1990.410 Sewer Contingent Account

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Needler SECONDED by Alderman Andres
That the Common Council hereby authorizes the City Accountant to make the following transfers of fiscal year 2012 appropriations, based on the request of Department Heads:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>Into Appropriation Account</u>
1	49,000.00	4-8130.100 Sewage Treatment Personal	4-1990.410 Sewer Contingent Account

Ayes: Needler, Donovan, Rizzo, Andres (4)

Nays: None (0)

CARRIED.

XIV. Recreation

January 19, 2012

The Honorable Mayor Robert Ortt and Common Council Members
City Hall
216 Payne Ave.
North Tonawanda, New York 14120

Dear Honorable Body:

Please review and approve for signing the attached renewal agreement between the Niagara County Office of the Aging and the City of North Tonawanda for the Senior Citizen Center Nutrition Program. The agreement will allow the service to continue through December 31, 2012.

The contract has been reviewed and approved by the City Attorney and I request that you authorize the Mayor to execute said contract.

Respectfully submitted,
Patricia A. Brosius
Director of Youth, Recreation & Parks

MOVED by Alderman Rizzo

SECONDED by Alderman Donovan

That the Common Council hereby authorizes the Mayor to sign the renewal agreement between the Niagara County Office of the Aging and the City of North Tonawanda for the Senior Citizen Center Nutrition Program. The agreement will allow the service to continue through December 31, 2012.

Ayes: Needler, Donovan, Rizzo, Andres

(4)

Nays: None

(0)

CARRIED.

XVII. Traffic Safety Committee

January 23, 2012

**Scott Kiedrowski
City Clerk-Treasurer
216 Payne Avenue
North Tonawanda, NY 14120**

Traffic Safety Minutes:

The January, 2012 meeting of the North Tonawanda Traffic Safety Committee was called to order at 1900 hours. Roll call showed the following members present: J. Sikora, R. Frank, M. Lemke, M. Anastasi, T. Tussing, A. Vater and E. Smolinski. The minutes from the previous meeting were accepted and new members Vater and Smolinski were briefed on a parking problem on Barrally Street. At 1920 hours the following residents from Barrally Street were invited into the meeting: Matthew and Taunia Bratton, Amanda Taylor, Doug Stone and Gerry McGuire. Also invited into the meeting were Michelle and Steve Sutherland from Hewitt Street.

Doug Stone addressed the Committee over residents concerns with the recent removal of "no parking" signs on Barrally Street. Mr. Stone stated residents were concerned with emergency vehicle access along with safety in making turns from Hewitt with vehicles parked on both sides of Barrally. During the discussion it was decided part of the parking problem is due to vehicles attending events at the Youth Center using Barrally Street to park.

The Traffic Safety Committee offered the following solutions. Place one "no parking" sign on both the West and East sides of Barrally near the corner of Hewitt. This remedy was accepted by all residents present. The Committee also decided to speak with Patricia Brosius, Director of Youth, Recreation and Parks, to see if vehicles from the youth center could use the parking lot located behind Gersh Academy, 621 Payne Avenue. This would eliminate many vehicles from parking on Barrally Street. This solution was also accepted by the residents present.

The Committee offered two additional solutions: One was to cut back City owned grass on both sides of Barrally Street making the street approximately 5' to 6' wider. The residents were not interested in this solution. A second option would involve Improvements being made to Barrally Street. This would involve a vote by residents on the street and a special assessment in taxes. This option had some interest but would require further discussion by all residents on Barrally Street.

At this time all invited residents left the meeting. The Committee had a short discussion before adjourning at 2030 hours.

Since the meeting Committee member Tom Tussing has spoke with Patricia Brosius and the parking lot behind 621 Payne Avenue will be open to vehicles attending youth center activities on Tuesday, Thursday and Saturday.

The ability of vehicles to park in the lot behind 621 Payne Avenue along with the placement of two "no parking" signs on Barrally Street should eliminate parking and safety concerns in the area.

**Respectfully submitted,
Joseph D. Sikora
Chairman**

02-07-2012

MOVED by Alderman Needler

SECONDED by Alderman Donovan

WHEREAS, the City of North Tonawanda (the "City") has received Federal grant assistance in the amount of two hundred thousand dollars (\$200,000.00), (the "Grant") from the New York State Housing Trust Fund Corporation represented by the New York State Office of Community Renewal (the "OCR") through the Community Development Block Grant ("CDBG") Program (OCR Grant #822ME2478-1 1) for the purpose of providing assistance to qualifying microenterprises in the City; and

WHEREAS, a portion of the Grant is to be used to provide assistance to qualifying microenterprises in the City (the "Project"), which Project is more particularly described in the application submitted by the City to the OCR on October 28, 2011 and subsequent submittals to the OCR dated November 4,2011; and

WHEREAS, a portion of the Grant proceeds is to be used to fund administrative and program delivery costs associated with the implementation of the Grant; and

WHEREAS, the Lumber City Development Corporation (the "Corporation") has the capacity to administer the Grant in the best interests of the City, and

WHEREAS, the Corporation is a not-for-profit corporation eligible to receive grants of CDBG funds pursuant to Section 105(a)(15) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. §5305), be it

RESOLVED, that the City shall enter into an agreement to provide the grant funds to the Corporation for the implementation and administration of the OCR Grant under terms and conditions fully reviewed and agreed to by the City Attorney.

And Further,

WHEREAS, the City of North Tonawanda (the "City") has received Federal grant assistance in the amount of two hundred sixty-six thousand dollars (\$266,000.00), (the "Grant") from the New York State Housing Trust Fund Corporation represented by the New York State Office of Community Renewal (the "OCR") through the Community Development Block Grant ("CDBG") Program (OCR Grant #822ED8046-1 1) for the purpose of providing financing to assist Delaware Restaurant Holdings, LLC (the "Company") in the establishment of its operations in the City; and

WHEREAS, a portion of the Grant proceeds is to be used to provide a term loan and a deferred loan to the Company to finance capital equipment required to support the establishment of a restaurant and banquet facility at 184 Sweeney Street in the City (the "Project"), which Project is more particularly described in the application submitted by the City to the OCR on October 28, 2011 and subsequent submittals to the OCR dated November 4, 2011; and

WHEREAS, a portion of the Grant proceeds is to be used to fund administrative and program delivery costs associated with the implementation of the Grant; and

WHEREAS, the Lumber City Development Corporation (the "Corporation") has the capacity to provide such financing and to administer the Grant in the best interests of the City, and

WHEREAS, the Corporation is a not-for-profit corporation eligible to receive grants of CDBG funds pursuant to Section 105(a)(15) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. §5305), be it

RESOLVED, that the City shall enter into a agreement to provide the grant funds to the Corporation for the implementation and administration of the OCR Grant under terms and conditions fully reviewed and agreed to by the City Attorney.

Ayes: Needler, Donovan, Rizzo, Andres

(4)

Nays: None

(0)

CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Sob Haick

January 23, 2012

City Clerk
City of North Tonawanda
216 Payne Avenue
North Tonawanda, NY 14120

Re: Reappointment of Commissioner of Deeds

Dear City Clerk:

As per our telephone conversation in January 2012 with your office, I am requesting that the North Tonawanda City Council reappoint Sob W. Haick as Commissioner of Deeds in North Tonawanda, NY.

My appointment for this term expires March 3, 2012.

Thank you for your kind consideration.

Sincerely yours,
Sob W. Haick
Senior Accountant

MOVED by Alderman Rizzo

SECONDED by Alderman Needler

That the Common Council hereby appoints Sob W. Haick, 716 Niagara Falls Boulevard, North Tonawanda, NY 14120 as a Commissioner of Deeds for the City of North Tonawanda for a term beginning March 4, 2012 expiring March 3, 2014.

Ayes: Needler, Donovan, Rizzo, Andres

(4)

Nays: None

(0)

CARRIED.

B.
NT National Little League

January 26, 2012

Mayor Robert G. Ortt
City of North Tonawanda
216 Payne Avenue
N. Tonawanda, NY 14120

Dear Mayor Ortt:

The North Tonawanda National Little League has begun its annual Baseball registration process for the 2012 baseball season.

We would like to hang an advertising banner across Payne Avenue, in front of the former Lowery Middle School, as we have in the past.

This letter is to request your permission to have the banner for the 2012 registration hung from January 27 through February 29, 2012.

I will be delivering the new banner to the Public Works department in anticipation of your approval.

Please contact me at 289-8492 if you have any questions.

Thank you for your assistance with this matter.

Sincerely,
Richard E. Dentinger
Vice President

