

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, December 5, 2017
6:30 P.M.

REGULAR SESSION CALLED TO ORDER BY COUNCILMAN PECORARO

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Alderman Braun, Berube, Glatz, Pecoraro,

Absent: Councilman Zadzilka

Also Present: Mayor Arthur G. Pappas
City Attorney Luke Brown

AUDIENCE PARTICIPATION -

Sonja Duza, 123 Miller Street – When did we become part of the Niagara County Land Bank? I think this is a good idea. In regards to the Community Development item, I was reading when it originally came into existence and it is important for us to be a part of it, but blight is blight, it has not gotten better. I would like us to attack the areas of the City that has the most blight. Smart growth addresses this problem.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION NOVEMBER 21, 2017

MOVED by Alderman Berube **SECONDED** by Alderman Glatz
That the minutes of the regular session held November 21, 2017 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

I. Mayor

December 4, 2017

North Tonawanda Common Council
City Hall, 216 Payne Avenue
North Tonawanda, NY 14120

Re: Appointment to Land Bank's Board of Directors

Dear Honorable Body:

Please be advised that I am appointing Robert DePaolo to Land Bank's Board of Directors, for a two (2) year term effective December 4, 2017 and expiring on December 4, 2019.

12-05-2017

Thank you for your attention to this matter.

Sincerely,
Arthur G. Pappas
Mayor

MOVED by Alderman Pecoraro SECONDED by Alderman Braun
That the Common Council hereby receives and files the appointment of Robert Depaolo to the Land Bank’s Board of Directors, for a two (2) year term effective December 4, 2017 and expiring on December 4, 2019.
CARRIED.

III.1 Clerk-Treasurer

November 27, 2017

Honorable Mayor and Common Council
City Hall/ 216 Payne Avenue
North Tonawanda, NY 14120

Re: 2018 Agreement between the City of North Tonawanda and NiaCAP

Dear Mayor and Common Council:

I am asking that the Council approve this agreement between the City of North Tonawanda and Niagara Community Action Program for the amount of \$3,000.00 contingent upon City Attorneys approval. Once approved the Mayor will be able to sign the contact.

Niagara Community Action Program has provided emergency services to the needy and disadvantaged persons within Niagara County for many years and this amount will help them in providing these services.

Regards,
Daniel R. Quinn
City Clerk-Treasurer

MOVED by Alderman Braun SECONDED by Alderman Berube
That the Common Council at a regular meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 p.m. on December 5, 2017 the following resolution was passed:

AGREEMENT

THIS AGREEMENT, made this 5th day of December, 2017, by and between the CITY OF NORTH TONAWANDA, a municipal corporation of the State of New York having its offices at 216 Payne Avenue, North Tonawanda, New York 14120, herein called the “City” and NIAGARA COMMUNITY ACTION PROGRAM, INC., a not-for-profit corporation of the State of New York having is office at 1521 Main Street, Niagara Falls, New York, herein called “Niagara CAP”
WITNESSETH:

WHEREAS, Niagara CAP has as one of its principal functions and purposes of providing emergency services to the needy and disadvantaged persons within Niagara County through use of funding grants and subsidies from federal, state, and municipal governments and agencies, and

WHEREAS, the City desires to contribute to and participate in the funding of Niagara CAP for such purposes in return for Niagara CAP’s promise of emergency services to the residents of the City, and

WHEREAS, both parties jointly desire and intend to cooperate toward providing such services for the benefit of the City’s residents under this agreement, and

WHEREAS, the execution of this agreement has been duly approved by resolutions adopted by the City Council and the Board of Directors of Niagara CAP,

NOW, THEREFORE, in consideration of the above, both parties mutually agree as follows:

1. The City of North Tonawanda shall allocate and pay over to Niagara CAP the sum of Three Thousand Dollars (\$3,000.00) within thirty (30) day of the signed agreement.
2. Niagara CAP will accept such payment from the City and use it to provide emergency services to qualified City residents through its outreach office located at 265 Falconer Street, City of North Tonawanda, New York.
3. In consideration of the services mentioned above, Niagara CAP will provide additional services such as counseling, budgeting, information, referral, application assistance, weatherization, fair housing, and child care to qualified City residents.
4. The term of this agreement shall commence January 1, 2018, and expire December 31, 2018.

IN WITNESS WHEREOF, the parties hereto have duly executed this agreement by their respective duly authorized officers on the day and year first above written.

CITY OF NORTH TONAWANDA
Arthur Pappas
Mayor

NIAGARA COMMUNITY ACITON PROGRAM, INC.
Suzanne Shears
CEO

Subject to review by the City Attorney.

Ayes: Alderman Braun, Berube, Glatz (3)
Nays: None (0)
Abstained: Alderman Pecoraro (1)
CARRIED.

III.2 Clerk-Treasurer

November 29, 2017

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

Dear Honorable Mayor and Common Council:

Please be advised that I have received payment in full for back City, School and County taxes, per their tax agreement with the City, for the following parcel:

185.05-1-11 303 Main Street Mark Gademsky

Therefore, please pass the necessary resolution withdrawing this parcel form the appropriate In Rem foreclosure proceeding.

Thank you for your cooperation.

Very truly yours,
Daniel R. Quinn
City Treasurer

MOVED by Alderman Braun SECONDED by Alderman Glatz
That the Common Council hereby approves the removal of the following parcel:

185.05-1-11 303 Main Street Mark Gademsky

From the appropriate In Rem foreclosure proceeding for payment in full of City, School, and County taxes. Subject to review by the City Attorney.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro (4)
Nays: None (0)
CARRIED.

IV. Engineer

November 29, 2017

Honorable Arthur G. Pappas, Mayor
 And Common Council Members
 City Hall
 216 Payne Avenue
 North Tonawanda, NY 14120

Re: Project 2017-06: City Hall Brick Pointing and Masonry Repairs Phase I
 Approval of Change order and Final Project Acceptance

Dear Honorable Body:

Approval of Change Order No.1 and final acceptance of the City Hall Brick Pointing and Masonry Repairs Phase I Project is hereby requested. The change order, as directed by me, is for an additional lintel replacement of the lower right window on the west building elevation that was found to be deficient.

Accordingly, I respectfully request that the Common Council approve Change Order No.1 for the City Hall Brick Pointing and Masonry Repair Phase I Project in the amount of \$6,300.00 with Highland Masonry & Restoration, Inc., 33 Ransier Drive, West Seneca, NY 14224; increasing the contract amount from \$98,200.00; to the final contract amount of \$104,500.00; authorizing the Mayor to sign said Change Order. Further, that the Common Council accept this project as complete and approve the final payment subject to review by the City Attorney.

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

MOVED by Alderman Pecoraro SECONDED by Alderman Braun
 That the Common Council hereby tabled the aforementioned request from the City Engineer for further review.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro (4)

Nays: None (0)

CARRIED.

VII. Accountant

November 27, 2017

Honorable Arthur G. Pappas, Mayor
 and Common Council
 City Hall, 216 Payne Avenue
 North Tonawanda, NY 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 December 5, 2017, further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Regards,
 Amanda Reimer
 City Accountant

Honorable Mayor and Common Council
 North Tonawanda City Hall
 216 Payne Avenue
 North Tonawanda, NY 14120

Re: Restore NY Communities Initiative

Dear Honorable Body:

Empire State Development recently announced the Restore NY Communities Initiative grant with the purpose of *“providing municipalities with financial assistance for revitalization of commercial and residential properties. The program encourages community development and neighborhood growth through the elimination and redevelopment of blighted structures.”*

Municipalities may apply for up to \$1,000,000 and eligible projects must *“demolish, deconstruct, rehabilitate and/or reconstruct vacant, abandoned, condemned and surplus properties.”* Successful applications should demonstrate as many of the following as possible: project feasibility, project readiness, location within an urban downtown, location within a Brownfield Opportunity Area, consistent with community redevelopment plan, ability to induce commercial investment, and clearly identified need.

Given the criteria noted above, with a particular emphasis from Empire State Development on project feasibility and project readiness, the Department of Community Development believes there is a feasible development project within the downtown area and Tonawanda Island which would make a strong application. The grant funds would be used to demolish the existing fire training tower at 78 Bridge Street, in order to facilitate future development on Tonawanda Island.

The Department of Community Development is requesting your authorization for the Mayor to sign and submit a grant application for up to \$245,100 to Empire State Development under the Restore NY Communities Initiative. The Department of Community Development will be publishing a list of the properties for public review and is further requesting authorization to conduct a public hearing to gain public feedback and input regarding the grant application.

Sincerely,
 Michael Zimmerman
 Director of Community Development

MOVED by Alderman Pecoraro **SECONDED** by Alderman Glatz
 That the Common Council at a regular meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 p.m. on December 5, 2017 the following resolution was passed:

WHEREAS, Empire State Development Corporation is accepting applications to the Restore NY Communities Initiative grant with the purpose of providing municipalities with financial assistance for revitalization of commercial and residential properties; and

WHEREAS, municipalities may apply for up to \$1,000,000 and eligible projects must demolish, deconstruct, rehabilitate and/or reconstruct vacant, abandoned, condemned and surplus properties; and

WHEREAS, criteria for successful grant applications include consistency with community redevelopment plan, effective and efficient use of public resources to promote economic development, enhancement of facilities in a manner to attract development, and create and sustain employment opportunities.

WHEREAS, the City of North Tonawanda has identified one property, known as the Fire Training Facility Redevelopment Project, located at 78 Bridge Street, which meets the Restore NY Communities Initiative criteria; and

NOW, therefore, be it resolved, that the North Tonawanda Common Council finds the Fire Training Facility Redevelopment project to be consistent with the City’s local urban revitalization plans; that the proposed financing is appropriate for the project; that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances facilities in a manner that will attract, create and sustain employment opportunities; and

BE IT FURTHER RESOLVED, that the North Tonawanda Common Council hereby authorizes the Mayor to sign and submit a grant application request in an amount of \$245,100 to Empire State Development Corporation for the Restore NY Communities Initiative.

Subject to further review by the City Attorney.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro (4)
Nays: None (0)
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Gratwick Hose Company, Inc.

November 30, 2017

**Honorable Mayor and
Common Council**

The following members of the Gratwick Hose Fire Company have attained the number of years of service indicated:

35 Years – George Frazer and Carl Hoover

25 Years – Daniel Kriegbaum and Christopher Roberts

Please issue the appropriate certificates which will be awarded to them at our Annual on February 10, 2018.

Thank you.

David A. Rogge
Membership Secretary

MOVED by Alderman Berube SECONDED by Alderman Braun
That the Common Council hereby grants the following Exemption Petitions to:

35 Years – George Frazer and Carl Hoover

25 Years – Daniel Kriegbaum and Christopher Roberts

Ayes: Alderman Braun, Berube, Glatz, Pecoraro (4)
Nays: None (0)
CARRIED.

AUDIENCE PARTICIPATION –

Tom Galas, 174 Belmont Court East – The signal at 4th and Oliver works only on the weekend. This light should be left on at all times. They have a lot of activities going on at OLC church and they need the light. At 180 Belmont Court East the tree located on the terrace needs to be cut down. I have been asking for years and they come out and look but nothing happens. I think it is dead. I am picking up branches all the time.

Dennis O’Sullivan, 192 Walter Drive – Like I have been saying, we need street lights. On November 3rd, our dog got out and we could not tell which direction it ran in. It has not come back. If we had street lights, we could have seen the direction it ran and followed it. We would still have our dog.

Sue Wilke, 329 Miller Street – I was in a protest against the Republican Tax Bill that was passed. What we are concerned about is that the wealthy will get all the tax breaks. Why I bring this up is that in the next few years it will become a local problem. These young children growing up might become indentured servants or slaves to these rich people. Mr. Trump is a sick man. There used to be Progressive Republicans, now they only care about the rich. If anyone is interested we are going to protest net neutrality this weekend. You Republicans have lost your way.

Dennis Garland, Kristian Vance Garland, 238 Tremont Street – I would like to thank the efforts the City has taken to correct the problem I am having with my neighbor. I have come today to bring a petition which I have received signatures for and picture we have taken of the issues we are having with our neighbor leaving dumpsters and commercial vehicles on his residential property. I am concerned for the safety of the neighborhood kids, who are playing around these junk piles.

Megan Campbell, 774 Harding Avenue – I am checking on the status of the change in the code to the lighting ordinance I am having with my neighbor. I am still having issues with my neighbors light being left on all night long. It is shining in my house. Rob Depaolo has been great, but we need more to be done. What happens next? Is she going to get a violation?

Sonja Duza, 123 Miller Street – I would like to speak with respect to the benefit of the Community. Someone is asking for a variance to the code. This business is asking for a variance of a 25 foot setback and the code says it has to be 50 foot setback opposite an R-1 district. This cannot be allowed.

Rob DePaolo – I would like to the Mayor and Council for appointing me to the Niagara County land bank board.

ADJOURNMENT

MOVED by Alderman Glatz SECONDED by Alderman Berube
That this regular session of the Common Council be and hereby is adjourned.
CARRIED

Time of Adjournment: 7:22P.M.

Respectfully submitted,



Daniel R. Quinn
City Clerk-Treasurer