

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, February 21, 2017
6:30 P.M.**

REGULAR SESSION CALLED TO ORDER BY PRESIDENT ZADZILKA

PLEDGE OF ALLEGIANCE

ROLL CALL

**Present: President Zadzilka
Alderman Braun, Berube, Glatz, Pecoraro,**

Absent: None

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

AUDIENCE PARTICIPATION - None

PROCLAMATION FOR RUSS RIZZO AND CATHY SCHWANDT

APPROVAL OF THE MINUTES OF THE REGULAR SESSION FEBRUARY 7, 2017

**MOVED by Alderman Glatz SECONDED by Zadzilka
That the minutes of the regular session held February 7, 2017 be approved as circulated and
filed in the Office of the City Clerk.
CARRIED.**

PROOF OF PUBLICATION PUBLISHED JANUARY 14, 2017

1) Legal Notice – Alderman-at-Large Vacancy – City Clerk-Treasurer

PROOF OF PUBLICATION PUBLISHED 1/19-1/23 & 1/25, 1/26, 2017

1) Legal Notice – Assistant City Attorney Vacancy – City Attorney

PROOF OF PUBLICATION PUBLISHED JANUARY 21 & 27, 2017

1) Legal Notice – First Ward Alderman Vacancy – City Clerk-Treasurer

PROOF OF PUBLICATION PUBLISHED JANUARY 28 & FEBRUARY 4, 2017

1) Legal Notice – Treasurer’s Notice for the collection of 2017 Niagara County Taxes– City
Clerk-Treasurer

MOVED by Alderman Glatz SECONDED by Alderman Zadzilka
That the Common Council hereby receives and files the aforementioned Proof of
Publications.
CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

II. Clerk-Treasurer

February 15, 2017

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

175.83-2-73 18 Stenzil Street Todd & Kelly Licht

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

Thank you for your cooperation.

Very truly yours,
Daniel R. Quinn
City Clerk-Treasurer

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

175.83-2-73 18 Stenzil Street Todd & Kelly Licht

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, Zadzilka (5)

Nays: None (0)

CARRIED.

VII.1 Accountant

February 16, 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 February 21, 2017, further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Very truly yours,
Mark W. Dotterweich
City Accountant

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated February 21, 2017 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$331,461.21
02	Water Fund	25,663.29
04	Sewer Fund	61,683.38
06	Capital Project Fund	46,107.08
07	Trust & Agency	<u>31.84</u>
00	Final Total	\$ <u>464,946.80</u>

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)
Nays: None (0)
CARRIED.

VII.2 Accountant

February 13, 2017

Honorable Arthur G. Pappas, Mayor
And Common Council
City Hall
North Tonawanda, New York 14120

Dear Honorable Body:

In accordance with the adopted City of North Tonawanda 2017 Capital Improvements Budget, with modifications approved by the Mayor and Common Council, please find a serial bond resolution in the aggregate amount of \$2,036,984, from our Bond Counsel, Harris Beach LLP.

Accordingly, please have this resolution adopted by at least a two-thirds vote of the body and have it published in the official newspaper of the City, together with the legal notice of estoppel.

Very truly yours,
Mark W. Dotterweich
City Accountant

MOVED by Alderman Zadzilka SECONDED by Alderman Berube
At a regular meeting of the Common Council of the City of North Tonawanda, in the County of Niagara, New York, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 p.m. on February 21, 2017.

PRESENT: Eric M. Zadzilka, President
Donna Braun, Alderman
Mark Berube, Alderman
Jeffrey M. Glatz, Alderman-at-Large
Robert E. Pecoraro, Alderman-at-Large

ABSENT: None

The following resolution was offered by Alderman Zadzilka who moved its adoption, seconded by Alderman Berube; to-wit:

**BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE "CITY")
AUTHORIZING THE ISSUANCE OF \$2,036,984 IN SERIAL BONDS
OF THE CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS**

WHEREAS, the Common Council of the City of North Tonawanda (the "City") proposes to authorize the issuance of \$2,036,984 in serial bonds of the City to finance various public improvements and purposes, as described herein, appropriate funds for such purposes and to make certain determinations in connection with such purposes; and

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The City is hereby authorized to issue \$356,970 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the estimated cost of upgrades and improvements to the City Hall building located at 216 Payne Avenue consisting of, but not limited to, the replacement of the boiler, renovations to the entryway and stairway, repointing of mortar joints between the bricks, curb replacement, the replacement of skylights, the application of spray silicone coating to the roof, and upgrades and improvements to electrical and lighting systems. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$456,970, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$356,970 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the expenditure of \$100,000 in grant monies expected to be received from New York State and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is twenty-five (25) years, pursuant to subdivision 12(a)(1). of paragraph a. of Section 11.00 of the Law.

SECTION 2. The City is hereby authorized to issue \$34,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the acquisition of one pick-up truck with plow. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$34,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$34,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is fifteen (15) years, pursuant to subdivision 28. of paragraph a. of Section 11.00 of the Law.

SECTION 3. The City is hereby authorized to issue \$250,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the estimated cost of reconstruction and repaving of roads throughout the City, including the construction or reconstruction of sidewalks, curbs, gutters, drainage and grading. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$250,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$250,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is fifteen (15) years, pursuant to subdivision 20(c). of paragraph a. of Section 11.00 of the Law.

SECTION 4. The City is hereby authorized to issue \$50,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the estimated cost of replacing and reconstructing various concrete sidewalks and curbs throughout the City. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$50,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$50,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision 24. of paragraph a. of Section 11.00 of the Law.

SECTION 5. The City is hereby authorized to issue \$75,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the estimated cost of the acquisition of recycling totes for use by residents of the City in furtherance of the City's

recycling program. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$75,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$75,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision 6. of paragraph a. of Section 11.00 of the Law.

SECTION 6. The City is hereby authorized to issue \$235,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the estimated cost of purchasing one sanitation truck for use by the City's Public Works Department. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$235,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$235,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is fifteen (15) years, pursuant to subdivision 28. of paragraph a. of Section 11.00 of the Law.

SECTION 7. The City is hereby authorized to issue \$63,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the estimated cost of acquiring one utility truck for use by the Department of Public Works. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$63,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$63,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivision 29(a). of paragraph a. of Section 11.00 of the Law.

SECTION 8. The City is hereby authorized to issue \$350,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the estimated cost of acquiring replacement self-contained breathing apparatus equipment for use by the City's Fire Department. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$350,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$350,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is twenty (20) years, pursuant to subdivision 27. of paragraph a. of Section 11.00 of the Law.

SECTION 9. The City is hereby authorized to issue \$100,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the estimated cost of acquiring one replacement rescue vehicle for the City's Fire Department; including related and appurtenant equipment. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$200,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$100,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the expenditure of \$100,000 in grant monies expected to be received from New York State and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is twenty (20) years, pursuant to subdivision 27. of paragraph a. of Section 11.00 of the Law.

SECTION 10. The City is hereby authorized to issue \$400,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the estimated cost of expanding and upgrading the City's telecommunications systems including, but not limited to, the installation of fiber optic telecommunication cable throughout all City buildings, voice over internet protocol upgrades and the installation of and upgrades to security cameras in the City's

downtown district. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$400,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$400,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivisions 32., 35. and 89. of paragraph a. of Section 11.00 of the Law.

SECTION 11. The City is hereby authorized to issue \$61,184 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the estimated cost of the acquisition of one multi-use, heavy duty mower for use at the Deerwood Golf Course by the City's Youth, Recreation and Parks Department. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$61,184, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$61,184 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is fifteen (15) years, pursuant to subdivision 28. of paragraph a. of Section 11.00 of the Law.

SECTION 12. The City is hereby authorized to issue \$26,830 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the estimated cost of the acquisition of one greens mower for use at the Deerwood Golf Course by the City's Youth, Recreation and Parks Department. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$26,830, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$26,830 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision 28. of paragraph a. of Section 11.00 of the Law.

SECTION 13. The City is hereby authorized to issue \$35,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the estimated cost of certain embellishments to parks, playgrounds and recreational areas including the replacement of swing sets at Payne Park and Pine Woods Park and the replacement of a shingle roof at a pavilion at Veterans Park with a new metal roof. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$35,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$35,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is fifteen (15) years, pursuant to subdivision 19(c). of paragraph a. of Section 11.00 of the Law.

SECTION 14. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures as part of the projects described herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 15. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the City by appropriation for (a) the

amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 16. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations, and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00, Section 62.10 and Section 63.00 of the Law, the powers and duties of the Common Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the City Treasurer, the chief fiscal officer of the City. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for any of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more other objects or purposes authorized by this resolution or other resolutions of the Common Council, then the power of the Common Council to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the City Treasurer, as the chief fiscal officer of the City.

SECTION 17. The City Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 18. The City Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 19. The Common Council hereby determines that each of the projects authorized herein, the financing thereof as authorized by this resolution, and the adoption of this resolution, collectively constitutes a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA with respect to any of said projects need be taken by the Common Council as a condition precedent to the adoption of this resolution.

SECTION 20. The intent of this resolution is to give the City Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Common Council.

SECTION 21. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

- (c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 22. This resolution shall take effect immediately and the City Clerk is hereby authorized and directed to publish the foregoing resolution in full, or a summary thereof, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the City (a) for such publication, and (b) for the publication of the notice of sale in connection with any bonds issued pursuant to this resolution.

The following vote was taken and recorded in the public or open session of said meeting:

AYES: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)
 NAYS: None (0)

This resolution shall take effect immediately.

STATE OF NEW YORK)
 COUNTY OF NIAGARA) S.S.:

I, the undersigned Clerk of the City of North Tonawanda, DO HEREBY CERTIFY as follows:

1. I am the duly qualified and acting City Clerk of the City of North Tonawanda, Niagara County, New York (the "City") and the custodian of the records of the City, including the minutes of the proceedings of the Common Council of the City, and am duly authorized to execute this certificate.

2. A regular meeting of the Common Council of the City of North Tonawanda, Niagara, County, State of New York (the "Common Council"), was held on February 21, 2017, and attached hereto is a true and correct copy of a resolution duly adopted at such meeting and entitled:

BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE "CITY") AUTHORIZING THE ISSUANCE OF \$2,036,984 IN SERIAL BONDS OF THE CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS

3. That said meeting was duly convened and held and that said resolution was duly adopted in all respects in accordance with the law and regulations of the City. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (2/3's of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under the law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including the publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

4. The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the City of North Tonawanda this 21st day of February 2017.

Daniel R. Quinn
City Clerk-Treasurer

ESTOPPEL NOTICE

The resolution, a summary of which is published herewith, has been adopted by the Common Council of the City of North Tonawanda on February 21, 2017, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of North Tonawanda, Niagara County, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Daniel R. Quinn, City Clerk
City of North Tonawanda

Set forth below is a summary of said resolution adopted by the Common Council of the City of North Tonawanda on February 21, 2017.

1. The resolution is entitled "BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE "CITY") AUTHORIZING THE ISSUANCE OF \$2,036,984 IN SERIAL BONDS OF THE CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS".

2. The resolution authorized serial bonds of the City for the following respective objects or purposes, in the respective principal amounts indicated below, and with the respective periods of probable usefulness ("PPU"), indicated below:

(1) upgrades and improvements to the City Hall building located at 216 Payne Avenue consisting of, but not limited to, the replacement of the boiler, renovations to the entryway and stairway, repointing of mortar joints between the bricks, curb replacement, the replacement of skylights, the application of spray silicone coating to the roof, and upgrades and improvements to electrical and lighting systems, in the principal amount of \$356,970; PPU of 25 years;

(2) the acquisition of one pick-up truck with plow, in the principal amount of \$34,000; PPU of 15 years;

(3) the reconstruction and repaving of roads throughout the City, including the construction or reconstruction of sidewalks, curbs, gutters, drainage and grading, in the principal amount of \$250,000; PPU of 15 years;

(4) replacing and reconstructing various concrete sidewalks and curbs throughout the City, in the principal amount of \$50,000; PPU of 10 years;

(5) the acquisition of recycling totes for use by residents of the City in furtherance of the City's recycling program, in the principal amount of \$75,000; PPU of 10 years;

(6) purchasing one sanitation truck for use by the City's Public Works Department, in the principal amount of \$235,000; PPU of 15 years;

(7) acquiring one utility truck for use by the Department of Public Works, in the principal amount of \$63,000; PPU of 5 years;

(8) acquiring replacement self-contained breathing apparatus equipment for use by the City's Fire Department, in the principal amount of \$350,000; PPU of 20 years;

(9) acquiring one replacement rescue vehicle for the City's Fire Department; including related and appurtenant equipment, in the principal amount of \$100,000; PPU of 20 years;

(10) expanding and upgrading the City's telecommunications systems including, but not limited to, the installation of fiber optic telecommunication cable throughout all City buildings, voice over internet protocol upgrades and the installation of and upgrades to security cameras in the City's downtown district, in the principal amount of \$400,000; PPU of 5 years;

(11) the acquisition of one multi-use, heavy duty mower for use at the Deerwood Golf Course by the City's Youth, Recreation and Parks Department, in the principal amount of \$61,184; PPU of 15 years;

(12) the acquisition of one greens mower for use at the Deerwood Golf Course by the City's Youth, Recreation and Parks Department, in the principal amount of \$26,830; PPU of 10 years; and

(13) certain embellishments to parks, playgrounds and recreational areas including the replacement of swing sets at Payne Park and Pine Woods Park and the replacement of a shingle roof at a pavilion at Veterans Park with a new metal roof, in the principal amount of \$35,000; PPU of 15 years.

3. Aggregate amount of Debt Obligations Authorized: up to \$2,036,984.

The resolution summarized herein shall be available for public inspection during normal business hours at the offices of the City Clerk/Treasurer, City of North Tonawanda, City Hall, 216 Payne Avenue, North Tonawanda, New York 14120.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)

Nays: None (0)

CARRIED.

VII.3 Accountant

February 16, 2017

Honorable Arthur G. Pappas, Mayor
and Common Council
City Hall
North Tonawanda, NY 14120

Dear Honorable Body:

In Accordance with Article V, Division 2, Section 5.023 and Section 2.2 of the Budgetary Transfer Police, please authorize the City Accountant to make the following transfers of fiscal year 2017 appropriations, based on the request of the Department Head, dopy attached:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From: Appropriation Account</u>	<u>Into: Appropriation Account</u>
2	30,000.00	4-1990.410 Contingent Account	4-8130.253 Maintenance Equipment

Very truly yours,
Mark W. Dotterweich
City Accountant

MOVED by Alderman Pecoraro SECONDED by Alderman Glatz
That the Common Council hereby authorizes the City Accountant to make the following Budgetary Transfer of fiscal year 2017 appropriations, based on the request of the Department Head:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From: Appropriation Account</u>	<u>Into: Appropriation Account</u>
2	30,000.00	4-1990.410 Contingent Account	4-8130.253 Maintenance Equipment

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)
Nays: None (0)
CARRIED.

XVII. Traffic Safety

January 17, 2017

Daniel R. Quinn
City Clerk/ Treasurer
216 Payne Avenue
North Tonawanda, NY 14120

Traffic Safety Minutes:

The January 2017 meeting of the North Tonawanda Traffic Safety Committee was called to order at 1900 hours. Roll call showed the following members present: R. Frank, M. Lemke, E. Smolinski, M. Daigler, A. DiBernardo, and J. Sikora. The minutes from the previous meeting were read and accepted. The following new requests were discussed and recommendations made.

1. Member Smolinski reported on placing 30 minutes parking signs in front of Louis's Texas Red Hots, 18 Webster Street. There was a motion by Smolinski with a second by Daigler to place the requested signs. Motion carried unanimously.
2. Members discussed terrace parking applications. After the discussion the Committee makes the following recommendations: 110 Robinson – DENIED, 784 Oliver – APPROVED.

3. Member Daigler was contacted by a citizen regarding truck traffic on 9th Avenue. The Committee will have the NTPD Traffic Division monitor the area and member Daigler will check the area for signage.
4. The traffic signal located at the intersection of Felton and Oliver Streets was discussed. After the discussion and based on the fact this is a three way intersection, there was a motion by Lemke with a second by Anastasi to place the light on flash, yellow facing Oliver and allowing traffic to flow, and red on Felton, stopping vehicles until the intersection is clear. The motion was carried. If this change does not work the light can be returned to normal operation. If this change is liked the light can be replaced with a stop sign on Felton.
5. The Committee discussed member R. Frank taking over as Chairman. All members are in favor and a transition will take place over the next few months.
6. Plans for 1100 Sweeney St. were reviewed.

Meeting adjourned at 2010 hours.

Travel Safely,
Joseph D. Sikora
Chairman

MOVED by Alderman Berube SECONDED by Alderman Zadzilka
That the Common Council hereby approves requests #1 and #4 of Traffic Safety recommendations from their January 2017 meeting minutes.
Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)
Nays: None (0)
CARRIED.

MOVED by Alderman Pecoraro SECONDED by Alderman Zadzilka
To untable #3 of the Traffic Safety Minutes from the December 2016 meeting minutes and approves the sign located at the intersection of Fairmont and Farnsworth to be removed.
Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)
Nays: None (0)
CARRIED.

XXV. Monthly Reports

.1 Clerk-Treasurer .2 Police Department

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
That the Common Council hereby, approves the aforementioned Monthly Reports.
CARRIED.

XXVI. Semi-Annual Vacation & Sick Leave Reports

.1 Public Works

MOVED by Alderman Glatz SECONDED by Alderman Zadzilka
That the Common Council hereby, approves the aforementioned Semi-Annual Vacation & Sick Leave Reports.
CARRIED.

C.
Joseph Aiello

January 6, 2017

Common Council of North Tonawanda
216 Payne Avenue
North Tonawanda, NY 14120

Honorable Council Members:

Thank you for my recent appointment of Assistant Superintendent of Public Works. At this time I would like to request a leave of absence from my position as Wastewater Lift Station Operator until my current position becomes permanent.

Joseph Aiello
Assistant Superintendent of Public Works

MOVED by Alderman Pecoraro SECONDED by Alderman Zadzilka
That the Common Council hereby grants a leave of absence to Joseph Aiello from his position of Wastewater Lift Station Operator to accept the position of Assistant Superintendent of Public Works.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)

Nays: None (0)

CARRIED.

D.
Joe Follendorf

December 11, 2016

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

Dear Honorable Body:

On behalf of Pist 'N Broke Cruisers Car Club and Canalside Creamery, we would like to thank you for allowing us to have a very successful 2016 Webster Street Classic Car Cruise. The 2016 Cruise was made possible with open discussions, meetings and concessions by all parties involved. Our sustained success began with your support and continued with support from the Police Department and the Department of Public Works. Additionally, it was the backing of our sponsors, the Webster Street merchants and those attending, which made our Monday Night Webster Street Classic Car Cruise, a place to be for car enthusiasts and all who visited the Cruise and Historic Downtown.

We found ourselves each night of the cruise overwhelmed by the enthusiasm of those who attended. But we also found ourselves placed in a position many, many times of having to turn away those who have drove their classic, antique or muscle car, in hopes to be part of the Cruise. We literally ran out of room. This demonstrates to us, we are growing and moreover, our Cruise is gaining popularity. In respect of your request and at the direction of the Fire Department, we were unable to use the center (line) of Webster Street to park cars, as we have in previous years.

For 2017, we are requesting your sustained support and approval to continue in 2017 to host the 2017 Webster Street Classic Car Cruise every Monday night from 6PM to 9PM, May 29th through September 4, 2017 (with the exception of Canal Fest Week). We are requesting to expand the use of the Webster Street to include from Goundry Street to Sweeney Streets. As in the past we would seek the assistance of the Police Department to post signage "No Parking" from 5PM to 9PM, along this route. We will need the continued support of the Department of Public Works to provide enough barricades to block vehicle entry points to Webster Street.

02-21-2017

In addition, with your support and the help of the Police and Public Works Departments, our 2016 Cruise (our fourth year), was a great success. This year we were able to make a sizable donation to the Twin City Meals on Wheels. This presentation was made on our last cruise night of the 2016 season, September 5, 2016 and attended by the Mayor, the Directors of the Twin city Meals on Wheels and all who attended the final season cruise night.

You must know the ultimate success of this event comes from the support of many of our local businesses, the Webster Street Merchants and others, who participated by donating weekly door prizes and purchasing ads.

This highly successful and much spoke about event, cannot continue without your support. We and the multitude of care enthusiasts, local businesses and mostly the hundreds of visitors that came to the Historic Webster Street, wish to thank you for your continued support of the Webster Street Classic Car Cruise.

In anticipation of your approval, we will coordinate with the City Attorney to sign necessary agreements and provide the required insurance. We will organize efforts with the Police and Public Works Departments to effectively divert traffic from Webster Street and to set up and tear down the barricades.

Thank you in advance for anticipated approval of our request.

Respectfully submitted,
Joe Follendorf
Pist'N Broke / President

MOVED by Alderman Braun SECONDED by Alderman Pecoraro
That the Common Council hereby grants permission to Pist'N Broke Cruisers Car Club to host the Classic Car Cruise every Monday night starting May 29 – September 4, 2017 from 6PM to 9PM, excluding Canal Fest Week and keeping the same footprint as 2016.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)

Nays: None (0)

CARRIED.

E.
Chamber of Commerce

February 16, 2017

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

Dear Honorable Council Members,

The Chamber of Commerce of the Tonawandas is requesting approval to occupy Gateway Park on Thursday, August 10, 2017 for our 20th Annual Clambake. This will be a private fundraiser where food and beverages will be available to ticket holders for purchase. We will also be holding a basket auction, silent auction and live auction of items.

The profits of this event will benefit both the Chamber of Commerce and DeGraff Memorial Hospital. Upon approval of this request, we will secure all necessary approvals of catering, music, sponsors and begin to plan the event.

Please contact me should you need further clarification for this request.

Sincerely,
Angela R. Johnson-Renda
Executive Director

