

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, April 4, 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

TODAY IS STUDENT GOVERNMENT DAY

Alec Roy	Mayor
Jessica Sass	City Attorney
Destiny Steele	City Clerk–Treasurer
Alexander Scalzo	Council President/3rd Ward Alderman
Amanda Belmona	Alderman at Large
Michael Finn	Alderman at Large
Kayleigh Kneitinge	1st Ward Alderman
Nina Marranta	2nd Ward Alderman
Taylor Grosskopf	City Judge
Blake Behm	Appointed City Judge
Jacob Thompson	Assistant City Attorney
Sean Fisher	Building Inspector/Code Enforcement
Abigal Giambra	City Accountant
John Evans	City Engineer
Noelle Nickerson	Director of Youth, Parks & Recreation
Brittany Hoover	Fire Chief
Autumn Steele	Mayor’s Assistant
Furtuna Sopi	Police Chief

Zoey Dolpp

Superintendent of Public Works

Alex Quinn

City Assessor

Matthew Garrison

Youth Board Chairperson

AUDIENCE PARTICIPATION – None

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

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

COMMUNICATIONS FROM CITY OFFICIALS

III.1 Clerk-Treasurer

March 20, 2017

Honorable Mayor and Common Council
216 Payne Avenue
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:

182.79-1-2 285 Schenck Street Colby Foss

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
Clerk-Treasurer

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

182.79-1-2 285 Schenck Street Colby Foss

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.

III.2 Clerk-Treasurer

March 24, 2017

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

Re: Volunteer Fire Companies Fundraising 2017

Dear Honorable Body,

As I have been made aware by the North Tonawanda Fire Chief, and in accordance with the NYS Comptroller's Office; all (6) North Tonawanda Volunteer Fire Companies are required to provide the City with a list of all fundraising activities on an annual basis.

In accordance with these regulations, I have reviewed the correspondence that I have received from all (6) of the Volunteer Fire Companies with the Fire Chief and have found them to be in order and in proper form.

I respectfully request that your Honorable Body vote in the affirmative to grant, Columbia Hook & Ladder #1, Sweeney Hose Co. #7, Rescue Co. #5, Gratwick Hose Co. #6, Live Hose Co. #4, and Active Hose Co. #2 permission to run their respective fundraisers for 2017.

I thank you in advance for your anticipated cooperation.

Sincerely,
 Daniel R. Quinn
 City Clerk-Treasurer

MOVED by Alderman Pecoraro SECONDED by Alderman Glatz
 That the Common Council hereby grants Columbia Hook & Ladder #1, Sweeney Hose Co. #7, Rescue Co. #5, Gratwick Hose Co. #6, Live Hose Co. #4, and Active Hose Co. #2 permission to run their respective fundraisers for 2017
 Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)
 Nays: None (0)
 CARRIED.

III.3 Clerk-Treasurer

March 24, 2017

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

Re: Re-naming Park Shelter

Dear Common Council:

Phillip Russ Rizzo has always referred to Gratwick Riverside Park as the jewel of the 1st Ward. In honor of this commitment and dedication not only to the residents of the 1st Ward, but the residents of the City of North Tonawanda, I recommend that the North Tonawanda City Council re-name the Gratwick Riverside Park Shelter the Phillip Russ Rizzo Shelter.

Best regards,
 Daniel R. Quinn
 City Clerk-Treasurer

MOVED by Alderman Zadzilka SECONDED by Alderman Braun
 That the Common Council hereby approves the re-naming of the Gratwick Riverside Park Shelter to the Phillip Russ Rizzo Shelter.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka
 Nays: None
 CARRIED.

(5)
 (0)

IV. Engineer

March 29, 2017

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

Re: Carnegie Art Center – Accessibility Improvements
 Project No. 2014-10
 City of North Tonawanda, Niagara County
 Budget Transfer, Change Order Approval and Project Acceptance

Dear Honorable Body:

Approval of the change order, a budget transfer to cover extra work and project acceptance is for the Carnegie Art Center Accessibility Improvement Project is hereby requested.

The enclosed change order itemizes the extra work required. During the utility portion of the work, it was found that the North Tonawanda Football Hall of Fame's utilities ran through the Carnegie Building and by code had to be separated. Our city's fire marshal and electrical inspector also required that he distribution panel and emergency lighting needed to be brought into compliance. This work along with the other ancillary items are in the additional amount of \$8,880.30.

We therefore request that you approve a budget transfer in the amount of \$8,880.30 from General Fund Contingent Account (1.1990.410) to General Transfers Out (1.9901.901). Noted transfer out will be transferred into Community Development Fund (81.1000.5031) who's department administrated the grant.

Accordingly, we respectfully request that the Common Council approve the Carnegie Art Center Accessibility Improvements change order with Nichter Construction Co., Inc., 30 Wildwood Dr. Lancaster, NY 14086, increasing the contract amount from \$288,100, to the final contract amount of \$296,980.30; approving the project for final payment and authorizing Mayor Pappas to sign said change order subject to review by the City Attorney.

Very truly yours,

Dale W. Marshall, P.E.
 City Engineer

Michael Zimmerman
 Director of Community Development

MOVED by Alderman Glatz

SECONDED by Alderman Pecoraro

That the Common Council hereby approves a budget transfer in the amount of \$8,880.30 from General Fund Contingent Account (1.1990.410) to General Transfers Out (1.9901.901). This transfer out will be transferred into Community Development Fund (81.1000.5031) and directs the City Accountant to make said transfer. Council also approves the Carnegie Art Center Accessibility Improvements change order with Nichter Construction Co., Inc., 30 Wildwood Dr. Lancaster, NY 14086, increasing the contract amount from \$288,100, to the final contract amount of \$296,980.30; approving the project for final payment and authorizes the Mayor to sign said change order subject to review by the City Attorney.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka
 Nays: None
 CARRIED.

(5)
 (0)

VII.1 Accountant

March 30, 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 April 4, 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 Braun SECONDED by Alderman Berube
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated April 4, 2017 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$607,669.83
02	Water Fund	39,580.50
04	Sewer Fund	87,472.76
06	Capital Project Fund	21,965.00
08	Community Development	<u>19,222.67</u>
00	Final Total	\$ <u>775,910.76</u>

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

VII.2 Accountant

March 30, 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 Policy, please authorize the City Accountant to make the following transfers of fiscal year 2017 appropriations, based on the request of the Department Head, copy attached:

Control Number	Dollar Amount	<u>From: Appropriation Account</u>	<u>Into: Appropriation Account</u>
3	\$20,000.00	1-1990.410 Contingent Account	1-8092.480 Botanical Gardens Inv.
4	\$160,000.00	1-1990.410 Contingent Account	1-5110.240 DPW Equipment

Very truly yours,
Mark W. Dotterweich
City Accountant

04-04-2017

MOVED by Alderman Pecoraro **SECONDED** by Alderman Glatz
 That the Common Council hereby tables the aforementioned Budgetary Transfers per
 further review.

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

Nays: None (0)

CARRIED

XI. Fire Chief

March 27, 2017

Mayor Arthur G. Pappas
 216 Payne Avenue
 North Tonawanda, NY 14120

Honorable Mayor,

Planning for the Annual Firefighter's Inspection day parade is underway. This year the parade will be held on June 17, 2017, and begin in North Tonawanda.

I am requesting use of the City Hall parking lot for staging of the participants. I would like the lot closed off by noon that day. The parade will start at 2:00PM and we should be clear of the area shortly after.

Additional information and invitations to City Officials for participation will follow.

Sincerely,
 Joseph D. Sikora
 Fire Chief

MOVED by Alderman Berube **SECONDED** by Alderman Braun
 That the Common Council hereby grants permission to the Fire Department to use City Hall parking lot June 17, 2017 for their staging area for the annual Firefighter's Inspection Day Parade.

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

Nays: None (0)

CARRIED

XVII. Traffic Safety

March 21, 2017

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

Traffic Safety Minutes:

The March 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. Daigler, E. Smolinski, A. Vater, and J. Sikora. The minutes from the previous meeting were read and accepted, the following new requests discussed, and recommendations made.

1. After a discussion the Committee decided to table a request for a sign directing drivers to Sandra Lane. The request will be researched by member Daigler and reported on at the April meeting.
2. A "two hour parking" sign located at the corner of Main and Goundry Streets was discussed. With the recent change from parallel to diagonal parking on Main Street the Committee recommends removing the sign and leaving a "no parking here to corner" sign in place.

3. Member Frank reported the NTPD Traffic Officer will continue to monitor truck traffic on 9th Avenue.
4. A letter for Bonnie Lee Martin, 94 Felton Street, regarding the change to the traffic signal located at Oliver and Felton Streets was received and filed.
5. A “do not block driveway” sign was replaced in the area of 206 Christiana Street.

Meeting adjourned at 2020 hours.

Travel Safely,
Joseph D. Sikora
Chairman

MOVED by Alderman Glatz

SECONDED by Alderman Pecoraro

That the Common Council hereby approves only Traffic Safety recommendation #2 and receives and files the March meeting minutes.

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

Nays: None (0)

CARRIED

XXXII. Community Development

March 25, 2017

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

Dear Honorable Body:

- On May 17, 2016, your honorable body granted the Mayor permission to develop a memorial garden and remembrance walk, known as the Children’s Memorial Garden, at Brauer Park. Initially, permission was granted for use of the park only and funding for the project was intended to be by donation only. However, the Mayor has received overwhelming support on the project and has also been notified that there is grant funding available to the City to support his project.

In order to apply for and receive available grant monies, the Children’s Memorial Garden must be established as a City project. To move forward, the Council needs to consider adopting the Children’s Memorial Garden as a Capital Project for the fiscal year 2017 Budget. Appropriations for this project shall be limited to the amount of estimated revenues received, to eliminate any burden to the taxpayers for the completion of this project.

If your honorable agrees to adopt the project for 2017, the City must commit to advance the funds, as they relate to the grant award from DASNY State and Municipal Facilities Program (“SAM”) Project ID#7475, to complete this project.

Accordingly, please authorize the City Clerk-Treasurer to loan \$50,000 from the General Fund to the Capital Fund to establish the required financial commitment towards the project. Upon completion of the project and subsequent to reimbursement the loan will be returned to the General Fund.

- On October 21, 2016, the City received a letter from DASNY, regarding legal review requirements for State and Municipal Facilities Program (“SAM”) grant for Renovations and Repairs to the Carnegie Art Center Building, Project ID#8269. As part of the financial review process related to the Carnegie Center grant award the City must commit the funds necessary to complete this project. Accordingly, please authorize the City Clerk-Treasurer to loan \$75,000 from the General Fund to the Capital Fund to establish the required financial commitment towards the project. Upon completion of the project and subsequent to reimbursement the loan will be returned to the General Fund.

- On October 21, 2016, the City also received another letter from DASNY, regarding legal review requirements for State and Municipal Facilities Program (“SAM”) grant for Renovations and Repairs to City Hall, Project ID#8270. As part of the financial review process related to the City Hall grant award the City must commit the funds necessary to complete this project. Accordingly, please authorize the City Clerk-Treasurer to loan \$150,000 from the General Fund to the Capital Fund to establish the required financial commitment towards the project. Upon completion of the project and subsequent to reimbursement the loan will be returned to the General Fund.
- On November 23, 2016, the City received a letter from DASNY, regarding legal review requirements for State and Municipal Facilities Program (“SAM”) grant for Renovation of the Gratwick Park Marina, Project ID#7474. As part of the financial review process related to the Marina grant award the City must commit the funds necessary to complete this project. Accordingly, please authorize the City Clerk-Treasurer to loan \$100,000 from the General Fund to the Capital Fund to establish the required financial commitment towards the project. Upon completion of the project and subsequent to reimbursement the loan will be returned to the General Fund.

Thank you for your consideration of this request.

Kindest regards,
Michael Zimmerman
Director of Community Development

MOVED by Alderman Braun

SECONDED by Alderman Berube

That the Common Council hereby adopts the Children’s Memorial Garden as a Capital Project for the fiscal year 2017 budget and authorizes the City Clerk-Treasurer to loan monies from the General Fund to the Capital Fund so the Department of Community Development can apply for the following grants from DASNY State and Municipal Facilities Program (“SAM”):

- \$50,000 for Project ID#7475 - Children’s Memorial Garden
- \$75,000 for Project ID#8269 – Carnegie Art Center Building
- \$150,000 for Project ID#8270 – Renovations and Repairs to City Hall
- \$100,000 for Project ID#7474 – Gratwick Park Marina

Upon completion of said projects monies will be reimbursed to the General Fund, subject to further review by the City Attorney.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka

(5)

Nays: None

(0)

CARRIED

COMMUNICATIONS FROM OTHERS

A.

Ralph LaFreniere

March 20, 2017

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

Dear Honorable Body:

I am requesting to be appointed as Commissioner of Deeds for the City of North Tonawanda.

Ralph LaFreniere, 722 Payne Avenue, North Tonawanda, NY 14120

Thank you.

Sincerely,
Ralph LaFreniere

MOVED by Alderman Pecoraro SECONDED by Alderman Glatz
That the Common Council hereby approves Ralph LaFreniere, 722 Payne Avenue, North Tonawanda, NY 14120 to be appointed as a Commissioner of Deeds for the City of North Tonawanda effective April 5, 2017 and expiring April 4, 2019.

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

Nays: None (0)

CARRIED.

B.
Canal Fest of the Tonawandas

March 20, 2017

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

Dear Mayor Pappas:

Canal Fest of the Tonawandas Inc. is requesting permission from the City of North Tonawanda to hold the 35th annual festival from Sunday, July 16 – Sunday, July 23, 2017. We are seeking permission to use certain city facilities and streets including manpower from certain city departments. Included with this letter are our requests for the year 2017.

Canal Fest looks forward to another successful event for our membership and the Twin Cities. North Tonawanda has always contributed to this success and we hope to maintain our good working relationship for many years to come.

Thank you for your time and consideration of our requests.

Respectfully,
Peter R. Chenier Jr.
Canal Fest of the Tonawandas/President

MOVED by Alderman Braun SECONDED by Alderman Berube
That the Common Council hereby grants permission to the Canal Fest of the Tonawandas, Inc. To hold their annual Canal Fest Sunday, July 16, 2017 to Sunday, July 23, 2017 with provisions outlined in agreement submitted by the City Attorney's Office between City of North Tonawanda and Canal Fest of the Tonawandas, Inc.

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

Nays: None (0)

CARRIED.

C.
Mark Berube

March 28, 2017

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

Dear Honorable Body:

I am requesting to be appointed as a Commissioner of Deeds for the City of North Tonawanda.

Mark D. Berube, 1258 Payne Avenue, North Tonawanda, NY 14120

Thank you

04-04-2017

Sean Z. Polen, 411 South Avenue, North Tonawanda, NY 14120
 Dennis O'Sullivan, 192 Walter Drive, North Tonawanda, NY 14120
 Edward Harkey, 246 Stenzil Street #3, North Tonawanda, NY 14120
 Charles R. Darrin II, 411 South Avenue, North Tonawanda, NY 14120
 Mark Houghton, 3 Eighth Avenue, North Tonawanda, NY 14120
 Elizabeth R. Sanderson, 116 Ninth Avenue, North Tonawanda, NY 14120

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

AUDIENCE PARTICIPATION –

Sarah Hansgate 2667 Pinelake Dr. Niagara Falls – I would like to thank the City Officials and the School District for allowing the students to participate in Student Government Day.

Peter Chenier, Jr. 1666 Eddy Drive - I would like to thank the City for allowing the Canal Fest to continue another year. It helps a lot of not for profits, Thank you.

Nick Marzo 421 Warner Avenue – I am concerned about the dispatch and I would like it to come back the North Tonawanda. We recently had a shooting two houses down and my neighbors and I are concerned.

Richard Wydish 216 Payne Avenue – I first would like to thank the Mayor and Council for the work they do every day. I am concerned for the safety of the residents and my fellow officers and we would like the City to bring back the dispatch.

Robert Kalota 216 Payne Avenue – We are committed to the protection of the residents, and we need the dispatch back to North Tonawanda.

Eric Herbert 1049 Thomas Fox Drive East – I would like to speak to the citizens and express my concerns with the dispatch. We need to bring it back to North Tonawanda.

Daryl Truty 214 Zimmerman Street – I am here as a concerned citizen and a representative of 47 Officers. I have written concerns of over 200 residents of North Tonawanda. We need to bring back dispatch to North Tonawanda.

ADJOURNMENT

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

Time of Adjournment: 6:59 P.M.

Respectfully submitted,



Daniel R. Quinn
 City Clerk-Treasurer