

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, June 6, 2017
6:32 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 -

Daryl Truty 216 Payne Avenue – Stated that the Sheriff, PBA and the City has had some good dialogue this week and he would like to thank the community for its support.

Sonia Dusza 123 Miller Street – I would like information on item II from the Attorney. What specifically is the lease agreement? What is JG Production and Entertainment getting from the City and what is the City getting from this event? What are we getting besides entertainment on our Park? What percent is going toward the Food Pantry? The deal sounds lopsided.

Bill Patton 260 Oliver Street – Last week there was a Kite Flying event to support homeless veterans and 100% of the proceeds went to the organization. We paid the \$300 event fee, and everything else went to the Homeless Veterans organizations.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION MAY 16, 2017

MOVED by Alderman Zadzilka SECONDED by Pecoraro
That the minutes of the regular session held May 16, 2017 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED 5/1, 3, 4, 5, 6, 7, 8, 10, 2017

- 1) Legal Notice – Formal Bids for One New and Unused 48" Portable Asphalt Trenching Machine – Supt. Public Works

PROOF OF PUBLICATION PUBLISHED MAY 26, 2017

- 1) Legal Notice – Annual Drinking Water Quality Report for 2016 – Water/Wastewater Department

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

COMMUNICATIONS FROM CITY OFFICIALS

II. Attorney

June 1, 2017

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

Re: Proposed Thursdays on the Water Lease

Dear Honorable Body:

Attached is a proposed lease between the City of North Tonawanda and JG Production and Entertainment, LLC for the concert series, commonly known as "Thursdays on the Water", to be held at Gratwick Park.

Should your Honorable Body concur, please pass a resolution to adopt this new lease and approve for the Mayor's signature. If you have any questions, please do not hesitate to contact me.

Sincerely,
Luke A. Brown, Esq.
City Attorney

MOVED by Alderman Zadzilka **SECONDED** by Alderman Braun
That the Common Council hereby approves the proposed lease agreement between the City of North Tonawanda and JG Production and Entertainment, LLC for the "Thursdays on the Water" concert series and directs the Mayor to sign said agreement, subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

III. Clerk-Treasurer

Date: June 6, 2017

To: Mayor/Common Council

From: Daniel R. Quinn - City Clerk/Treasurer

Subject: Addendum to the Standard Work Day and Reporting Resolution – 2017

New Regulation 315.4 outlines additional reporting requirements for elected or appointed officials and more clearly defines the process for reporting time worked by those officials.

This regulation became effective August 12, 2009.

I offer the following resolution for your consideration:

BE IT RESOLVED, that the City of North Tonawanda hereby establishes the following as standard work days for elected and appointed officials and will report (see attached) the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these Officials to the Clerk of this body.

Sincerely,
Daniel R. Quinn
City Clerk-Treasurer

MOVED by Alderman Pecoraro SECONDED by Alderman Berube
 BE IT RESOLVED, that the City of North Tonawanda hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these Officials to the Clerk of this body:

2017 Addendum to Elected/ Appointed Work Schedule City of North Tonawanda New York

APPOINTED OFFICIALS:

<u>TITLE</u>	<u>NAME</u>	<u>STANDARD WORKDAY</u>	<u>TERM BEGINS/ENDS</u>	<u>PARTICIPATES IN TIME KEEPING</u>	<u>DAY/MONTH</u>
Zoning Board	Kenneth Braun	6	1/01/13 – 12/31/18	Y	3
Planning Board	Michael Carney	6	6/17/15 – 12/31/21	Y	3
Planning Board	Thomas Jaccarino	6	1/01/13 – 12/31/19	Y	3

Daniel R. Quinn
 City Clerk Treasurer

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

VII. Accountant

June 1, 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 June 6, 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 Glatz
 That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated June 6, 2017 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$755,808.54
02	Water Fund	55,917.59
04	Sewer Fund	154,489.61
06	Capital Project Fund	104,857.45
07	Trust & Agency Fund	<u>203.00</u>
00	Final Total	<u>\$1,071,276.19</u>

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

000135

XVII. Traffic Safety

May 18, 2017

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

Traffic Safety Minutes:

The May 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. Daigler, M. Anastasi, A. DiBernardo, M. Lemke, E. Smolinski, and A. Vater. The minutes from the previous meeting were read and accepted, the following new requests discussed, and recommendations made.

1. Member Frank reported on a request, from the resident at 22 Grant Street, to relocate a "No Parking" sign on Grant Street to allow more room for emergency vehicle access. The Committee is in agreement with moving the sign toward Christiana Street. Member Daigler will move the sign when approved.
2. Member Frank also received a request to construct a footpath with a bench along Sandra Lane. This request was received and filed. Member Frank will contact the caller and direct them on whom to contact for assistance.
3. The Committee discussed residents' concerns with changes made to the intersection of Oliver and Felton Streets. At this time the Committee recommends leaving the intersection as is.
4. A request to place a stop sign at the intersection of Doebler and Selkirk Drives was discussed. The Committee does not recommend placing the sign.
5. A request from Rick Zylka regarding speeding on Wheatfield Street was discussed. The area will be monitored by the NTPD Traffic Officer.
6. The intersection of Thompson and Main Streets was discussed. The Committee is in agreement the changes made to the intersection should be left as is. Members will continue to monitor the area.
7. Members of the Committee will attend a future Council Workshop meeting to discuss placement of "No Parking" signs on various City streets.

Meeting adjourned at 2015 hours.

Travel Safely,
 Joseph D. Sikora
 Chairman

MOVED by Alderman Pecoraro SECONDED by Alderman Zadzilka
 That the Common Council hereby approves the Traffic Safety recommendation #1 and receives and files the May meeting minutes.

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

Nays: None (0)

CARRIED

XXV. Monthly Reports

.1 Clerk-Treasurer .2 Senior Citizen Center

MOVED by Alderman Berube SECONDED by Alderman Glatz
 That the Common Council hereby receives and files the aforementioned Monthly Reports.

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

Nays: None (0)

CARRIED

COMMUNICATIONS FROM OTHERS

A.
North Presbyterian Church

May 15, 2017

City Clerk's Office
216 Payne Avenue
North Tonawanda, NY 14120

Dear Sir,

North Presbyterian Church would like to request permission to hold an outdoor worship service at the War Memorial at Bauer Park on July 2, 2017 at 11:00 AM.

Sincerely yours,
Kris Larson
Clerk of Session

MOVED by Alderman Braun SECONDED by Alderman Pecoraro
That the Common Council hereby grants permission to North Presbyterian Church to hold an outdoor worship service at the War Memorial at Brauer Park on July 2, 2017 at 11:00AM.

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

Nays: None (0)

CARRIED.

B.
St. Mark's Episcopal Church

May 17, 2017

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

Dear Members of the Common Council:

St. Mark's Episcopal Church in North Tonawanda is looking to host its third – "St. Mark's, get set, go! 5K" race on Saturday, October 14, 2017.

The race is scheduled to start at 9:30 a.m. with runners beginning on Tremont Street on the side of St. Mark's Church and ending back at our church. (See attached map of the route). Notice will be posted throughout the neighborhoods prior to the race advising the residents of the race. I have already spoken with Captain Roger Zgolak, who supervised the race last year, and he has agreed to assist us again this year, once we have your approval.

As such, we are respectfully requesting the approval of the Common Council to run this race and permission to have a police escort during the race for the protection of our runners and bystanders.

We had more participants last year and are confident this race will be an even bigger success this year. This is a positive event for both our parish community and the greater community of North Tonawanda.

Should you require any further information, you may contact the coordinators of this event, Katie Orlovski-Williams at (716) 628-0561, Scott Ferguson at (716) 909-8834 or Faith E. Elliott at (716) 951-0704.

On behalf of St. Mark's Episcopal Church, I would like to thank you for your time and consideration of our request and await to hear from the honorable council in the near future.

Sincerely yours,
Faith E. Elliott
Coordinator

MOVED by Alderman Braun **SECONDED** by Alderman Glatz
That the Common Council hereby grants permission to St. Mark's Episcopal Church 61 Payne Avenue, North Tonawanda, NY 14120, to hold their "St. Mark's get set, go! 5K "Race on Saturday, October 14, 2017, and also directs the Police Department to assist for traffic control.
Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)
Nays: None (0)
CARRIED.

C.
OLC Church

May 22, 2017

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

**Re: August 27, 2017; Our Lady of Czestochowa Feast Day Celebration
Request for Approval of 5K Run and 1 Mile Fun Walk**

Dear Sir or Madam:

Please allow this letter to serve as the formal request from Our Lady of Czestochowa Parish to the City of North Tonawanda Common Council for approval of a 5K Run and 1 Mile Fun Walk on Sunday, August 27, 2017.

Briefly and similar to last year, the Parish is hosting a celebration in honor of the Feast Day of Our Lady of Czestochowa. The church is proposing a 5K Run and 1 Mile Fun Walk as some of the many activities that will be held that day. Below is the information the Church has for the proposed 5K Run and 1 Mile Fun Walk.

- WHEN:** August 27, 2017
- TIME:** Approximately 11:00 AM
- WHERE:** Between Center Avenue and 5th Avenue on Oliver Starting same course as last year (Certified)
- DISTANCE:** 5K Run; 1 Mile Walk

Please advise whether you require any additional information for the initial approval. Additionally, please advise whether you would like a representative at the Common Council Meeting to discuss the above and if so the date of the same.

Thank you for your time and we look forward to hearing from the North Tonawanda Common Council regarding the approval of the OLC 5K Run and 1 Mile Fun Walk.

Very truly yours,
Courtney J. Donahue, Parishioner

MOVED by Alderman Berube **SECONDED** by Alderman Pecoraro
That the Common Council hereby grants permission to OLC Church to host their annual Feast Day Celebration 5K Run and 1 Mile Walk, August 27, 2017 and directs the DPW to provide barricades to block off the street between Center Avenue and 5th and the Police Department to assist for the 5K Run and 1 Mile Walk course.
Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)
Nays: None (0)
CARRIED.

D.
Columbia Hook and Ladder Co.

May 25, 2017

Honorable Mayor Arthur Pappas
Honorable Common Council
c/o City Clerk
City Hall, 216 Payne Avenue
North Tonawanda, NY 14120

Re: Volunteer Firefighter Exemptions

Dear Mayor & Council:

The officers and members of Columbia Hook & Ladder Co. No. 1 request these Exemptions be granted to these two members:

5 – Year Exemption for – Christopher M. Wildev
He joined Columbia Hook & Ladder April 4, 2012

35 – Year Exemption for – Paul E. Van Voorhees
He joined Columbia Hook & Ladder November 1, 1978

Please have the appropriate Exemption Certificates prepared. You may send them to the office of Fire Chief Joseph Sikora, who will present them to these members.

Respectfully yours,
David L. Evans
Recording Secretary

MOVED by Alderman Braun SECONDED by Alderman Glatz
That the Common Council hereby approves exemption petitions to the following:

5 – Year Exemption for – Christopher M. Wildev
35 – Year Exemption for – Paul E. Van Voorhees

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

E.
Joanne M. DalPorto

May 31, 2017

To the City Clerk of North Tonawanda

I, Joanne M. DalPorto, who resides at 416 Fairmont Avenue, North Tonawanda, NY 14120 would like to be a Commissioner of Deeds in the City of North Tonawanda.

Thank you for your consideration.

Joanne M. DalPorto

MOVED by Alderman Pecoraro SECONDED by Alderman Berube
That the Common Council hereby approves Joanne M. DalPorto, 416 Fairmont Avenue, North Tonawanda, NY 14120 to be appointed as a Commissioner of Deeds for the City of North Tonawanda effective June 7, 2017 and expiring June 6, 2019.

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

LATE COMMUNICATION

MOVED by Alderman Zadzilka SECONDED by Alderman Glatz

To bring the following communication to the floor.

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

Nays: None (0)

CARRIED.

#1

Meadow Elementary School

June 5, 2017

To whom it may concern:

On Friday, June 9, 2017 (rain date Monday, June 12, 2017) Meadow School would like to conduct a Fun Day. Due to construction on school grounds, Meadow School would like to utilize part of the North Tonawanda Public Library grounds. The portion of the grounds we wish to utilize is the grass area that adjoins our parking lot/driveway.

The Fun Day will run from approximately 9:10 a.m. to 2:30 p.m. Fun Day activities will include ball kicking, parachute throwing, bobbing/weaving, snack eating, etc.

An unofficial reciprocal usage has historically existed between the NTPL and Meadow School; NTPL utilizes Meadow School's parking lot for "Big Truck Day and Meadow School utilizes the NTPL grounds on occasion for picnicking.

Thank you for your consideration.

Janet Matyeovich
Principal

MOVED by Alderman Zadzilka SECONDED by Alderman Braun

That the Common Council hereby grants permission to Meadow Elementary School to use the NT Public Library grounds for the Fun Day Friday, June 9, 2017 with a rain date Monday, June 12, 2017 from 9:10AM to 2:30PM.

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

Nays: None (0)

CARRIED.

AUDIENCE PARTICIPATION –

Sue Wilke 329 Miller Street – On March 19, 2017 you said that there was more crime at Budways than at Walmart. Suzanne DeMonte provided me with information that said in 2016 there were only 5 police calls at Budways and in 2016 at Walmart there were 92 police calls. Walmart is so cheap that it cannot hire its own security. It puts a lot of pressure on our police force. Bring back dispatch.

Cathy Kern 1248 Greenbrier Lane – I also did talk the Chief Hall, and you were aware of the shoplifting problem at Walmart. Secondly, I am holding a handicap parking permit hang tag and it states on the back that you cannot leave hanging in the window while you are driving. You need to notify the people when they get one that they cannot drive with it up. The Police need to enforce this law.

Sonia Dusza 123 Miller Street – Last meeting I mentioned that when our Planning and Zoning Boards make decisions they do not express their reasons for their decisions. I have read many cases in which the findings were not listed and the resident took the City to Court and won. In my neighborhood alone there were 3 cases in which the Boards did not provide the evidence for their rulings. I have received my information from legal memorandums. Both Boards cannot continue doing what they are doing. They need to provide facts for their decisions.

Ken Braun 175 Lincoln Avenue – I am the Chairman of the Zoning Board and we have rules and guidelines from the State and Federal Level that we have to follow. We also have the City Attorney present at every meeting. Our City Attorney would not allow us to do anything illegal.

Dave Fingerlow 32 Seventh Avenue – I still have not heard anything back from the Alderman that visited my house about Terrace Parking. There is no difference from houses with curbs and no curbs. The police have better things to do then issue Terrace Parking tickets. I understand no trucks, boats, trailers, or RVs.

Athena Tucker 344 Summit Blvd. – I would like you to consider as police are retiring hiring female Police Officers in North Tonawanda, less than 1% of our officers are women. We could eliminate the hiring of matrons and the female officers could replace them.

Walt Yarrow 170 Christiana Street – The Terrace Parking issue has been taken care of. All you have to do is pay for paving tiles. Once you do this you can only park during winter months, not all year. Why should the homeowner pay for these improvements to City property?

ADJOURNMENT

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

Time of Adjournment: 7:25 P.M.

Respectfully submitted,



Daniel R. Quinn
City Clerk-Treasurer