

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Monday, November 6, 2017
6:33 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 -

Sonja Duza, 123 Miller Street – On the agenda you have a legal notice titled Notice of Foreclosure of Tax Liens, I am not real clear on this. This is for people who do not pay their taxes and it is filed at the County Clerk’s Office. Who has the right to follow up with these properties? Does the City sell tax certificates? I noticed on the residency, did you only have one person apply? Is it worth part time to come from Grand Island? How much does that job pay per hour? Does it have any benefits? Where was it advertised?

Jesse Wendel, Kaleida Health – Does anyone have any questions in regards to the temporary canopy that is going to be placed at DeGraff Hospital?

BJ VanDewater, 1098 Nash Road – I find what the Police Department does with their Facebook page in regards to providing information for the public is extremely helpful. I would also like to suggest putting a timer in the corner so when people are speaking they are aware of how much time is left.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION OCTOBER 17, 2017

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
That the minutes of the regular session held October 17, 2017 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED 8/27, 9/17 & 10/15/2017

1) Legal Notice – Notice of Foreclosure of Tax Liens – City Attorney & City Clerk-Treasurer

PROOF OF PUBLICATION PUBLISHED OCTOBER 14, 2017

1) Legal Notice – City of North Tonawanda 2018 Budget Public Hearing and Budget Adoption – City Clerk-Treasurer

11-06-2017

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

COMMUNICATIONS FROM CITY OFFICIALS

IV. Engineer

October 30, 2017

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

Re: Gratwick Riverside Park Marina 2016 Renovations (Phase VI)
 Project No. 2016-10
 City of North Tonawanda, Niagara County
 Approval of Change Order No. 2, Final Payment, and Project Acceptance

Honorable Body:

Approval of Change Order No. 2, approval of the final payment, and project acceptance of Phase VI of the Gratwick Riverside Park Marina is hereby requested.

Now that the marina project is complete, a review of the overall project is in order. Below is a table that summarizes the six (6) phases of construction over the past five years and the various funding sources utilized to complete the project.

Phase	Year	Amount	Funding Source
1	2012	\$ 300,000	Niagara County Greenway
2 & 3	2013-2014	\$ 689,919	Federal Boater Infrastructure Grant (BIG)
		\$ 361,350	City Bond (2013)
4	2014 (Fall)	\$ 208,125	NYS Dept. of State
		\$ 300,000	Niagara County Greenway
5	2015	\$ 208,125	City Bond (2015)
6	2016-2017	\$ 986,000	City Bond (2016)
		\$ 100,000	NYS Dept. of State
Total		\$ 3,153,519	

As you can see, the City of North Tonawanda's total investment of \$1,555,475, representing 49.33% of total project cost, was utilized to secure \$1,598,044 in grant sources from Niagara County, New York State and the Federal Government respectively.

The city had a major liability as owner of the former vacant and dilapidated marina (Niagara River Yacht Club) before embarking on the new city marina project in 2012. In my opinion, the new marina is truly an asset to the city, where government funds were spent judiciously in creating a city marina that is equal to, or finer than others around the area.

As I indicated above, Phase VI of the marina construction was completed in two phases beginning in 2016 and completed in the Spring of 2017. The majority of the construction was completed in 2016 using city bonded funds with the installations of the docks, utilities, lighting, pathways and jet ski facilities.

On March 14, 2017, we met in a workshop to discuss utilizing the \$100,000 State Grant on the various marina park amenities. The following are the components that were added to the contract utilizing these funds to be approved by your honorable body as Change Order No. 2:

• Replace missing bollard light	\$1,553
• New main parking lot lighting	\$28,737
• Replace and widen existing entrance road	\$22,467
• Landscape transient area picnic grove complete w/ rock retain wall	\$21,569
• Topsoil and seed peninsula, picnic grove and entrance road	\$8,814
	Total \$83,140

Accordingly, I respectfully request that the Common Council approve Change Order No. 2 for Phase VI of the Gratwick Riverside Park Marina 2016 Renovations Project to Pinto Construction Services, Inc., 1 Babcock Street, Buffalo, NY 14210, increasing the contract amount by \$83,140; from \$890,741.64, to the revised final contract amount of \$973,881.64; authorizing the Mayor to sign said change order, subject to review by the City Attorney. Further, the contractor has supplied the necessary form of guarantee; substantial completion; consent of surety; and affidavit for final payment so I also ask that the Common Council accept the project and approve final payment.

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

MOVED by Alderman Pecoraro **SECONDED** by Alderman Zadzilka
That the Common Council hereby approves Change Order No. 2 for Phase VI of the Gratwick Riverside Park Marina 2016 Renovations Project to Pinto Construction Services, Inc., 1 Babcock Street, Buffalo, NY 14210, increasing the contract amount by \$83,140; from \$890,741.64, to the revised final contract amount of \$973,881.64; and authorizes the Mayor to sign said change order, subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

VII.1 Accountant

November 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 November 7, 2017, further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Regards,
Amanda Reimer
City Accountant

11-06-2017

MOVED by Alderman Zadzilka SECONDED by Alderman Braun
That the Common Council hereby authorizes for payment the current Abstract of Claims
for Common Council Audit dated November 7, 2017 and further authorizes the Mayor
and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$277,496.71
02	Water Fund	29,688.76
04	Sewer Fund	111,679.11
06	Capital Project Fund	411,281.66
07	Trust & Agency	122.06
85	Housing Rehab	<u>57,369.00</u>
00	Final Total	\$ <u>887,637.30</u>

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

VII.2 Accountant

October 23, 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, copy attached:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From: Revenue Account</u>	<u>Into: Appropriation Account</u>
12	35,046.00	1.1990.410 Contingent Account	1.1315.100 Accounting Personal Services
13	500.00	1.3620.480 Building Insp. Ops	1.3620.420 Building Insp. R&M
14	2,400.00	1.3620.480 Building Insp. Ops	1.3620.410 Building Insp. Admin

Regards,
 Amanda Reimer
 City Accountant

MOVED by Alderman Braun 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 Heads:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From: Revenue Account</u>	<u>Into: Appropriation Account</u>
12	35,046.00	1.1990.410 Contingent Account	1.1315.100 Accounting Personal Services
13	500.00	1.3620.480 Building Insp. Ops	1.3620.420 Building Insp. R&M
14	2,400.00	1.3620.480 Building Insp. Ops	1.3620.410 Building Insp. Admin

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

X.1 Police Chief

September 22, 2017

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

Dear Honorable Body,

There currently exists a vacancy for the position of a part time School Crossing Guard. This position was advertised to the public on the North Tonawanda Police Department Facebook page. Only one prospective applicant responded, that being Rosanne J. Berg, 184 Marilyn Drive, Grand Island, NY 14072. Niagara County Civil Service has subsequently rejected this applicant because she does not reside in the City of North Tonawanda.

I am respectfully asking this body to forgo the residency requirement in this matter to allow the hiring of Rosanne Berg. The delay in filling this vacancy and starting the hiring process anew in the hopes that a resident will respond leaves ranks of the School Crossing Guards shorthanded.

Thank you for your attention to this matter.

Sincerely,
 Roger R. Zgolak
 Chief of Police

MOVED by Alderman Pecoraro SECONDED by Alderman Braun
 That the Common Council hereby grants permission to forgo the residency requirement to allow the hiring of Rosanne Berg to the position of School Crossing Guard.
 Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)
 Nays: None (0)
 CARRIED.

X.2 Police Chief

October 31, 2017

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

Dear Honorable Body,

The attached 5 year agreement with National Grid for placement of security cameras to be installed onto National Grid power poles has been reviewed and approved by City Attorney Luke Brown.

I respectfully request that the Common Council vote to approve the City of North Tonawanda Police Department to enter into this agreement. Thank you for your attention to this matter.

Sincerely,
 Roger R. Zgolak
 Chief of Police

MOVED by Alderman Zadzilka SECONDED by Alderman Glatz
 That the Common Council hereby approves entering into a 5 year agreement with National Grid for placement of security cameras on National Grid poles with in the City of North Tonawanda, subject to review by the City Attorney.
 Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)
 Nays: None (0)
 CARRIED.

XIV. Youth, Recreation & Parks

November 1, 2017

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

Dear Honorable Mayor Pappas and Common Council Members:

Please review and approve for signing the attached renewal agreement between Ms. Diane Sheehan and the City of North Tonawanda. Ms. Sheehan provides the Youth Court and First Offender services to our department as an Independent Contractor. The agreement will allow these services to continue through December 31, 2018.

City Attorney, Luke Brown has received the agreement and will forward it to the Mayor's Office for the required approval and notarized signature.

Thank you.

Sincerely,
 Patricia A. Brosius
 Director of Youth, Recreation & Parks

MOVED by Alderman Braun **SECONDED** by Alderman Pecoraro
 That the Common Council hereby approves said renewal agreement between Ms. Diane Sheehan and the City of North Tonawanda. Ms. Sheehan provides the Youth Court and First Offender services to the city of North Tonawanda Recreation Dept. as an Independent Contractor. The agreement will allow these services to continue through December 31, 2018. subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

XVII. Traffic Safety

October 19, 2017

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

Traffic Safety Minutes:

The October 2017 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, A. DiBernardo, M. Lemke, and A. Vater. The minutes from the previous meeting were read and accepted. The following new concerns/requests were discussed and recommendations made.

1. Member R. Frank reported Thomas Fox East, Park Ave., and Forbes St., have been monitored for speeding by the NTPD Traffic Officer as well as the speed monitoring sign. No problems were found at this time.
2. Member Daigler met with Michelene Insalaco, 477 Duane Dr., on a request to place a "No ATV's" sign. After a discussion the Committee recommends replacing a sign that was removed some time ago. Member Daigler will research where the sign was and replace it.
3. Member Daigler received a request to check timing of the signal located at the intersection of Nash and Ruie Roads. No problems were found and he will continue to monitor the intersection.

4. Jon Huber, 409 East Stenzil Street, has concerns with speeding on his street and requested placement of signs. The Committee does not recommend placement of signs and Member Daigler will contact Mr. Huber to discuss his request.

Meeting adjourned at 2010 hours.

Travel Safely,
Joseph D. Sikora
Chairman

MOVED by Alderman Pecoraro SECONDED by Alderman Glatz
That the Common Council hereby approves request #2 of Traffic Safety recommendations and receives and files their October 2017 meeting minutes.
Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)
Nays: None (0)
CARRIED.

XXV. Monthly Reports

.1 Police Department .2 Clerk-Treasurer

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

COMMUNICATIONS FROM OTHERS

A.
DeGraff Memorial Hospital

October 24, 2017

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

SUBJECT: Kaleida DeGraff Memorial Hospital (445 Tremont St., 14120)

Dear Mr. Quinn:

On behalf of our client, specific to the subject project, Kaleida Health is requesting permission to install a canopy at the Tremont Street entrance of DeGraff Memorial Hospital to aid in patient amenities.

That being said, we would like to request review by the Common Council on the November 6 agenda/meeting.

Should you have any questions please do not hesitate to give us a call.

Respectfully,
Joseph Kedron, AIA
Associate Principal

MOVED by Alderman Braun SECONDED by Alderman Berube
That the Common Council hereby grants permission for Kaleida Health to install a canopy at the Tremont Street entrance of DeGraff Memorial Hospital to aid in patient amenities during their construction.

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

(5)

Nays: None

(0)

CARRIED.

AUDIENCE PARTICIPATION –

Cosimo Capozzi, 1780 Sweeney Street – After doing some site plan review for 25 Grant Street, I noticed that some of the property the school is selling is City property. I would suggest someone reaching out to the School District. Another question is why would the School Board sell a taxable property to a nontaxable entity? The School District is going to lose a lot of taxes from this site.

Sonja Duza, 123 Miller Street – We have an election tomorrow and we did not have a debate. I find that deplorable. The League of Women Voters sponsored a debate in the past. Our Community does not have social equity. The City of North Tonawanda received a grant back in 74 or 78 to fix the tennis court by Miller Street. It looks like hell. The City still has not fixed that fence at the tennis court. I have been speaking about this for years.

ADJOURNMENT

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

Time of Adjournment: 7:20P.M.

Respectfully submitted,



Daniel R. Quinn
City Clerk-Treasurer