

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, February 20, 2018
6:32 P.M.**

REGULAR SESSION CALLED TO ORDER BY PRESIDENT ZADZILKA

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: None

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

AUDIENCE PARTICIPATION

Sonia Dusza 123 Miller Street – On the agenda you have Cramer Paper Street. The City has too many paper streets. We need a City Planner to fix these problems. What precipitated this item being put in the auction? Who was asking? Who decided on the \$25,000? On the item on the City employee, how long has he been employed by the City.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION FEBRUARY 6, 2018

**MOVED by Alderman Zadzilka SECONDED by Alderman Braun
That the minutes of the regular session meeting held February 6, 2018 be approved as
circulated and filed in the Office of the City Clerk.
CARRIED.**

PROOF OF PUBLICATION PUBLISHED 1/28/2018 & 2/4/2018

1) Legal Notice – For The Collection of the 2018 County Taxes– City Clerk-Treasurer

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

COMMUNICATIONS FROM CITY OFFICIALS

III. Clerk-Treasurer

February 14, 2018

**Mayor and Common Council
216 Payne Ave. – City Hall
North Tonawanda, NY 14120**

02-20-2018

Re: Cramer Paper Street

Dear Council:

I am requesting that the Council remove 70' x 230' of the front portion of the part of Cramer Street that is a paper street located on Sweeney Street. I would like to put this property in the IN-REM auction. I am anticipating placing a minimum bid requirement of \$25,000.

Regards,
Daniel R. Quinn
City Clerk-Treasurer

MOVED by Alderman Zadzilka **SECONDED** by Alderman Pecoraro
That the Common Council hereby approves the removal of 70' x 230' of the front portion of the Cramer Paper Street that is located at Sweeney Street to be placed in the In-Rem auction
Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka (5)
Nays: None (0)
CARRIED.

VII.1 Accountant

February 13, 2018

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 20, 2018 and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Regards,
Amanda Reimer
City Accountant

MOVED by Alderman Tylec **SECONDED** by Alderman Braun
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated February 20, 2018 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$934,932.73
02	Water Fund	59,337.87
04	Sewer Fund	181,456.36
06	Capital Project Fund	105,973.03
07	Trust & Agency Fund	38.77
86	AHOD- Rehab	<u>21,039.00</u>
00	Final Total	<u>\$1,302,777.76</u>

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

VII.2 Accountant

February 13, 2018

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 2018 appropriations, based on the request of the Department Head, copy attached:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From: Appropriation Account</u>	<u>Into: Appropriation Account</u>
4	\$1,450	1.880, Reserve for Tax Stabilization	1.1440.480, Engineer_Operations

Regards,
Amanda Reimer
City Accountant

MOVED by Alderman Pecoraro SECONDED by Alderman Berube
That the Common Council hereby authorizes the City Accountant to make the following Budgetary Transfers of fiscal year 2018 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>
4	\$1,450	1.880, Reserve for Tax Stabilization	1.1440.480, Engineer_Operations

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

VII.3 Accountant

February 12, 2018

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

Dear Honorable Body:

In accordance with the adopted City of North Tonawanda 2018 Capital Improvements Budget, with modifications approved by the Mayor and Common Council, please find a serial bond resolution in the aggregate amount of \$2,855,000, 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.

Regards,
Amanda Reimer
City Accountant

MOVED by Alderman Pecoraro **SECONDED** by Alderman Zadzilka
**At a regular meeting of the Common Council of the City of North Tonawanda,
Niagara County, New York, held at City Hall, 216 Payne Avenue, North Tonawanda,
New York at 6:30 PM on February 20, 2018.**

PRESENT: Eric Zadzilka, President
Donna Braun, Alderwoman
Mark Berube, Alderman
Robert Pecoraro, Alderman-at-Large
Austin Tylec, Alderman-at-Large

ABSENT: None

The following resolution was offered by Alderman Pecoraro who **MOVED** its adoption, **SECONDED** by Alderman Zadzilka; to-wit:

**BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE "CITY")
AUTHORIZING THE ISSUANCE OF \$2,855,000 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 \$2,855,000 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 \$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 landscaping and ground maintenance equipment including all ancillary and related apparatus 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 \$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 fifteen (15) years, pursuant to subdivision 28. of paragraph a. of Section 11.00 of the Law.

SECTION 2. The City is hereby authorized to issue \$325,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of improvements at the Deerwood Golf Course consisting of the renovation and improvement to sand bunkers, the reconstruction of cart paths, the installation of a computerized irrigation system, including any appurtenant and incidental costs and expenses to each of the foregoing. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$325,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$325,000 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 objects or purposes is fifteen (15) years, pursuant to subdivision 54. of paragraph a. of Section 11.00 of the Law.

SECTION 3. The City is hereby authorized to issue \$45,000 principal amount of serial bonds pursuant to the Law to finance the estimated cost of the acquisition of one replacement command 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 \$45,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$45,000 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 three (3) years, pursuant to subdivision 77(first). of paragraph a. of Section 11.00 of the Law.

SECTION 4. The City is hereby authorized to issue \$115,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of the acquisition of four (4) pick-up trucks for use by the City's Department of Public Works. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$115,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$115,000 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 5. The City is hereby authorized to issue \$35,000 principal amount of serial bonds pursuant to the Law to finance the estimated cost of the acquisition of one replacement vehicle for the City's Fire Department Chief; including related and appurtenant equipment. 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 three (3) years, pursuant to subdivision 77(first). of paragraph a. of Section 11.00 of the Law.

SECTION 6. The City is hereby authorized to issue \$350,000 principal amount of serial bonds pursuant to the provisions of the Law to finance a portion of the estimated cost of the acquisition of two sanitation trucks 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 \$390,000, 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, (ii) the expenditure of \$40,000 in current funds of the City, 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 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 \$500,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of the acquisition of snow removal equipment, including a plow truck, wheel loaders with plow and salter inserts to be used by the City's Public Works Department for road maintenance and snow removal. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$500,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$500,000 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 8. The City is hereby authorized to issue \$490,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of the acquisition of a wheeled paving machine to be used by the City's Public Works Department. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$490,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$490,000 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 9. The City is hereby authorized to issue \$200,000 principal amount of serial bonds pursuant to the provisions of the Law to finance a portion of the estimated cost of the acquisition of one pumper fire fighting vehicle, and related apparatus to be used in connection therewith. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$450,595, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$200,000 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 \$220,595 in grant monies expected to be received from New York State, (iii) the expenditure of \$30,000 in current funds of the City, and (iv) 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 \$600,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of the certain improvements to the Wastewater Treatment Plant located at 830 River Road, consisting of the acquisition, installation and replacement of bar screens with mechanical rakes and conveyor and all appurtenant and related improvements. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$600,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$600,000 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 on 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 thirty (30) years, pursuant to subdivision 4. of paragraph a. of Section 11.00 of the Law.

SECTION 11. The City is hereby authorized to issue \$120,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of the certain improvements to the Wastewater Treatment Plant located at 830 River Road, consisting of the acquisition, installation and replacement of a zero angle photo-spectrometry analyzer and all appurtenant and related improvements. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$120,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$120,000 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 thirty (30) years, pursuant to subdivision 4. of paragraph a. of Section 11.00 of the Law.

SECTION 12. 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 13. 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 14. 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 15. 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 16. The City Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of any of the bonds or notes authorized by this resolution 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 17. The Common Council hereby determines that 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 18. The intent of this resolution is to give the City Treasurer sufficient authority to execute those applications, agreement, 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 19. 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 with twenty (20) days after the date of such publication; or

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

SECTION 20. 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, Pecoraro, Tylec, Zadzilka (5)
NAYS: None (0)

This resolution shall take effect immediately.

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

I, the undersigned City 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 20, 2018, 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 \$2,855,000 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 20st day of February 2018.

**Daniel R. Quinn, City Clerk
City of North Tonawanda**

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 20, 2018, 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**

SUMMARY OF BOND RESOLUTION

Set forth below is a summary of said resolution adopted by the Common Council of the City of North Tonawanda on February 20, 2018.

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 \$2,855,000 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, and with the respective periods of probable usefulness ("PPU"), as indicated below:

(1) the acquisition of landscaping and grounds maintenance equipment including all ancillary and related apparatus for use at the Deerwood Golf Course by the City's Youth, Recreation and Parks Department, in the principal amount of \$75,000; PPU of 15 years;

(2) improvements at the Deerwood Golf Course consisting of the renovation and improvement to sand bunkers, the reconstruction of cart paths, the installation of a computerized irrigation system, including any appurtenant and incidental costs and expenses to each of the foregoing, in the principal amount of \$325,000; PPU of 15 years;

(3) the acquisition of one replacement command vehicle for the City's Fire Department, including related and appurtenant equipment, in the principal amount of \$45,000; PPU of 3 years;

(4) the acquisition of four (4) pick-up trucks for use by the City's Department of Public Works, in the principal amount of \$115,000; PPU of 15 years;

(5) the acquisition of one replacement vehicle for the City's Fire Department Chief; including related and appurtenant equipment, in the principal amount of \$35,000; PPU of 3 years;

(6) the acquisition of two sanitation trucks for use by the City's Public Works Department, in the principal amount of \$350,000; PPU of 15 years;

(7) the acquisition of snow removal equipment, including a plow truck, wheel loaders with plow and salter inserts to be used by the City's Public Works Department for road maintenance and snow removal, in the principal amount of \$500,000; PPU of 15 years;

(8) the acquisition of a wheeled paving machine to be used by the City's Public Works Department, in the principal amount of \$490,000; PPU of 15 years;

(9) the acquisition of one pumper fire fighting vehicle, and related apparatus to be used in connection therewith, in the principal amount of \$200,000; PPU of 20 years;

(10) certain improvements to the Wastewater Treatment Plant located at 830 River Road, consisting of acquisition, installation and replacement of bar screens with mechanical rakes and conveyor and all appurtenant and related improvements, in the principal amount of \$600,000; PPU of 30 years; and

(11) certain improvements to the Wastewater Treatment Plant located at 830 River Road, consisting of the acquisition, installation and replacement of a zero angle photo-spectrometry analyzer and all appurtenant and related improvements, in the principal amount of \$120,000; PPU of 30 years.

3. Aggregate amount of Debt Obligations Authorized: up to \$2,855,000.

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, Pecoraro, Tylec, Zadzilka (5)
Nays: None (0)
CARRIED.

February 14, 2018

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

Dear Honorable Body:

These two exemptions were tabled 2/6/18 for the next Common Council meeting 2/20/2018:

1. The City of North Tonawanda Common Council should approve the Solar Panel Exemption RPTL-487.
2. The City of North Tonawanda Common Council should approve the Green Building Exemption RPTL-470. This exemption is for buildings (Commercial & Residential) that will be built energy efficient with an environmental design.

Sincerely,
Barbara W. Klenke
City Assessor

MOVED by Alderman Tylec SECONDED by Alderman Pecoraro
That the Common Council hereby approves Exemption #1 for the Solar Panel Exemption RPTL -487, and #2 for Green Building Exemption RPTL-470.
Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka (5)
Nays: None (0)
CARRIED.

X. Police Chief

February 7, 2018

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

Dear Honorable Body:

Would you please re-appoint Timothy P. Bakula, 892 Thomas Fox Dr. West, North Tonawanda, NY 14120, as Commissioner of Deeds for the City of North Tonawanda beginning March 16, 2018 and ending March 15, 2020.

Roger R. Zgolak
Chief of Police

MOVED by Alderman Zadzilka SECONDED by Alderman Braun
That the Common Council hereby approves the reappointment of Timothy P. Bakula as a Commissioner of Deeds for the City of North Tonawanda effective March 16, 2018 and expiring March 15, 2020.
Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka (5)
Nays: None (0)
CARRIED.

XXV. Monthly Reports**.1 Senior Citizen Center**

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

COMMUNICATIONS FROM OTHERS

A.

Thomas Johnston

September 11, 2017

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

Dear Mayor Pappas:

I am writing to request permission to conduct The Ride for Roswell within the City of North Tonawanda on Saturday June 23, 2018. We anticipate 10-12 routes starting at UB Amherst and at Roswell Park Cancer Institute, all ending at UB Amherst. We would like to plan one in the City of North Tonawanda – the Canada Route from Niagara Falls to the City of Tonawanda, riding to UB Amherst via River Road and the Seymour Street Bridge.

The City of North Tonawanda is an integral part to the Ride for Roswell, and we appreciate the critical cooperation and support from city government that keeps The Ride safe and successful. I look forward to working with you and your team to make this Ride for Roswell the best yet.

Sincerely,
 Thomas Johnston
 Operations Manager

MOVED by Alderman Pecoraro SECONDED by Alderman Braun
That the Common Council hereby approves the Ride for Roswell going through
the City of North Tonawanda on Saturday June 23, 2018 and directs the North
Tonawanda Police and Fire Police to provide assistance at critical traffic
intersections on River Road, and along a protected bike lane on the Seymour Street
Bridge to the hand off to City of Tonawanda Police at Niagara Street.

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

(5)

Nays: None

(0)

CARRIED.

B.

Glory Be to Kids

January 15, 2018

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

Dear Members of the North Tonawanda City Council,

The City of North Tonawanda has been instrumental in our fund raising efforts since 1981. We would like to ask the Council and Recreation department to waive the usage fees for the following activities.

- Pinewoods Park for the Softball Tournament draw on July 18, 2018
- Pinewoods Park for the 5K/Chowder Challenge on September 29, 2018

With the continued support of the City of North Tonawanda, Glory be to Kids would hope to achieve a goal of \$35,000 for the Kaely's Kindness Foundation. The Kaely's Kindness Foundation provides resources and social activities for teenage girls living with cancer.

Glory be to Kids appreciate, the Councils, consideration to help us reach our goal.

Sincerely,
Debra Goldpenny
Board Member

MOVED by Alderman Braun SECONDED by Alderman Berube
That the Common Council hereby directs the Recreation Department to waive the usage fees for Pinewoods Park for July 18, 2018 and September 29, 2018 to Glory Be to Kids for their scheduled activities.

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

C.
Gratwick Hose Co.

February 5, 2018

Honorable Arthur G. Pappas, Mayor
And Common Council
216 Payne Ave.
North Tonawanda, NY 14120

Dear Honorable Body:

Please remove the name of Lynn Hanes from the Fire Rolls.

Thank you.

David A. Rogge
Membership Secretary

MOVED by Alderman Berube SECONDED by Alderman Braun
That the Common Council hereby approves the removal of Lynn Hanes from the North Tonawanda Fire Rolls.

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

D.
Gateway Harbor of the
Tonawandas Inc.

February 12, 2018

Mayor Art Pappas
Common Council of the City of North Tonawanda
216 Payne Avenue
North Tonawanda, NY 14120

Re: Green Beer Sunday
Sunday, March 4, 2018

Gateway Harbor with the cooperation of both the City of Tonawanda and City of North Tonawanda would like to hold its fourth annual Green Beer Sunday on Sunday, March 4, 2018.

We are requesting the closure of the Webster Street Bridge and the use of Gateway Park on Sweeney Street which would be the half of the street toward Webster from Noon to 4 PM on that day. We will also need no parking for that half from Saturday morning at 8 AM on March 3, 2018 in order to set up the tent and stage. As you know this is a family oriented event with the public. We are also requesting assistance form the Auxiliary Police and barricades from DPW.

Since this is a Gateway sponsored event there is adequate insurance. Thank you for your consideration.

Very truly yours,
Hon. Mark E. Saltarelli
Chairman

MOVED by Alderman Braun SECONDED by Alderman Tylec
That the Common Council hereby grants permission to Gateway Harbor of the Tonawandas, Inc. to hold its annual Green Beer Sunday on March 4, 2018, at Gateway Park from 8 AM to 5 PM and directs the DPW to provide barricades to close off the Webster Street Bridge from 12PM – 12:30PM for a short parade.

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

Nays: None (0)

CARRIED.

E.
William O'Connor

February 7, 2018

Honorable Arthur G. Pappas, Mayor
And Common Council
216 Payne Ave.
North Tonawanda, NY 14120

Dear Honorable Body:

My name is William O'Connor, and I am currently employed by the City of North Tonawanda at the Water Treatment Plant. As an employee of North Tonawanda, I am subject to the City's RESIDENCY ORDINANCE, Chapter 73B, requiring that I reside within the municipality city limits.

The purpose and intent of this letter is to ask the Council Members to consider my request for a Waiver of this requirement. The reason I am asking for this Waiver is due to my wife Joyce's declining health. Joyce has been disabled, on SSID, since 01/01/2008. She has numerous health issues limiting her pulmonary function and mobility. The decline in her health has let to multiple incidents of her falling while attempting to ascent or descend stairs, most recently on 01/2/2018. Because of this most recent incident, she required medical attention in a hospital emergency room.

We have resided in our house on 17th Avenue for the past 39 years. Our floor plan is such that the bedrooms are on the second floor, while the rest of the living quarters including the bathroom, is on the first floor. This situation has become increasingly difficult and dangerous for Joyce. As a result of my father's passing in April of last year, I have inherited his residence in the City of Tonawanda. The house is actually located two tenths of a mile closer to the Water Treatment Plant. The layout of the house is such that all living quarters are located on the first floor. The bedroom is directly next to a bathroom, and doorways easily accommodate her walker. Residing in this house would provide a much safer environment, and improve Joyce's quality of life.

Part 73B-4, Section C, of the City's Residency Requirement allows for a Waiver of Requirement due to "Necessity because of illness of a family member". As the sole caregiver for my wife I am asking the City of North Tonawanda Common Council to please consider my circumstances and grant me the waiver. It would mean a great deal to my wife Joyce, and myself.

Sincerely,
William O'Connor

MOVED by Alderman Tylec SECONDED by Alderman Zadzilka
That the Common Council hereby grants a Waiver of Requirement to William O'Connor for the City's Residency Requirement Ordinance due to the disability of his wife.

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

Nays: None (0)

CARRIED.

F.
NT Middle School

December 5, 2017

North Tonawanda Common Council
President Eric Zadzilka
216 Payne Avenue
North Tonawanda, NY 14120

Dear Mr. Zadzilka:

I am writing to you to request permission for North Tonawanda School District's sixth annual 5K and 1 mile family fun run to be held on Saturday, April 21, 2018 at 9AM. We intend for the races to begin and end at North Tonawanda Middle School. I have attached a proposed race route, which runs through Wurlitzer Park. Our course was certified a few years ago and has been the same every year.

I have been in contact with Captain Karen Smith, who is in support of our presented route and schedule. I would like to request police escort and presence at critical intersections, as well as DPW assistance in providing barricades along the route.

We are very excited to offer this event for our community at a very low cost for adults, and hopefully free for children, as we are promoting good overall community health. Our hope is to continue this as a yearly event.

Thank you for your consideration of this request. If you need further information, please contact me at 807-3715.

Sincerely,
Sue Evarts
Event Coordinator

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
That the Common Council hereby grants permission to NT Middle School to hold their annual 5K and 1 mile family fun run Saturday April 21, 2018, also directs the Police Department to assist with intersections on the enclosed route and DPW to assist in providing barricades along said route.

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

Nays: None (0)

CARRIED.

LATE COMMUNICATION

MOVED by Alderman Berube **SECONDED** by Alderman Pecoraro

To bring the following communication to the floor

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

Nays: None (0)

CARRIED.

#1

Clerk-Treasurer

February 16, 2018

Mayor and Common Council
216 Payne Ave- City Hall
North Tonawanda

Re: Walter Drive Lights

Dear Common Council:

Please approve the Walter Drive Street lighting project. By approving this project the Department of Public Works and National Grid will be able to start the process of installing street lights on Walter Drive.

Regards,
Daniel R. Quinn
City Clerk-Treasurer

MOVED by Alderman Tylec **SECONDED** by Alderman Berube

That the Common Council hereby approves a total of \$5,000 from the City to have the Department of Public Works and National Grid start the process of installing the street lights on Walter Drive.

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

Nays: None (0)

CARRIED.

AUDIENCE PARTICIPATION

Zack Niemiec 384 Robinson Street – I would like to thank the City for approving the NT School district 5K/1 mile family fun run.

BJ VanDewater 1098 Nash Road – I would like to thank Alderman Pecoraro for all the volunteer work he does for the residents of the City. He makes the City a better place to live in. With our new Website, you guys have the potential to provide news and information to all the residents of the City. The news section would be a great place to provide so much information. There is so much potential with this website.

Sonia Dusza 123 Miller Street – There is a matter that is not being looked at or acknowledged by the City. If you look at the current zoning map it is wrong. North Marion is not zoned correctly, it is all residential. I attended a workshop awhile back and someone presented the idea of a community garden. This is not a good idea. This is CSX property. I called CSX and talked to the Vice President of Community Relations and CSX will not allow this project. Neighbors are opposed to this; we want to see this looking better. We want to see it as a grass land. This shows me that City Hall wants to bring Oliver Street down. West of Oliver will become low income.

Matthew Kwiatkowski 155 Community Drive – We did not come to gain praise; we just like doing the caroling. Thank you for the proclamation.

Barbara Barrett 780 Castlebar Drive – I wanted to apologize to the City because I did not realize that you were not going to actually put John's Banner in the Market, but on Payne Avenue. There are two Cramer Streets, which one are you referring to in regards to the sale. Do you know anyone who can take John's flag down, it is broken and it is too high for him to get it down?

John Tylec 815 Niagara Parkway – The North Tonawanda Schools has a phone system that notifies residents of school closing and events. Maybe the City should tie into the School districts phone system so they can notify residents of garbage pickup a day late, parking ban enforcement and items like that.

Shawn Nickerson 324 Wheatfield Street – Troop 184 is working on their citizenship community badges. They are required to contact a City Official and discuss an issue with them and how to solve it. I would like your cooperation.

John Lukasik 454 Schenck Street – I would like to thank the City for your continued support of getting the road fixed by Sportsplex. I used to go with Barbara and help her deliver the meals. Please stay on top of getting this road fixed. Pinewoods Park bathrooms are not handicap accessible. We need to have that corrected.

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: 7:49 P.M.

Respectfully submitted,



Daniel R. Quinn
City Clerk-Treasurer