

**THE HONORABLE BODY**  
**Council Chambers**  
**Municipal Building**  
**North Tonawanda, New York 14120**  
**Tuesday, April 3, 2018**  
**6:34 P.M.**

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**REGULAR SESSION CALLED TO ORDER BY PRESIDENT ZADZILKA**

**PLEDGE OF ALLEGIANCE**

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**ROLL CALL**

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

**Absent: None**

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

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**AUDIENCE PARTICIPATION**

**Sonia Dusza 123 Miller Street-** I would like to congratulate the Volunteer Fireman, many times over the years I've seen accidents and they have been out there. They really should be applauded. I think their service is very needed and important. On the #1 Communication regarding Scott Kiedrowski's resignation from the Planning Board and Board of Assessment and Review. How many times since he has been appointed has he been in attendance? When a member misses two consecutive meetings he should be removed. Regarding the appointment of Robert Fristchi, has he ever been on the Waterfront Commission? So many times I have said that they are retreads, we should encourage others to serve government and step up, and I would like to see new faces. Does he have an area in Planning or Engineering? I would also like to know when this opened up if the municipality put the word out that there was an opening if anybody was interested to put a resume in. I would like to get the word out to the media to let people know this is happening. On the payment of the abstract of claims I have asked before that I would like to see what the claims are. On the Imagine Community Garden, is that where the playground use to be? To have a garden is a luxury. A community garden should be in an appropriate place, it's not compatible with the homes in that area and I'm opposing the garden in a residential area. I think a community garden is a showcase and be put where it belongs.

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION MARCH 20, 2018**

**MOVED by Alderman Zadzilka                      SECONDED by Alderman Pecoraro**  
**That the minutes of the regular session meeting held March 20, 2018 be approved as**  
**circulated and filed in the Office of the City Clerk.**  
**CARRIED.**

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**I.2 Mayor**

March 28, 2018

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

Re: Board of Assessment Review Committee

Dear Honorable Body:

Please be advised that I am appointing Frank DiBernardo, 19 Niagara Circle, North Tonawanda, NY 14120, to the Board of Assessment Review Committee. Mr. DiBernardo will be fulfilling the remainder of the term for Scott Kiedrowski which expires December 31, 2019.

Thank you for your attention to this matter.

Sincerely,  
 Arthur G. Pappas  
 Mayor

MOVED by Alderman Pecoraro                      SECONDED by Alderman Zadzilka  
 That the Common Council hereby receives and files the appointment of Frank DiBernardo, 19 Niagara Circle, to the Board of Assessment and Review Committee effective April 3, 2018 and expiring December 31, 2019.  
 CARRIED.

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**III.1 Clerk-Treasurer**

March 27, 2018

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

Re: Collection of City Taxes

Dear Common Council:

I am requesting that the Council approve the Collector's Warrant for the collection of the City Taxes. The collection period will begin in the month of and conclude on May 4, 2018. Taxes paid after May 4<sup>th</sup> will be subject to interest and fees.

Regards,  
 Daniel R. Quinn  
 City Clerk-Treasurer

MOVED by Alderman Berube                      SECONDED by Alderman Braun  
 That the Common Council hereby approves the Collector's Warrant for the 2018 City Taxes in the amount of \$17,131,739.37, and directs the Mayor to sign said Warrant.  
 Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka                      (5)  
 Nays: None                      (0)  
 CARRIED.

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## III.2 Clerk-Treasurer

March 27, 2018

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

Re: National Grid's Streetlight Energy Efficiency Incentive Proposal

Dear Common Council:

I am requesting that the Council approve National Grid's Streetlight Efficiency Incentive Proposal. Once approved, the Mayor will be able to sign the agreement allowing National Grid to start the study to determine the energy efficiency incentive program.

Regards,  
 Daniel R. Quinn  
 City Clerk-Treasurer

MOVED by Alderman Tylec                      SECONDED by Alderman Zadzilka  
 That the Common Council hereby approves National Grid's Streetlight Energy Efficiency Incentive Proposal, and directs the Mayor to sign said agreement, subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

## VII.1 Accountant

March 28, 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 April 3, 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 Pecoraro                      SECONDED by Alderman Zadzilka  
 That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated April 3, 2018 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$194,900.40
02	Water Fund	34,345.63
04	Sewer Fund	57,624.94
06	Capital Project Fund	8,684.50



07	Trust & Agency Fund	<u>369.95</u>
00	Final Total	<u>\$295,925.42</u>

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

## VII.2 Accountant

March 28, 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.

This transfer represents amounts that were previously reserved for the Water Plant Emergency Generator Project. This project is set to commence, therefore it is necessary to transfer the reserved funds into the Capital Fund, establishing appropriations for the purpose of purchasing and installing the generator.

<u>Control Number</u>	<u>Dollar Amount</u>	<u>To: Appropriation Account</u>	<u>From: Reserve Account</u>
7	\$1,421,880	2.9901.901 Transfer to Capital	2.878 Capital Reserve, Stand-by Generator

Regards,  
 Amanda Reimer  
 City Accountant

**MOVED** by Alderman Zadzilka      **SECONDED** by Alderman Pecoraro  
 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>To: Appropriation Account</u>	<u>From: Reserve Account</u>
7	\$1,421,880	2.9901.901 Transfer to Capital	2.878 Capital Reserve, Stand-by Generator

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

## XVII. Traffic Safety

March 21, 2018

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

Traffic Safety Minutes:

The March 2018 meeting of the North Tonawanda Traffic Safety Committee was called to order at 19:00 hours. Roll call showed the following members present: M. Anastasi, D. Grinnell, M. Daigler, M. Lemke, A. DiBernardo, and J. Sikora. The minutes from the

04-03-2018



previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

1. At the request of Bonnie Badkat, the NTPD Traffic Officer monitored speed on Sherwood Avenue. He found the average speed in the area to be 38-39 mph. Speed limit signs were placed in the area, the electronic speed monitoring sign will also be placed once weather permits, and the Traffic Officer will continue to enforce the City speed limit on Sherwood.
2. Member Daigler reported all City Truck Route signs have been updated and are in place.
3. Member Grinnell recommended placing "20 MPH School Zone" signs on Nash Road between Deerfield and Nash due to the new baseball diamonds. The Committee agrees and recommends placing the signs.
4. A letter from Sandy Hayes regarding past changes made to the signal located at Oliver and Felton Streets was read and discussed. The Committee will have the NTPD Traffic Officer monitor the area and a report will be given during the April meeting.
5. A complaint given to the Mayor's Office regarding truck traffic on Wheatfield Street was discussed, this will also be given to the NTPD Traffic Officer to monitor and enforce.
6. Changes made to the intersection of Payne Avenue and Schenck Street was discussed. Committee members as well as the NTPD Traffic Officer will continue to monitor the intersection. Findings will be discussed at future meetings.
7. Member Daigler removed (3) "Autistic Child Area" signs from the area of East Goundry and Brentwood.
8. A request to place "No Overnight Parking" signs in the area of the NT Football HOF and CAC was discussed. Additional research is needed on this request. The Committee will discuss during a future meeting after the research is completed.
9. A request made through the Mayor's Office to place (2) "30 minute parking" signs in front of 14 Webster Street was discussed. There are currently (2) "30 minute Parking" signs located in front of 18 Webster Street. The Committee recommends creating (4) "30 minutes parking" places, starting at the corner of Webster and Sweeney Streets in front of 14 Webster, and going toward 18 Webster, for all businesses in the area to utilize.

Meeting adjourned 20:10 hours.

Travel Safely,  
Joseph D. Sikora

**MOVED** by Alderman Tylec                      **SECONDED** by Alderman Braun  
That the Common Council hereby approves of Traffic Safety recommendation #3 and receives and files the March Traffic Safety meeting minutes.

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

Nays: None                      (0)

**CARRIED.**

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**XXV. Monthly Reports**

**.1 Police Department**

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

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**COMMUNICATIONS FROM OTHERS**

**A.**  
Imagine Community Gardens

March 6, 2018

Eric Zadzilka  
Common Council President  
City of North Tonawanda

Dear Eric,

Imagine Community Gardens would like to enter into a lease agreement for the land at 228 Sommer Street. In the City of North Tonawanda. ICG will install a community garden as described at the February 23<sup>rd</sup> workshop meeting.

Please bring this up for a vote at your next Common Council meeting.

Thank you,  
Bob Zima  
President

**MOVED** by Alderman Pecoraro                      **SECONDED** by Alderman Braun  
That the Common Council hereby approves of entering into a lease agreement with Imagine Community Gardens for the land at 228 Sommer Street, and directs the Mayor to sign said agreement, subject to further review by the City Attorney.

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

Nays: None (0)

**CARRIED.**

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**B.**  
Gratwick Hose Co., Inc.

March 20, 2018

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

Dear Common Council:

Please remove the name of Charles Clark from the Fire Rolls.

Thank you.

David A. Rogge  
Membership Secretary

**MOVED** by Alderman Berube                      **SECONDED** by Alderman Zadzilka  
That the Common Council hereby receives and files the removal of Charles Clark from the North Tonawanda Fire Rolls.

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

Nays: None (0)

**CARRIED.**

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If you have any questions, feel free to give me a call at the number below. Thank you ahead of time for your anticipated help with our event. Your help is greatly appreciated.

For questions please contact me at 716-864-2973.

God's Blessings,  
Timothy Fink  
Family Life Ministry Board

**MOVED** by Alderman Berube

**SECONDED** by Alderman Pecoraro

That the Common Council hereby grants permission to waive the Food Truck permit fee, but not the background check fee, to food trucks participating in the St. Mark Lutheran Church Basket Raffle on Saturday, April 28, 2018.

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

Nays: None (0)

**CARRIED.**

E.

Confer Plastics Inc.

February 23, 2018

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

Dear Council Members,

Having Gratwick Park across the street from the plant, I have a great view of this wonderful jewel. I sometimes feel a little heartbroken over how under-utilized it is. Far too often, there are too few boat trailer in the parking lot. Western New York families – and visitors from out of state aren't using the facility despite having such great access to the beautiful Niagara River.

That is likely an outcome of the lack of immediate access to launch passes. Sure, anyone can get a launch pass, but they have to visit the City Offices and during business hours. What if a family from say Rochester or Cleveland was in town for the day hoping to enjoy the River but they couldn't because it's a Saturday? They either risk a ticket or go someplace else to launch their boat.

I want to encourage them to use the Gratwick launch and keep their water adventures in North Tonawanda- who knows...they might spend some money at Lumberjack's or Shores, or they might venture up the Canal and dock at Gateway and enjoy the hip side of town.

To do so, we need to give them immediate access to the River, right there at Gratwick.

So, my proposal to you is this:

Confer Plastics will donate \$10,000 to the City of North Tonawanda to be used for the purchase and installation of a launch pass kiosk at Gratwick Park, allowing visitors to buy a day pass at any day, any hour. The kiosk would be one of those unmanned devices that utilizes a credit card transaction and prints up a pass- no different than the parking kiosks you see in downtown Buffalo or the boat launch kiosk at Golden Hill State Park on the other side of the country.

I have seen kiosk prices range anywhere from \$3,500 to \$7,500 online, so our seed money would cover that cost and anything left over from the \$10,000 could be used for installation, maintenance, etc. The exact model of machine and the cost of day passes would be at the discretion of the City.

The benefits from a kiosk would be huge: Families could enjoy our exceptional stretch of the Niagara River; visitors would spend their dollars in North Tonawanda; and the City would get a new revenue stream from all the launch passes (I hope that a wonderful summer weekend could see 50 to 100 boaters using the launch and buying day passes).



If you have any questions or concerns about this proposal, please reach out to me.

Thank you,  
Bob Confer

**MOVED** by Alderman Berube                      **SECONDED** by Alderman Pecoraro  
That the Common Council hereby accepts the donation of \$10,000 from Confer Plastics to be used for the purchase and installation of a launch pass kiosk at Gratwick Park.  
Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka                      (5)  
Nays: None                      (0)  
**CARRIED.**

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**LATE COMMUNICATION**

**MOVED** by Alderman Braun                      **SECONDED** by Alderman Pecoraro  
To bring the following communication to the floor  
Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka                      (5)  
Nays: None                      (0)  
**CARRIED.**

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#1.  
Mayor

April 2, 2018

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

**Re: Appointment of Superintendent of Public Works**

**Dear Honorable Body:**

Please be advised that I am appointing Mark Zellner, 473 Kohl Street, North Tonawanda, NY 14120, as the Superintendent of Public Works, effective April 2, 2018. Mr. Zellner's starting pay will be \$96,826 step 3 of the existing OPIEU salary schedule.

I feel confident he is well qualified to do the best job on behalf of the residents of the City of North Tonawanda.

Sincerely,  
Arthur G. Pappas  
Mayor

**MOVED** by Alderman Zadzilka                      **SECONDED** by Alderman Pecoraro  
That the Common Council hereby receives and files the appointment of Mark Zellner, 473 Kohl Street, North Tonawanda, NY 14120, as the Superintendent of Public Works, effective April 2, 2018, with a starting pay of \$96,826 of the existing OPIEU salary schedule.  
**CARRIED.**

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**AUDIENCE PARTICIPATION**

**John Lukasik 454 Schenck Street** – I want to congratulate this Honorable Body for placing the veteran banners at the City Market, at night with the lights on, it really looks nice. I want to congratulate Confer Plastics for the donation they made for the kiosk at Gratwick Park, it's a wonderful idea. I also want to congratulate the Volunteer Fireman on their proclamation, I'm one and have been one for 60 plus years.



Kevin Hodgson 67 Jesella Dr. North – I have been asking for the trees on Jesella to be trimmed especially the ones around the street lights, they are blocking the street lights. Second the street repair list, is it available yet? Jesella is in desperate need of repair.

Kevin Kislowski 985 Nash Road - I want to thank the Mayor and the Council for recognizing the Volunteer Fireman and what they do for the City. It is a great honor to be able to except this proclamation. April is Recruit NY, we will be opening the halls up for recruitment April 28<sup>th</sup> is national recruitment day. We will be providing lawn signs to residents who would like to put one on their lawn.

Eric Herbert 1049 Thomas Fox Dr. East – I have a general inquisitive question regarding City Ordinance 70-1 through 4 posting of signs in hopes for some clarification. I am running for School Board and was contacted by the NT Board of Education regarding a complaint that a lawn sign is out with my name on it to early. Today the Niagara Gazette also informed me that they have also received a complaint about my sign. They are complaining because the Ordinance is for political signs but my question is, are the school board signs considered political signs. Current and prior School Board members told me that the School Board is not a political election, it's a school board election with no political party affiliation. Could you consider clarifying that section of the City Ordinance regarding posting of signs for residents. What exactly that ordinance is meant for. Also I would like to thank City Attorney Luke Brown for getting back to me in a timely manner to resolve this issue.

Sonia Dusza 123 Miller Street – Was there an audio of the Planning Commission yesterday? If there was I would appreciated it if it was made available on the web site. The city planner was going to address everyone there regarding the update of the zoning of the downtown area and waterfront area. The master plan we have was given to the Common Council in 2008 its ten years later. Before we make changes to our Zoning Ordinance we should revisit the master plan. I like to say to you there is quite a difference on how it was put together.

Mark Zellner 473 Kohl Street – I would just like to thank the Mayor and the Council for my appointment. I am making the finishing touches on the street repaving list. You will be able to see it in a couple of days.

Zack Niemiec 384 Robinson Street – Speaking on the issues of the yard signs for the Board of Education. As a candidate last year my signs were up 9 weeks before the election and I did not receive a single complaint. My understanding is that the School Board election is not governed by the State Board of Elections but by the State Education Commission, and it is not a political election.

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## ADJOURNMENT

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

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Time of Adjournment: 7:44 P.M.

Respectfully submitted,



Daniel R. Quinn  
City Clerk-Treasurer