

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

REGULAR SESSION CALLED TO ORDER BY PRESIDENT ZADZILKA

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: Alderman Pecoraro

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

MAYOR PAPPAS – 2019 BUDGET MESSAGE

In accordance with Section 5.021 of the North Tonawanda City Charter, as Mayor, I am providing to the Common Council, for their review and adoption, a copy of my General, Water, Sewer, and Capital Fund Budgets for fiscal year 2019. Continuing our work on behalf of North Tonawanda taxpayers, this budget keeps North Tonawanda moving forward. This budget increases property tax by 2.9% and stays within the New York State tax cap while still providing the necessary funding to deliver City services in the most cost efficient manner our citizens expect. Over the past ten years, there have been three years of no increase, three years of a decrease, and four years of an increase of less than one percent. This means on a home assessed at \$100,000; there will be an increase of \$38.

The General Fund budget increases the tax rate from 13.29 per \$1,000 to 13.68 per \$1,000. The total budget from 2018 to 2019 is an increase of \$831,656. The water and sewer user rates also remain unchanged. I have utilized \$950,000 in undesignated fund balance to close the budget gap and balance the General Fund budget. Many tough decisions were made by this administration in producing a fiscally sound budget that is prudent for our residents. With that said the General Fund appropriations for 2019 are \$840,656 more than the 2018 adopted budget.

This budget provides fundamental public services at a reasonable cost to our residents. It also shows a commitment to public safety and maintenance and improvements of public facilities and infrastructure. Although this shows a slight tax increase, this is due to rising costs in all areas, including insurance, utilities, contractual expenses, police dispatch, equipment, materials with this proposed budget. Also, recycling expenses have increased

to \$35 a ton, which is an expense previously not accrued. We have maintained the present workforce with no cuts and services. My 2019 Operating Budget includes funding for street and sidewalk repair in addition to continued facility improvements for our Water and Wastewater treatment plants, which require extensive updating to aging facilities. Repairing our city streets is, and has been, one of my priorities. In addition to the approximate \$730,000 the City anticipates receiving from New York State through the Consolidated Local Street and Highway Improvement Program, I have appropriated an additional \$350,000 for a total of \$1.08 million going into road and sidewalk improvement. As of today, the DPW has milled and paved 15.08 lane miles of city roads this year alone. We have also milled and hot patched 168,222.6 square feet of city roads. The City is committed in continuing the effort to improve upon this critical and noticeable infrastructure. In order to continue with our goals of improved infrastructure it has become necessary to invest in new equipment since we have an aged fleet at the DPW. In some cases parts can no longer be replaced. Most important is the fact that the safety of our workers cannot be jeopardized with unsafe and insufficient equipment. In order to keep up with the necessary services, I have budgeted \$140,000 for updated equipment to help our staff keep working safely, more efficiently, and being able to produce a good product for our community.

Another part of this new budget involves improvements at our City's golf course. Deerwood Golf Course is a very important revenue generator for our community. In addition, it is a positive quality of life venue for both residents and non-residents. It is a place of recreation of which we are proud. It needs to be maintained properly in order to continually attract golfers and to compete with other courses. Therefore, improvements will continue to be made to the irrigation system, cart paths, equipment, and sand bunkers. We are budgeting \$220,000 for the golf course. This is in addition to the \$400,000 allocated from last year.

This budget shows our commitment to provide the necessary services and protection our community should expect. Serving the taxpayers of North Tonawanda and helping our City to continue progressing is my goal. Our duty as elected officials is to provide basic services in an efficient and cost effective manner by ensuring your money is spent wisely and appropriately. I believe this budget accomplishes this mission.

Again, I am proud of the work we have done together. I want to thank all City department heads and their staff for the important part they played in the formulation of this Budget. I would like to take this opportunity to offer to meet with the Common Council to discuss and work with them to finalize the 2019 Budget, as a cooperative effort.

Thank you for your kind consideration of my 2019 Budget.

Arthur G. Pappas
Mayor

AUDIENCE PARTICIPATION

BJ Vandewater 1098 Nash Road – I have been reading the code and I would like to reference a section that deals with spending money and the attendance of the Alderman. I read and understand the code to indicate that all members of the City Council need to be present before the City can spend any money. I am requesting that the Council table the items regarding spending until all Alderman can be present. If this is the proper way to read it, you need to find alternative ways to address the issue of paying the bills when an Alderman is absent. I would just like to know what my Alderman's stance is on spending my tax dollars.

Sonia Dusza 123 Miller Street – That was a really good exchange. I appreciate the dialogue. I know the budget is coming up and I was reading the charter and I was thinking, "is this correct". I used to sit in on the Council workshop regarding the budget. It was held on a Saturday and went all day from 8:30AM to 4:30PM. I would like to see these budget meetings again. I think this is part of democracy. In regards to the agreement with the Unified Court System, I realized it is pertaining to cleaning, but I would like to see a better sound system in the courts. What is the Police Department grant for?

APPROVAL OF THE MINUTES OF THE SPECIAL SESSION OCTOBER 23, 2018

MOVED by Alderman **Zadzilka** **SECONDED** by Alderman **Berube**
That the minutes of the special session meeting held October 23, 2018 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED 10/12/2018

- 1) Legal Notice – Notice of Foreclosure of Tax Liens by the City of North Tonawanda – City Clerk-Treasurer

PROOF OF PUBLICATION PUBLISHED 10/25/2018

- 1) Legal Notice – Request for Proposals for Construction of the Storm Mechanical Bar Screen Project at the Wastewater Treatment Plant – Supt. Wastewater/Water

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

COMMUNICATIONS FROM CITY OFFICIALS

II.1 Attorney

October 29, 2018

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

Re: Renewal Agreement between NYS Unified Court System and City of North Tonawanda for Cleaning and Maintenance of Court Facilities

Dear Honorable Body:

11-06-2018

Attached is a proposed renewal agreement between the New York State Unified Court System and the City of North Tonawanda to allow for reimbursement to the City for cleaning and maintenance of our court facilities. This is a renewal of a five-year lease (2018-23), and covers the first year of the 5-year term.

Should your Honorable Body concur, please pass a resolution to permit the execution of the lease agreement by the Mayor, subject to any further review by the City Attorney.

If you have any questions, please do not hesitate to contact me.

Very truly yours,
Luke A. Brown
City Attorney

MOVED by Alderman Braun **SECONDED** by Alderman Tylec
That the Common Council hereby approves and authorizes the Mayor to sign the renewal agreement between the New York State Unified Court System and the City of North Tonawanda for cleaning and maintenance of our court facilities. This lease renewal is a 5-year lease (2018-23) and covers the first year of the 5-year term, subject to any further review by the City Attorney.

Ayes: Alderman Braun, Berube, Tylec, Zadzilka (4)

Nays: None (0)

CARRIED.

II.2 Attorney

October 31, 2018

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

Re: Resolution to Accept Responsibility for the Meadow Drive and Wayne Avenue

Dear Honorable Body:

While updated the Local Highway Inventory it was noticed by the Engineering Department that Meadow Drive between Wayne Avenue and Erie Avenue along with Wayne Avenue between Thomas Fox Drive West and Wurlitzer Drive have not been formally accepted by the City. The roadways in question are as follows:

- Meadow Drive – between Wayne Avenue and Erie Avenue, approximately 3,600 feet, 0.68 miles (map attached), beginning point 0.84 and end point 1.52.
- Wayne Avenue – between Thomas Fox Drive West and Wurlitzer Drive, approximately 693 feet, 0.13 miles (map attached), beginning point 0.45 and end point 0.58.

As such, I am requesting that the Council adopt a resolution that the City accepts responsibility for the maintenance, repair and legal responsibilities for those roadways as described above.

Please review this proposal and vote as to approve.

Very truly yours,
Luke A. Brown
City Attorney

MOVED by Alderman Zadzilka **SECONDED** by Alderman Tylec
That the Common Council at a regular session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30PM on November 6, 2018 a resolution was passed to accept the responsibility for the following roadways within the City of North Tonawanda:

- Meadow Drive – between Wayne Avenue and Erie Avenue, approximately 3,600 feet, 0.68 miles, beginning point 0.84 and end point 1.52.
- Wayne Avenue – between Thomas Fox Drive West and Wurlitzer Drive, approximately 693 feet, 0.13 miles, beginning point 0.45 and end point 0.58.

Ayes: Alderman Braun, Berube, Tylec, Zadzilka (4)
 Nays: None (0)
CARRIED.

V.1 Supt. Wastewater/Water

October 30, 2018

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

Honorable Mayor Pappas & Council Members:

On October 4, 2018 we received bids for the Wastewater Treatment Plant Ferric Chloride System Replace Project (Contract #2018-10). All bids were higher than our budgeted amount.

Therefore, I recommend that you formally reject all bids of the October 4, 2018 bids, and I would like your permission to re-bid this project with revised bid specifications to help lower the cost of this project.

Thank you for your time and consideration of my request.

Sincerely,
 William M. Davignon
 Superintendent Wastewater/Water

MOVED by Alderman Zadzilka **SECONDED** by Alderman Tylec
 That the Common Council hereby grants approval to reject all bids received October 4, 2018 for the Wastewater Treatment Plant Ferric Chloride System Replace Project and re bid with lower specifications.
 Ayes: Alderman Braun, Berube, Tylec, Zadzilka (4)
 Nays: None (0)
CARRIED.

V.2 Supt. Wastewater/Water

October 30, 2018

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

Honorable Mayor Pappas & Council Members:

On September 5, 2018 we received bids for the Wastewater Treatment Plant Replacement of Main Building Roof "A". All bids were higher than our budgeted amount.

Therefore, I recommend that you formally reject all bids of the September 5, 2018 bids, and I would like your permission to re-bid this project with revised bid specifications provided by the City Engineer's Office to help lower the cost of this project.

Thank you for your time and consideration of my request.

Amanda Reimer
City Attorney

MOVED by Alderman Zadzilka SECONDED by Alderman Tylec
That the Common Council hereby approves continuing the contract with FCS Administrators, Inc. for one additional contract period, covering January 1, 2019 through December 31, 2019, for the professional services related to workers' compensation claims management services, at a cost of \$34,100, subject to review by the City Attorney.

Ayes: Alderman Braun, Berube, Tylec, Zadzilka (4)

Nays: None (0)

CARRIED.

X. Police Chief

October 30, 2018

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

Dear Honorable Body:

On October 23, 2018, I appeared before you at a Common Council Workshop Meeting to explain an issue with the Police Departments current contract with Safariland/VIEVU for body cameras and video storage.

As a brief synopsis, the Department entered into a five year contract with Safariland/VIEVU in February 2018. Since that time Safariland/VIEVU has been acquired by AXON Enterprises Inc. The Department was advised by AXON that it would honor the current contract, but because they would be phasing out the VIEVU product line, there would be no technology updates for the body cameras that we had purchased through the remainder of the contract. After several meetings with AXON, they offered a proposal to contract with the Department for body cameras using their current camera product as well as video storage and technology upgrades at the same dollar amount (\$19,488.00/year) as the current Safariland/VIEVU contract. City Attorney Luke Brown has reviewed both contracts and concurs that they are essentially the same.

I respectfully request that you approve my entering into a new five year contract with AXON Enterprises Inc. for total contract price of \$97,440.

Since first acquiring body cameras in 2013, the Police Department has found them to be a valuable law enforcement tool aiding in investigations and successful prosecutions.

Sincerely,
Roger R. Zgolak
Chief of Police

MOVED by Alderman Braun SECONDED by Alderman Tylec
That the Common Council hereby approves entering into a new five year contract with AXON Enterprises Inc. for the Police Department body cameras as well as video storage and technology upgrades, for a total contract price of \$97,440, subject to review by the City Attorney.

Ayes: Alderman Braun, Berube, Tylec, Zadzilka (4)

Nays: None (0)

CARRIED.

XIV. Youth, Recreation & Parks

October 17, 2018

Honorable Arthur G. Pappas, Mayor
And Common Council
City Hall / 216 Payne Ave.

North Tonawanda, NY 14120

Dear Honorable Body:

Please review and approve for signing the attached renewal agreement between Mrs. Diane Sheehan and the City of North Tonawanda. Mrs. 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, 2019.

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

Sincerely,
 Alex Domaradzki
 Director of Youth, Recreation & Parks

MOVED by Alderman Braun **SECONDED** by Alderman Zadzilka
 That the Common Council hereby approves said renewal agreement between Ms. Diane Sheehan and the City of North Tonawanda, to provide 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, 2019. Subject to review by the City Attorney.

Ayes: Alderman Braun, Berube, Tylec, Zadzilka (4)

Nays: None (0)

CARRIED.

XVII. Traffic Safety

October 15, 2018

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

Traffic Safety Minutes:

The October 2018 meeting of the North Tonawanda Traffic Safety Committee was called to order at 1900 hours. Roll call showed the following members present: R. Frank, J. Sikora, M. Daigler, A. DiBernardo, D. Grinnell. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

1. The Mayor's Office would like a 20-25 mph speed zone on Webster Street between Tremont and Goundry Street due to the volume of traffic in the downtown area. The committee recommends that we make Webster Street from Sweeney to Main Street a 20 MPH speed zone.
2. Alex Domarodski of the North Tonawanda Recreation Department would like a crosswalk and sign in front of the Recreation Department on Vandervoort Street. This was approved back in November 2017 by the committee. Member Daigler will take care of the painting and sign before winter.
3. Mark Zellner and Mark Daigler from the DPW requested that the committee look into making Geneva Street a one way street. Member Daigler states that measurements of the street do not allow for a fire truck or plow to go down the street safely if a vehicle is in the street. Daigler has interviewed 7 residents on the street who were in favor of the one way street but all requested to have the one way go from Lincoln Avenue to Vandervoort Street. The rest of the residents were not home. The committee is in favor of the one way street but recommends that the council send letters to every resident on Geneva Street and/or have a public forum. The decision would have to be soon due to the winter coming in the next couple months.
4. The committee received letters in regards to placing "No Parking" signs on one of

the sides of Weaver Parkway. Member DiBernardo spoke with numerous residents who were in agreement with placing the “No Parking” signs. The committee recommends that the “No Parking” signs go on the north end of the street due to locations of the fire hydrants also being on the north side of the street.

5. The “No Parking” signs on Christiana Street have been taken down by the school except for the two that block the walkway to the building. Those signs were left so that no one blocks the entrance way no matter what the building becomes in the future.

Meeting adjourned at 2010 hours.

Travel safely,
Robert J. Frank

MOVED by Alderman Braun SECONDED by Alderman Tylec
That the Common Council hereby tables Traffic Safety recommendation #3, approves recommendation #4 and receives and files the Traffic Safety October 2018 meeting minutes.

Ayes: Alderman Braun, Berube, Tylec, Zadzilka (4)

Nays: None (0)

CARRIED.

XXV. Monthly Reports

.1 Senior Citizen Center .2 Clerk-Treasurer

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

CARRIED.

AUDIENCE PARTICIPATION

BJ Vandewater 1098 Nash Road – On the 14th of December last year I sent an email to the City regarding using technology to save money in the City. I feel you should have more shared services within the City. It is my opinion that you do not need as many Clerk-Typist or Motor Vehicle Maintenance workers. I have to pay the taxes from my take home pay. I spend \$50 a week for all my property taxes; this is more than I spend for health insurance. Keep in mind there are many different ways to look at the numbers.

Ed Smolinski 1097 Sweeney Street – Division Street seems to be working better. I still don't like the stop signs. The Robinson Street exit is not good. I don't like the painted lines and how it slows people exiting to go a complete 90 degrees to turn down Rumbold. Why does the parks department pull the docks out so early? Our winters are not as bad as they were in the past. They should be left in a little longer. A third thing is the NT Momentum, how come there is nothing on our website or a link to another site so people can read about this.

Sonia Dusza 123 Miller Street – The budget, is that on line. I remember in the past the budget was not what you need, but a wish list. I would like a complete budget put on line. I read the article about the tennis courts at the end of my street. I have been coming here many times talking about how the tennis courts were damaged and never have been fixed. The City promised US HUD and upgrade to my neighborhood. These were the best courts in North Tonawanda. The courts cost \$74,000 back in 1974. These people took it upon themselves to build a skate park. You are violating your own regulations regarding these tennis courts. I believe the City did not want something so good in this neighborhood.

ADJOURNMENT

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

Time of Adjournment: 7:58P.M.

Respectfully submitted,

**Daniel R. Quinn
City Clerk-Treasurer**