

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, March 3, 2015
6:30P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT RIZZO

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: President Rizzo
Alderman Zadzilka, Braun, Schwandt, Pecoraro

Absent: None

Also Present: Mayor Arthur G. Pappas
City Attorney Shawn P. Nickerson

AUDIENCE PARTICIPATION - None

APPROVAL OF THE MINUTES OF THE REGULAR SESSION FEBRUARY 3, 2015

MOVED by Alderman Zadzilka SECONDED by Alderman Rizzo
That the minutes of the regular session held February 3, 2015 be approved as circulated
and filed in the Office of the City Clerk.
CARRIED.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION FEBRUARY 17, 2015

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
That the minutes of the regular session held February 17, 2015 be approved as circulated
and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED JANUARY 29 & FEBRUARY 5, 2015

1) Legal Notice – Collection of the 2015 Niagara County Tax – City Clerk- Treasurer

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

COMMUNICATIONS FROM CITY OFFICIALS

I. Mayor

February 25, 2015

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

Re: Environmental Committee

Dear Honorable Body:

Please be advised that I am appointing Jake Krebs, 138 Miller St. Apt. #2, North Tonawanda, NY 14120, to the Environmental Committee, effective February 25, 2015, for a term of (2) two years, expiring December 31, 2016.

**Sincerely,
Arthur G. Pappas
Mayor**

**MOVED by Alderman Zadzilka SECONDED by Alderman Schwandt
That the Common Council hereby receives and files the aforementioned appointment of Jake Krebs to the Environmental Committee within the City of North Tonawanda.
CARRIED.**

III. Clerk-Treasurer

February 23, 2015

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

RE: Volunteer Fire Companies Fundraising 2015

Dear Honorable Body,

As you have been made aware by the North Tonawanda Fire Chief, and in accordance with the NYS Comptroller's Office; all (6) North Tonawanda Volunteer Fire Companies are required to provide the City with a list of all fundraising activities on an annual basis.

In accordance with these regulations, I have reviewed the correspondence that I have received from all (6) of the Volunteer Fire Companies with the Fire Chief and have found them to be in order and in proper form.

I respectfully request that your Honorable Body vote in the affirmative to grant, Columbia Hook & Ladder #1, Sweeney Hose Co. #7, Rescue Co. #5, Gratwick Hose Co. #6, Live Hose Co. #4, and Active Hose Co. #2 permission to run their respective fundraisers for 2015.

I thank you in advance for your anticipated cooperation.

**Very truly yours,
Daniel R. Quinn
City Clerk-Treasurer**

MOVED by Alderman Zadzilka SECONDED by Alderman Rizzo
 That the Common Council hereby grants Columbia Hook & Ladder #1, Sweeney Hose Co. #7, Rescue Co. #5, Gratwick Hose Co. #6, Live Hose Co. #4, and Active Hose Co. #2 permission to run their respective fundraisers for 2015
 Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)
 Nays: None (0)
 CARRIED.

IV. Engineer

February 25, 2015

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

Re: Traffic Signal - Nash Road / Meadow Drive Intersection Improvements
 Project No. 2014-12
 City of North Tonawanda, Niagara County
 Award of Construction Contract

Dear Honorable Body:

On February 24, 2015, bids were received and opened by the City Clerk for the Traffic Signal - Nash Road / Meadow Drive Intersection Improvements. The bid results are as follows:

	Bidder	Base Bid	Add Alternate 1	Add Alternate 2	Total Bid
1.	South Buffalo Electric	\$104,790.50	\$47,617.65	\$6,590.00	\$159,998.15
2.	Nova Site	\$145,618.86	\$43,407.80	\$18,170.00	\$209,706.66
3.	Power & Construction	\$185,574.00	\$64,546.75	\$11,536.06	\$261,656.81

The City's Consultant, Parsons Brinkerhoff, has tabulated the bids, checked the contractor's references and is recommending award of contract.

Accordingly, I respectfully request that the Common Council award the Traffic Signal -Nash Road / Meadow Drive Intersection Improvements to South Buffalo Electric of 1250 Broadway, Buffalo, NY 14212 at their low total bid amount of \$159,998.15; authorizing the Mayor to sign said contract subject to review by the City Attorney.

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

MOVED by Alderman Zadzilka SECONDED by Alderman Rizzo
 That the Common Council hereby awards the bid for the Traffic Signal – Nash Road / Meadow Drive Intersection Improvements to South Buffalo Electric of 1250 Broadway, Buffalo, NY 14212 at their low total bid amount of \$159,998.15; authorizing the Mayor to sign said contract subject to review by the City Attorney.
 Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)
 Nays: None (0)
 CARRIED.

VII. Accountant

March 3, 2015

Honorable Arthur G. Pappas, Mayor
 & Common Council
 City Hall —216 Payne Avenue
 North Tonawanda, New York 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 March 3, 2015, and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Very truly yours,
Mark W. Dotterweich
City Accountant

MOVED by Alderman Zadzilka SECONDED by Alderman Schwandt
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated March 3, 2015 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$758,475.58
02	Water Fund	40,499.19
04	Sewer Fund	92,539.32
07	Trust & Agency	150.00
17	Home Rehab Program	<u>73.00</u>
	Final Total	<u>\$891,737.09</u>

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)
Nays: None (0)
CARRIED.

XVII. Traffic Safety

February 18, 2015

Robert W. Welch
Executive Assistant to Mayor
216 Payne Ave.
North Tonawanda, New York 14120

Traffic Safety Minutes:

The February 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. Anastasi, M. Daigler, and E. Smolinski. The minutes from the previous meeting were read and a motion to accept was carried. The following new requests/concerns were discussed and recommendations made.

1. The Committee discussed the changes made to the intersection of Payne Avenue and Fredericka Street as well as concerns from neighborhood residents. The Committee is comfortable with the removal of the traffic light as a four way signal and feels there is a learning curve with any change made to traffic flow. However the Committee is not against placing a detection device at the intersection that would allow the traffic signal to remain green for Payne Avenue until a vehicle approaches on Fredericka, tripping the detection device and stopping traffic on Payne Avenue with a red light allowing Fredericka Street traffic to proceed. Member Daigler has the ability to install the device. This would be a successful compromise for all residents in the area. Weather could factor into installation of the device.
2. Numerous complaints concerning employees of the bus garage on Plastics Drive parking on Euclid Avenue were discussed. This is an ongoing problem during the winter when plowed snow takes up parking places at the bus garage. Committee members Vater and Daigler spoke with bus garage supervisors on the issue. The area will be monitored for additional problems.
3. Parking around Drake School was discussed at the request of Jeff Gaston. The area will be monitored and discussed at the March meeting.

4. Signage warning of stop lines before the railroad tracks at the intersections of East Felton, Ward, and Witmer all at River Road were discussed. The Committee recommends making all signs the same making vehicles stop before the tracks.
5. Member Daigler reported on posting speed limit signs on Niagara Falls Blvd. NYS DOT was contacted and the signs will be addressed in the future.
6. Member Daigler reported he would like to see dotted lane markings placed at the intersection of TCMH and Tremont Street. These markings have worked well at the intersection of TCMH and Robinson. The Committee agrees with this and would like to see the markings placed when painting season begins.
7. Member Smolinski would like to see the grade near the railroad tracks at the intersection of Ward and River Roads addressed. There are makings on the road from vehicles scraping as they cross the tracks. Member Daigler will speak with Dale Marshall and Brad Rowles and report at the March meeting.

Meeting adjourned at 2025 hours.

Joseph D. Sikora

MOVED by Alderman Schwandt SECONDED by Alderman Braun
 That the Common Council hereby approves reinstalling the traffic light at the intersection of Payne and Fredericka along with a detection device that will remain green for Payne Avenue traffic until a vehicle approaches from Fredericka Street tripping the device to change. The Common Council also approves placing warning stop lines at the intersections of East Felton, Ward, and Witmer all at the River Road railroad tracks stating vehicles stop before the tracks and approves placing dotted lane markings at the intersection of TCMH and Tremont Street when painting season begins.

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)

Nays: None (0)

CARRIED.

XXV. Monthly Reports

.1 Youth Center

MOVED by Alderman Zadzilka SECONDED by Alderman Schwandt
 That the Common Council hereby receives and files the aforementioned Monthly Reports.
 CARRIED.

COMMUNICATIONS FROM OTHERS

A.
 Theodore J. Pyrak

February 17, 2015

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

Re: Commissioner of Deeds

Gentlemen:

Please be advised that my office is in the process of moving to 421 Payne Avenue, North Tonawanda and I would like to have both my Office Manager and Secretary Approved to act as Commissioner of Deeds. Their names and addresses are as follows:

Mary Ann Pyrak – Office Manager
 45 Grant Road
 Snyder, New York 14226

Donna J. Vaccaro – Secretary
 119 Greeley Street
 Buffalo, New York 14207

03-03-2015

Thank you.

Very truly yours,
Theodore J. Pyrak

MOVED by Alderman Zadzilka SECONDED by Alderman Braun
That the Common Council hereby appoints Mary Ann Pyrak of 45 Grant Road, Snyder, NY 14226 and Donna J. Vaccaro of 119 Greeley Street Buffalo, NY 14207 as Commissioner of Deeds effective March 4, 2015 and expiring March 3, 2017 for the City of North Tonawanda.

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)

Nays: None (0)

CARRIED.

B.
Jack Michel

January 20, 2015

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

Dear Mayor Pappas,

My name is Jack Michel and I am a member of Vietnam Veterans of America, Chapter 77. For the last two years, a group of our members and area homeless Veterans organizations put together a working group to try to raise money for Western New York Homeless veterans. Our events have been a wonderful success and we have raised over \$16,000 to donate to local veteran homeless organizations.

We would like to hold the event at Gratwick Waterfront Park once again this year. We have set aside May 30, 2015 as our date and would like to use the southern end with the event's official start at noon till 4:00PM.

Most of the vendors that were there the past two years will be back again. This included an array of international kite flyers, information booths for veterans as well as the community.

We are in the process of acquiring sponsors at the moment and have some good prospects. We are also planning to have one food stand for hot dogs and hamburgers and hot and cold drinks. No alcoholic beverages will be sold at this family oriented event.

If approved by the Common Council, we are requesting the use of the southern end of Gratwick Riverside Park, just south of the pavilion, snow fencing installed along the tree line by River Road, and availability to the electric at the storage building near the soccer/lacrosse fields.

Thank you again for your attention to this request. Please contact me at (716) 839-4492 should you have any questions.

Jack Michel
Vietnam Veterans of America, Inc.
Western New York Chapter 77

MOVED by Alderman Rizzo SECONDED by Alderman Zadzilka
That the Common Council hereby grants permission to Jack Michel to hold a "Fly a Kite to Help Homeless Veterans" event at Gratwick Riverside Park on Saturday May 30, 2015, Noon to 4:00PM. DPW will be placing snow fencing along the tree line by River Road for said event.

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)

Nays: None (0)

CARRIED.

LATE COMMUNICATION

MOVED by Alderman Zadzilka **SECONDED** by Alderman Schwandt

To bring the following communication to the floor.

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo

(5)

Nays: None

(0)

CARRIED.

#1.

Mayor

March 3, 2015

City of North Tonawanda Common Council

216 Payne Avenue

North Tonawanda, NY 14120

RE: Funding Support for Niagara Frontier Transportation Authority

Dear Honorable Body:

My office has been informed that the Niagara Frontier Transportation Authority ("NFTA") is faced with a multi-million dollar deficit in the fiscal year beginning March 31, 2015. Attached is a resolution which outlines the current status of the NFTA, and the request for New York State officials to provide additional capital and operation assistance necessary to prevent further negative impacts on public transit and aviation services for the residents of the City of North Tonawanda and Western New York.

Thank you for your consideration in adopting this resolution.

Sincerely,
Arthur G. Pappas

MOVED by Alderman Zadzilka

SECONDED by Alderman Schwandt

That the Common Council hereby approves the following resolution calling on New York State to Provide Needed Funding to the Niagara Frontier Transportation Authority ("NFTA").

WHEREAS, the Niagara Frontier Transportation Authority is the public transit and aviation service provider for the Buffalo Niagara region; and

WHEREAS, the NFTA provides over 30 million rides on public transit each year, supports close to 100 non-stop flights per day, employs 1,500 Western New Yorker's and provides transportation to and throughout the region for residents and tourists; and

WHEREAS, the public transit and aviation services provided by the NFTA enable Western New York's counties, cities, towns, and villages to achieve the mobility and quality of life goals and objectives collectively embraced and adopted in local and regional comprehensive plans; and

WHEREAS, the NFTA is faced with a multi-million dollar deficit in the fiscal year set to begin on March 31, 2015 and increasing deficits in future fiscal years because New York State public transit operating and capital assistance has not been provided at a level that is required to meet the public transit needs of Western New York's municipalities; and

WHEREAS, a 2013 financial assessment of the NFTA by the federal government concluded that the "NFTA has managed its operations efficiently and effectively, but has been hampered by zero growth in the revenue sources used to provide operating assistance;" and

WHEREAS, New York State public transit operating assistance to Downstate systems has increased over 8.5 percent since 2008 while the NFTA's state transit operating assistance has increased by only 2.5 percent over that same 6 year time period; and

03-03-2015

WHEREAS, New York State public transit capital assistance is essential to the effective and efficient operation of the NFTA's public transit assets and frequently been budgeted for the NFTA, but not released; and

WHEREAS, the NFTA does not have taxing ability and therefore is reliant upon user fees and federal, state, and local operating and capital assistance to provide services; and

WHEREAS, additional New York State public transit operating and capital assistance is required to prevent further deterioration in the availability of public transit service that Western New Yorkers rely on to get to work, school or health care; and

NOW, THEREFORE, BE IT RESOLVED that the residents of the City of North Tonawanda relies on the public transit and aviation services provided by the NFTA to improve the economy and quality of life in Western New York; and

NOW, THEREFORE, BE IT RESOLVED that the City of North Tonawanda calls on New York State to provide the additional capital and operating assistance necessary to prevent further negative impacts on public transit and aviation services that are critical to the economy and quality of life in Western New York.

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo

(5)

Nays: None

(0)

CARRIED.

AUDIENCE PARTICIPATION –

Ann Finkel – 896 Sun Valley Drive – Stated that the pot holes are getting too big, and was wondering if they could be covered by a metal sheet or a manhole cover. Councilman Zadzilka asked City Engineer Dale Marshall to address Ms. Finkels' question. Mr. Marshall stated it could be done, but it would not be feasible and it would cause havoc with the snow plows. Stated that the only solution is to stay on top of the problem and use cold patch.

Sonia Dusza – 123 Miller Street – Stated that the appointment of Jake Krebs to the Environmental Committee is not a good appointment. Stated that the property Mr. Krebs lives at or is the owner of was at one time zoned as a business and then it was abandoned and reverted back to the residential property. Stated it is a mess behind the property, a lot of abandoned tires and messy looking. Stated that because of the condition of the outside of his property, Mr. Krebs would not be an appropriate approval to the Environmental Committee because of how he keeps his property. The Mayor responded when he and the Common Council appoints someone to a committee, they go by their resume and credentials. They do not look at their home.

ADJOURNMENT

MOVED by Alderman Zadzilka

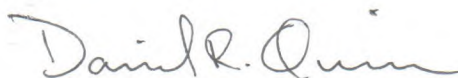
SECONDED by Alderman Pecoraro

That this regular session of the Common Council be and hereby is adjourned.

CARRIED.

Time of Adjournment: 7:01P.M.

Respectfully submitted,



Daniel R. Quinn

City Clerk-Treasurer