# THE HONORABLE BODY

Council Chambers Municipal Building North Tonawanda, New York 14120 Tuesday, February 19, 2019 6:30 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**

<u>Sonia Dusza 123 Miller Street</u> – What is the Land Banks function, and what is a Zombie property?

<u>Mark Houghton 38 North Avenue</u> – Can we have the abstract of claims that you will be voting on?

#### APPROVAL OF THE MINUTES OF THE REGULAR SESSION FEBRUARY 5, 2019

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro That the minutes of the regular session meeting held February 5, 2019 be approved as circulated and filed in the Office of the City Clerk.

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

(5)

Nays: None CARRIED.

(0)

#### PROOF OF PUBLICATION PUBLISHED 01/19/2019

1) Legal Notice – Request for Proposals (RFP) for the sale and development of property located at 78 Bridge Street – City Clerk-Treasurer

#### PROOF OF PUBLICATION PUBLISHED 01/28/2019

1) Legal Notice – Request for Bids for the Fifth Avenue Storm Sewer Separation Project – City Engineer

# PROOF OF PUBLICATION PUBLISHED 01/30/2019 & 02/06/2019

1) Legal Notice – For the Collection of the 2019 Niagara 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
Publications.
CARRIED.

# **COMMUNICATIONS FROM CITY OFFICIALS**

I. Mayor

February 14, 2019

Common Council City Clerk-Treasurer 216 Payne Avenue North Tonawanda, NY 14120

Re: Pavilion at Mayors Park

Dear Honorable Body:

I am pleased to accept the completion of the pavilion located at Mayors Park by Troop 184.

Sincerely, Arthur G. Pappas Mayor

MOVED by Alderman Zadzilka SECONDED by Alderman Braun

That the Common Council hereby receives and files the completion of the Pavilion at Mayors Park done by Troop 184.

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

(5) (0)

Nays: None CARRIED.

#1 Austin Tylec

February 12, 2019

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

Re: Parliamentary Procedures

Dear Honorable Body:

Attached is a resolution seeking to define Parliamentary Procedures within our City's codes. I believe that we must begin to define these procedures if we as a legislative body are to conduct fluid and organized meetings, while giving equal opportunity for all representatives to be heard.

Please put the attached resolution on the Common Council agenda scheduled for 2/19/19.

Sincerely, Austin J. Tylec Alderman-at-Large

MOVED by Alderman Tylec SECONDED by Alderman Zadzilka That the Common Council hereby tables the aforementioned communication.

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

(5) (0)

Nays: None CARRIED.

#2 Robert Pecoraro

February 14, 2019

North Tonawanda Common Council 216 Payne Avenue

02-19-2019

North Tonawanda, NY 14120

Re: Agenda Items and Parliamentary Procedure

#### Colleagues:

Please find enclosed within a request to add language within our parliamentary procedure items that helps address the timing and submission of agenda items for their appearance on the official agenda prior to legal vote.

At our workshop there was a lot of concern pertaining to the submission and ability of any item to be put on the Council agenda. I have asked the City Attorney to include language that allows a practical approach to resolving this problem.

That language essentially allows anyone to put forth an agenda item provided it receives a majority of the votes in our workshop. If that item does not receive a majority of votes whether it's due to content or more discussion, then it would be automatically qualified to be put on the agenda for the next council meeting thereafter. This is designed to help foster discussion among our distinguished body and allow an avenue for everything to reach a vote within a reasonable time. I would like the City Attorney to take this resolution and adopt it into our parliamentary rules.

I appreciate your support and consideration.

Respectfully and Honorable, Robert Pecoraro, Alderman-at-Large City of North Tonawanda

MOVED by Alderman Tylec SECONDED by Alderman Zadzilka
That the Common Council hereby tables the aforementioned communication.

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

CARRIED.

(0)

# #3a Eric Zadzilka

February 14, 2019

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

Re: Parliamentary Agenda Items

#### Honorable Council:

Enclosed is a request to add language to our parliamentary procedure items that helps address late resolutions and their ability to reach the workshop or council agenda.

We have previously discussed that each council person should be afforded flexibility when it comes to putting an agenda item on the workshop or council agenda. While we have rules for timely submissions, I am requesting that the City Attorney add language to allow late resolutions, proclamations, or items for approval, to be included provided it has the signatures of a majority of the council members prior to the start of any official meeting.

This allows any member of the Council to be responsive to residents and any City business deemed important in their view.

I appreciate your support and consideration.

Respectfully and Honorable, Eric Zadzilka, Council President City of North Tonawanda MOVED by Alderman Tylec SECONDED by Alderman Zadzilka

That the Common Council hereby tables the aforementioned communication.

Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka Navs: None

(5)

CARRIED.

4

(0)

#### #3b Eric Zadzilka

February 14, 2019

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

RE: Support of the Ad Hoc Committee

#### Honorable Council:

Enclosed is a request to support the creation of the Ad Hoc Committee established by Niagara County Legislator Jesse Gooch for the research of legalizing marijuana. I would like to take a step further and submit a letter on behalf of the Council to Wm. Keith McNall, Chairman of the County Legislature, Majority Leader Randy Bradt, and Legislator Gooch asking they consider City Attorney Luke Brown to be appointed.

This will help our Council be informed of the facts while analyzing the social and economic costs/benefits that legalization may present.

I appreciate your support and consideration.

Respectfully and Honorably, Eric Zadzilka **Council President** City of North Tonawanda

MOVED by Alderman Pecoraro SECONDED by Alderman Berube That the Common Council hereby supports the creation of the Ad Hoc Committee established by Niagara County Legislator Jesse Gooch for the research of legalizing marijuana, subject to review by the City Attorney.

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

(5) (0)

Navs: None CARRIED.

#### #3c Eric Zadzilka

February 14, 2019

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

RE: RFP for grant writing

#### Honorable Council:

Enclosed is a request to begin the necessary steps to do a Request For Proposal (RFP) on grant writing services given to the City. As we discussed in our workshop, our current grant writer has been employed with the City since 2017 and due to the needs of our City we should begin to evaluate our services.

Our current grant writer is encouraged to bid on the process but the intent of this resolution is to get the best bang for our buck in available money. Our City has shown a tremendous ability to grow and update, but due to NYS budget crunch we are going to need to explore every avenue with competitive and attractive grant opportunities.

I would ask that the City Attorney review the contract and comply with all state laws to ensure we can begin to explore all available grant writers as soon as legally possible.

I appreciate your support and consideration.

Respectfully and Honorably, Eric Zadzilka Council President City of North Tonawanda

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro That the Common Council hereby approves the Request For Proposal (RFP) for grant writing services for the City of North Tonawanda, subject to review by the City Attorney. Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka

Nays: None CARRIED.

(0)

II. Attorney

January 23, 2019

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

Re: Repeal of North Tonawanda City Code Chapter 70 - Political Advertising

Dear Honorable Body:

On a previous occasion, there have been questions regarding the legality of North Tonawanda City Code Chapter 70 which regulates political advertising in North Tonawanda. After reviewing this matter and the relevant case law, specifically the Supreme Court of the United Stated decision in Reed v. Town of Gilbert, Arizona, 576 US \_ (2015), it is my legal opinion that as currently written Chapter 70 would not withstand a legal challenge. As such, I am requesting that Chapter 70 be repealed and all signs, regardless of content, be regulated under North Tonawanda City Code Chapter 77.

Should your Honorable Body concur, please pass a resolution to repeal North Tonawanda City Code, Chapter 70. If you have any questions, or need any additional information, please do not hesitate to contact me.

> Sincerely, Luke A. Brown, Esq. City Attorney

SECONDED by Alderman Braun MOVED by Alderman Pecoraro That the Common Council at a regular session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 PM on February 19, 2019 the Council repeals City Code Chapter 70 – Political Advertising from the North Tonawanda City Code, subject to further review by the City Attorney.

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

Nays: None CARRIED.

(0)

III. Clerk-Treasurer

January 31, 2019

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

Dear Honorable Mayor and Common Council:

Please be advised that I have received payment in full for back City, School and County taxes, per their tax agreement with the City, for the following parcels:

182.21-1-28 126 Seventeenth Ave. Edwin Gasinski 182.71-1-9 337 Robinson Street Richard Yager

Therefore, please pass the necessary resolution withdrawing these parcels form the appropriate In Rem foreclosure proceeding.

Thank you for your cooperation.

Very truly yours, Matthew L. Parish City Clerk-Treasurer

MOVED by Alderman Berube SECONDED by Alderman Zadzilka That the Common Council hereby approves the removal of the following parcels:

182.21-1-28 126 Seventeenth Ave. Edwin Gasinski 182.71-1-9 337 Robinson Street Richard Yager

From the appropriate In Rem foreclosure proceeding for payment in full of City, School, and County taxes. Subject to review by the City Attorney.

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

V. Supt. Wastewater/Water

January 29, 2019

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

Re: Engineering services proposal to develop the mandatory 5 year Risk Management Plans at the Water & Wastewater Treatment Plants

#### **Honorable Body:**

I would like to inform you that our Water Filtration and Wastewater Treatment Plant 5 Year Risk Management Plans ("RMP") are due for renewal by March 27, 2019. RMP's are mandated by the EPA and New York State D.E.C.

This work is complex and requires the expertise of an Engineering Firm. As per the City's Purchasing Policy I have obtained three price quotes for the development of the above mentioned RMP's and the results are as follows:

 1. GHD Engineering
 \$20,900.00

 2. Arcadis Engineering
 \$21,400.00

 3. Wendal Engineering
 \$49,800.00

During the 2019 budget process I requested funding for this work, but it was not approved. Therefore, the funding for each RMP (\$10,450 / facility) will be taken from their respective 2019 Operating Budgets.

I respectfully request your permission to have the Mayor enter into the attached Engineering Services agreement with GHD Engineering for the mandatory 5 year Risk Management Plans at the Water & Wastewater Treatment Plants at their low price quote amount of \$20,900. The award of this agreement is contingent upon the City Attorney's approval.

Sincerely, William M. Davignon Supt. Wastewater/Water MOVED by Alderman Pecoraro SECONDED by Alderman Braun
That the Common Council hereby approves of the Engineering Services agreement

That the Common Council hereby approves of the Engineering Services agreement with GHD Engineering for the mandatory 5 year Risk Management Plans at the Water & Wastewater Treatment Plants at their low price amount of \$20,900, subject to review by the City Attorney.

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

Nays: None CARRIED.

CARRIED.

VII. Accountant

February 4, 2019

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 19, 2019 and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Regards, Amanda Reimer City Accountant

MOVED by Alderman Zadzilka SECONDED by Alderman Berube
That the Common Council hereby authorizes for payment the current Abstract of Claims
for Common Council Audit dated February 19, 2019 and further authorizes the Mayor and
City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$1,077,120.50
02	Water Fund	46,488.16
04	Sewer Fund	86,776.84
06	Capital Project Fund	64,628.50
07	Trust & Agency Fund	12,236.35
00	Final Total	\$1,287,250.35

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

Nays: None

CARRIED.

XVII. Traffic Safety

January 23, 2019

Matthew L. Parish City Clerk-Treasurer 216 Payne Avenue North Tonawanda, NY 14120

**Traffic Safety Minutes:** 

The January 2019 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. Vater, D. Grinnell, M. Anastasi. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

- 1. Jacob Wankasky contacted the committee and stated that he is the owner of the Antique Shop at the old Ascension Church on Robinson Street. Wankasky was concerned about the possibility of having "No Parking" signs in front of his business. Member Frank advised Wankasky that the committee would be monitoring the situation before it comes to a conclusion. (see No.7)
- 2. Kevin Kalota sent an email to the committee stating that he would like the signal light put back up at Ruie Road and Ward Road. The committee has monitored this intersection over the last year and have spoken to numerous people that use this intersection every day, including the owners of the daycare. The people that use this intersection everyday state that the congestion is for only 2 short periods of time, once in the morning and once around dinner time. The complaint has been that it takes too long to turn off of Ruie Road. In monitoring this it was found that people are waiting no longer at the stop sign than they would at a red light. There have been 2 accidents at this intersection in the last 6 months and both were due to the driver not stopping at the stop sign. Both accidents were driver error and were caused because the driver didn't follow the law. The committee recommends to leave the intersection the same and to have the traffic officer continue to monitor the intersection.
- 3. Paul Martin of 14 Fillner Street would like "No Parking" signs put up across from his driveway. Martin states that it is difficult to back out of his driveway when vehicles are parked there. Committee members have looked into this and do not recommend the "No Parking" signs.
- 4. Mayor Pappas attended our meeting and stated that there has been a problem at the post office with vehicles pulling up to the mail boxes on Goundry Street and causing traffic to back up. Citizens like to use these mail boxes so they don't have to get out of their vehicles. The Mayor has been in contact with the post office who have informed him that they are willing to listen to any solutions to fix the problem, including moving the mail boxes. The Mayor and the City Engineer, Dale Marshall, have discussed the DMV as a possible alternate spot for the mail boxes. The committee will work on some other possible solutions and advise the Mayor in a couple weeks.
- 5. The Committee has monitored the intersection of Main Street and Thompson Street for the past month. Traffic Officer Cress also monitored the intersection. The traffic appears to flow freely without any issues. When heading west on Thompson Street and you come up to the stop sign at Main Street, it is difficult to see north without pulling up through. Member Daigler has added "No Parking" at this intersection to help the visibility. There have been 3 accidents at this intersection over the last several months. All 3 accidents involved the vehicles driving in separate directions on Main Street in which one of the vehicles failed to yield the right of way. None of the accidents were caused by a visibility problem. The Mayor and Traffic Safety Committee have invited the concerned citizen (owner of Aquasol) to our monthly meeting. We would like a more in depth conversation with the complainant before we change anything. The complainant did not show up to our January meeting. We hope to speak to him at our February meeting which will be held on February 25, 2019.
- 6. The committee monitored the stop sign at Thomas Fox East and Fairmont Avenue and would like permission for the council to remove the stop sign.
- 7. The committee monitored Robinson Street between Vandervoort Street and Oliver Street for the possibility of "No Parking" signs. The committee recommends leaving Robinson Street the way it is and we will continue to monitor it.
- 8. The bushes at the entrance/exit to the Tops Plaza on Meadow Drive that were overgrown causing visibility problems have been trimmed by the property owner.
- 9. BJ Vanderwater believes the new flashing stop signs TCMH should be placed 10 feet back to allow for better visibility. The committee is going to stay with the recommendations of the City Engineer, Dale Marshall. Member Frank advised Dale Marshall of Vanderwater's concerns.
- 10. Tim Downey contacted Councilman Robert Pecoraro in regards to the new "No Parking" signs on Weaver Parkway. After receiving numerous complaints from

citizens it was believed that there may be a problem. Member DiBernardo spent two days speaking to different residents on Weaver Parkway. The overall consensus was that there was a problem when vehicles were parked on both sides of the street and vehicles were driving in opposite directions. The committee recommends leaving the new "No Parking" signs in place.

Meeting adjourned at 2000 hours.

Travel safely, Robert J. Frank

MOVED by Alderman Tylec SECONDED by Alderman Pecoraro
That the Common Council hereby approves of Traffic Safety Recommendation #6 and receives and files their January meeting minutes.

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

(5)

Nays: None

(0)

CARRIED.

XXV. Monthly Reports

.1 Clerk-Treasurer .2 Police Department

MOVED by Alderman Pecoraro SECONDED by Alderman Berube
That the Common Council hereby receives and files the aforementioned Monthly Report.

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

Never None

Nays: None

(0)

CARRIED.

XXVI. Annual Vacation & Sick Leave Reports

.1 Fire Department

MOVED by Alderman Tylec SECONDED by Alderman Zadzilka
That the Common Council hereby receives and files the aforementioned Annual Vacation &
Sick Leave Reports.

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

(5) (0)

Nays: None

CARRIED.

XXXII.1 Community Development

February 13, 2019

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

Re: Authorization to submit 162 Vandervoort Street to the Niagara-Orleans Regional Land Improvement Corporation

Dear Honorable Body:

The Niagara-Orleans Regional Land Improvement Corporation (NORLIC) began in late 2017 as a joint effort between the North Tonawanda, Lockport, Niagara Falls, Niagara County, and Orleans County in an effort to utilize the functions of a land bank to improve neighborhoods in each community. NORLIC takes donated foreclosed properties and overseas their sale and redevelopment with guidance and direction from each municipality in an effort to stabilize neighborhoods and stimulate investment in neglected properties.

The first property to participate in NORLIC was 250 Miller Street in North Tonawanda. The property was sold in 2018 and is currently being renovated by the new owner. A second property in North Tonawanda, 429 Roger Avenue, was recently donated to NORLIC by a bank.

To continue to participate in NORLIC's success a land bank ad hoc committee previously met to review available tax delinquent properties and selected 162 Vandervoort Street. The property is a two-family in need of significant interior and exterior repairs and is located in the Oliver Street adjacent neighborhood, which is a priority for NORLIC in North Tonawanda.

At this time I'd like to respectfully request this Honorable Body authorize the submission of 162 Vandervoort Street to the Niagara-Orleans Regional Land Improvement Corporation.

Thank you for your time and consideration.

Kindest regards, Michael Zimmerman Director of Community Development

MOVED by Alderman Braun SECONDED by Alderman Berube That the Common Council hereby authorizes the submission to 162 Vandervoort Street to the Niagara-Orleans Regional Land Improvement Corporation (NORLIC), subject to review by the City Attorney.

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

Nays: None

CARRIED.

**XXXII.2** Community Development

February 8, 2019

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

Re: New York Mortgage Assistance Program

Dear Honorable Body:

The New York Mortgage Assistance Program (MAP) is a loan program for New York homeowners designed to help homeowners at risk of losing their home through foreclosure. The program is funded by settlement funds recovered by the New York Attorney General's office from various bank settlements.

The MAP program provides 0% interest loans of up to \$40,000 for qualifying homeowners who have experienced financial hardship and are at risk of losing their home to either bank or municipal tax foreclosure. The loan proceeds are used to repay delinquent mortgages or municipal tax debt and remove the home from foreclosure action. MAP applicants are thoroughly vetted by a qualified housing counselor.

The MAP loan will provide homeowners in North Tonawanda with an opportunity to get current on their municipal taxes and stay in their home. While the MAP loan is already available to any homeowner in the State the application and vetting process can take months. The attached resolution asks the City to accept affidavits from the Western New York Law Center and Belmont Housing Resources of WNY, two qualified local housing counseling agencies, if and when a North Tonawanda homeowner has entered into the MAP program. Upon accepting the affidavit the City will remove the subject property from the tax foreclosure auction with the understanding that the delinquent taxes will be repaid upon the receipt of the MAP loan funds. If for any reason the homeowner does not receive the MAP loan, the property will be placed in the next subsequent tax foreclosure auction.

Keeping residents in their homes whenever possible helps to stabilize our neighborhoods, keep families in their communities, and will reduce the number of tax delinquent homes. I respectfully request this Honorable Body consider the attached resolution to work with qualifying homeowners in the MAP program.

Please let me know if you have any questions or need any further information. Thank you for your consideration.

Kindest regards, Michael Zimmerman Director of Community Development

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 6:30 PM on February 19, 2019 the following resolution was passed and read as follows:

#### NEW YORK STATE MORTAGAE ASISTANCE PROGRAM

WHEREAS, the Common Council of the City of North Tonawanda (the "City") has expressed concern regarding the issue of owner-occupied properties facing tax foreclosure in the City of North Tonawanda; and

WHEREAS, the New York State Mortgage Assistance Program, (MAP) funded by settlements between the NYS Attorney General and various banks, provides residential homeowners who are living in their homes up to forty-thousand dollars in thirty –year no-interest loans to prevent foreclosures on their residences; and

**WHEREAS**, the MAP program will reimburse the City for unpaid taxes and interest if doing so will keep a residential, owner-occupied property out of foreclosure; and

**WHEREAS**, applicants for the MAP program must be pre-screened by a recognized legal services organization or housing counseling agency; and

WHEREAS, the application process takes into consideration the ability of the applicant to afford the property and future expenses, including taxes, as a condition of eligibility; and

WHEREAS, several local legal services organizations and housing counseling agencies such as the Western New York Law Center, Belmont Housing Resources for WNY

**WHEREAS**, applicants must wait several months following pre-screening to complete the MAP process; and

**WHEREAS,** the City of North Tonawanda – Tax Foreclosed Real Estate Auction is scheduled to be held in March 2019 and on each successive year; and

**WHEREAS**, it is the goal of this Honorable Body to keep residents in their homes whenever possible.

**NOW, THEREFORE, BE IT RESOLVED,** that the Common Council of the City of North Tonawanda Erie expresses its intention that:

- (1) The city shall accept an affidavit from the following local legal services organizations and housing counseling agencies, the Western New York Law Center, Belmont Housing Resources for WNY, indicating that an applicant has been pre-screened and is, to the best of the affiant's knowledge, based on the official MAP application guidelines, eligible for New York State Mortgage Assistance Program assistance from any of these legal services organizations or housing counseling agencies who are authorized to pre-screen applicants for the MAP program as a prima facie indication that the applicant will be found eligible for MAP assistance for the entire amount of unpaid taxes and interest if the affidavit so indicates; and
- (2) The City will enter into a payment agreement with such resident removing the property from the City's tax foreclosure auction, with no down payment required, as long as such payment agreements indicate that if MAP assistance for any reason is not forthcoming and the homeowner defaults on the payment agreement, the property may be placed back into the next scheduled City tax foreclosure auction; and be it further
- (3) This resolution shall be valid until revoked by this Honorable Body

THEREFORE BE IT RESOLVED, That certified copies of this resolution shall be transmitted to the Western New York Law Center and Belmont Housing Resources for WNY

Subject to review by the City Attorney.

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

# **COMMUNICATIONS FROM OTHERS**

A. Robert Pecoraro

February 4, 2019

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

Re: Commission of Deeds

Dear Honorable Body:

I, Robert E. Pecoraro, who resides at 262 Christiana Street, North Tonawanda, NY 14120 am requisitioning to be reappointed Commissioner of Deeds for the City of North Tonawanda, with term ending March 2021.

Thank you.

Respectfully, Robert E. Pecoraro

MOVED by Alderman Zadzilka SECONDED by Alderman Tylec That the Common Council hereby grants permission for Robert E. Pecoraro, 262 Christiana Street, North Tonawanda, NY 141202 to be reappointed as Commissioner of Deeds for the City of North Tonawanda effective March 22, 2019 and expiring March 21, 2021.

Ayes: Alderman Braun, Berube, Tylec, Zadzilka

Nays: None

Abstained: Alderman Pecoraro

CARRIED.

(4)

(0)

(1)

B.

Nicholas B. Robinson Attorney at Law

February 4, 2019

Honorable Common Council 216 Payne Avenue North Tonawanda, NY 14120

Re: Commissioner of Deeds

Honorable Body,

This letter is to ask for the following person, who works in my office, to be appointed Commissioner of Deeds, for the City of North Tonawanda.

Patricia A. Cardinale, 46 Calvert Blvd., Tonawanda, NY 14150

Yours truly, Nicholas B. Robinson

MOVED by Alderman Braun SECONDED by Alderman Pecoraro That the Common Council hereby grants permission for Patricia A. Cardinale, 46 Calvert Blvd., Tonawanda, NY 14150 to be appointed as Commissioner of Deeds for the City of North Tonawanda effective February 20, 2019 and expiring February 19, 2021.

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

C.

Eric Zadzilka

February 4, 2019

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

Re: Commission of Deeds

## Dear Honorable Body:

I, Eric Zadzilka, who resides at 927 Fairmont Avenue, North Tonawanda, NY 14120 am requisitioning to be reappointed Commissioner of Deeds for the City of North Tonawanda, with term ending March 2021.

Thank you.

Respectfully, Eric Zadzilka

MOVED by Alderman Pecoraro SECONDED by Alderman Berube
That the Common Council hereby grants permission for Eric Zadzilka, 927 Fairmont
Avenue, North Tonawanda, NY 141202 to be reappointed as Commissioner of Deeds for the
City of North Tonawanda effective March 22, 2019 and expiring March 21, 2021.

Ayes: Alderman Braun, Berube, Pecoraro, Tylec
Nays: None
Abstained: Alderman Zadzilka
(1)

CARRIED.

D. Ashlee Rydzewski and Arthur G. Pappas

February 13, 2019

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

Re: Commission of Deeds

### Dear Honorable Body:

I, Ashlee Rydzewski, who resides at 345 Drake Drive, North Tonawanda, NY 14120 and Arthur G. Pappas who resides at 1417 Forbes Street, North Tonawanda, NY 14120 am requisitioning to be reappointed Commissioner of Deeds for the City of North Tonawanda, with term ending March 2021.

Thank you.

Respectfully, Ashlee Rydzewski Arthur G. Pappas MOVED by Alderman Berube SECONDED by Alderman Braun

That the Common Council hereby grants permission for Ashlee Rydzewski, 345 Drake Drive, North Tonawanda, NY 14120 and Arthur G. Pappas, 1417 Forbes Street, North Tonawanda, NY 14120 to be reappointed as Commissioner of Deeds for the City of North Tonawanda effective March 8, 2019 and expiring March 7, 2021.

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

Nays: None

CARRIED.

E. Danielle & Adam Dickey

February 10, 2019

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

Re: Appointment of Commissioner of Deeds

Dear Honorable Body:

I, Danielle Dickey, residing at 324 Ward Road, North Tonawanda, NY 14120 and Adam Dickey, 324 Ward Road, North Tonawanda, NY 14120, am hereby requesting to be appointed as a Commissioner of Deeds for the City of North Tonawanda.

Sincerely, Danielle and Adam Dickey

MOVED by Alderman Tylec SECONDED by Alderman Pecoraro That the Common Council hereby grants permission for Danielle Dickey, 324 Ward Road, North Tonawanda, NY 14120 and Adam Dickey, 324 Ward Road, North Tonawanda, NY 14120 to be appointed as Commissioner of Deeds for the City of North Tonawanda effective February 20, 2019 and expiring February 19, 2021.

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

Nays: None

CARRIED.

F. Kelly Barry, Alex Quinn and Lynette Frankowski

February 10, 2019

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

Re: Appointment of Commissioner of Deeds

Dear Honorable Body:

I, Kelly Barry, residing at 364 Tremont Street, North Tonawanda, NY 14120, Alex Quinn, 1474 Cambridge Avenue, North Tonawanda, NY 14120 and Lynette Frankowski, 319 Wheatfield Street, North Tonawanda, NY 14120, am hereby requesting to be appointed as a Commissioner of Deeds for the City of North Tonawanda.

Sincerely, Kelly Barry, Alex Quinn and Lynette Frankowski

02-19-2019

That the Common Council hereby grants permission for Kelly Barry, 364 Tremont Street, North Tonawanda, NY 14120 to be appointed as Commissioner of Deeds for the City of North Tonawanda effective February 20, 2019 and expiring February 19, 2021.

Ayes: Alderman Berube, Pecoraro, Tylec, Zadzilka

(4)

Nays: None

(0)

Abstained: Alderwoman Braun

(1)

CARRIED.

SECONDED by Alderman Berube

That the Common Council hereby grants permission for Lynette Frankowski, 319 Wheatfield Street, North Tonawanda, NY 14120 to be appointed as Commissioner of Deeds for the City of North Tonawanda effective February 20, 2019 and expiring February 19, 2021.

Ayes: Alderman Braun, Berube, Pecoraro, Tylec
Nays: None
Abstained: Alderman Zadzilka
(1)
CARRIED.

That the Common Council hereby grants permission for Alex Quinn, 1474 Cambridge Avenue, North Tonawanda, NY 14120 to be appointed as Commissioner of Deeds for the City of North Tonawanda effective February 20, 2019 and expiring February 19, 2021.

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

# **AUDIENCE PARTICIPATION**

MOVED by Alderman Pecoraro

Rob Depaolo 216 Payne Avenue – Thank you for letting NOLIC take on 162 Vandervoort Street, we are shinning it up nicely, Miller Street has worked out well to. With the Land Bank we can go past what we require from the building department (codes are a minimum), 403 Roger we did not get form the Council, but we have done interior and exterior work.

Robert Brennan 333 Daniel Drive – Nothing from mid-December to now is on the website (meeting & agendas). The City should look at the City of Tonawanda's website as an example.

<u>Sonia Dusza 123 Miller Street</u> – Mr. Brown would you hold a session for the community on ethics?

<u>Karl Baurer 1066 East Robinson Street</u> – I like the idea of someone taking on the website. As president of the NT Meals on Wheels we would like to thank the Mayor and his wife for hosting the "Snowflake Ball" benefiting the NT Meals on Wheels and thank you to all who volunteered.

Ed Smolinski 1097 Sweeney Street – I am happy to see progress on the Gateway Park bathrooms, where can I find blueprints on the design.

#### **ADJOURNMENT**

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

Time of Adjournment: 7:45P.M.

Respectfully submitted,

Matthew L. Parish City Clerk-Treasurer

02-19-2019