

**THE HONORABLE BODY**  
**Council Chambers**  
**Municipal Building**  
**North Tonawanda, New York 14120**  
**Tuesday, April 2, 2019**  
**6:30 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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## **FAIR HOUSING MONTH PROCLAMATION**

### **PROCLAMATION**

**WHEREAS**, April 11, 2019, marks the 51<sup>st</sup> anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy of Fair Housing without regard to race, color, creed, national origin, sex, familial status, and handicap, and encourages fair housing opportunities for all citizens; and

**WHEREAS**, The City of North Tonawanda understand the importance of taking action to further fair housing in the community and is committed to meeting its responsibilities; and

**WHEREAS**, The City of North Tonawanda established a Fair Housing Plan in 2016 to ensure that residents are aware of fair housing provisions under Federal and State Law and of the processes and assistance available to obtain compliance with existing statutes;

**NOW, THEREFORE, BE IT RESOLVED**, that in the pursuit of the shared goal and responsibility of providing equal housing opportunities for all men and woman, the City of North Tonawanda does hereby join in the national celebration by proclaiming

April, 2019, as FAIR HOUSING MONTH and encourages all agencies, institutions and individuals, public and private, in North Tonawanda to abide by the letter and the spirit of the Fair Housing Law.

Signed and sealed this 2<sup>nd</sup> Day of April, 2019

**Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka**  
**Nays: None**  
**CARRIED.**

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**(5)**  
**(0)**

## **TODAY IS STUDENT GOVERNMENT DAY**

### **ELECTED POSITIONS**

**Mayor**

**City Attorney**

**City Clerk-Treasurer**

**3rd Ward Alderman/Council President**

**Alderman at Large**

**Alderman at Large**

**1st Ward Alderman**

**2<sup>nd</sup> Ward Alderman**

**City Judge**

### **STUDENT SHADOW**

**Ethan Clark**

**Jenna Hebel**

**Alyssa Juliano**

**Josh Pawlik**

**Samantha DalPorto**

**Madison McKie**

**Rachel Marillo**

**Blake Behm**

**John Evans**

### **DEPARTMENT POSITIONS**

**Appointed City Judge**

**Assistant City Attorney**

**Building Inspector/Code Enforcement**

**City Accountant**

**City Engineer**

**Director of Youth, Recreation & Parks**

**Fire Chief**

**Mayor's Assistant**

**Police Chief**

**Community Development**

**City Assessor**

**Supt. Water/Wastewater**

**Matt Martin**

**Casey Trombley**

**Hannah St. Cyr**

**Eric Freeman**

**Cole Axberg**

**Vincent Dellavella**

**Michelle Lemke**

**Heather Behm**

**Ryan Uschold**

**Samantha Kennedy**

**Tammy Marillo**

**Lindsay Rhodes**

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### **AUDIENCE PARTICIPATION - None**

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### **APPROVAL OF THE MINUTES OF THE REGULAR SESSION MARCH 19, 2019**

**MOVED by Alderman Berube**

**SECONDED by Alderman Tylec**

**That the minutes of the regular session meeting held March 19, 2019 be approved as circulated and filed in the Office of the City Clerk.**

**CARRIED.**

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## COMMUNICATIONS FROM CITY OFFICIALS

### III. Clerk-Treasurer

March 15, 2019

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

Re: Volunteer Fire Companies Fundraising 2019

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 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 Live Hose #4, Columbia Hook & Ladder #1, Gratwick Hose Co. #6, Sweeney Hose Co. #7, Rescue Co. #5, and Active Hose Co. #2 permission to run their respective fundraisers for 2019.

I thank you in advance for your anticipated cooperation.

Sincerely,  
Matthew L. Parish  
City Clerk-Treasurer

MOVED by Alderman Pecoraro                      SECONDED by Alderman Tylec  
That the Common Council hereby approves of Columbia Hook & Ladder #1, Sweeney Hose Co. #7, Rescue Co. #5, Gratwick Hose Co. #6, Live Hose Co. #4, and Active Hose Co. #2 to run their respective fundraisers for 2019.

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

(5)

Nays: None

(0)

CARRIED.

### V. Supt. Water/Wastewater

March 22, 2019

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

Re: Cancellation of the current WWTP Anionic Polymer 3-year contract for not Meeting the bid specifications and award of the new WWTP Anionic Polymer 3-year contract

Honorable Body:

On July 24, 2018, the sole bidder, Solenis LLC, was awarded the Wastewater Treatment Plant's Anionic Polymer bid at a cost of \$1.81 / pound.

Unfortunately, we have determined that Solenis' Praestol 2515 Anionic Polymer has not met the bid specifications.

We recently asked Solenis to come to our facility to try some of their other products. They came to our plant and tested 9 other products and none of them met the bid specs.



We compared Solenis' polymer with our previous polymer provided by Slack Chemical. The Slack product outperformed the Solenis project and easily met our bid specs.

In item #7 of the attached Anionic Polymer bid specs it states the following:

Proposed polymers must perform as stated in the bids during the entire term of the contract and failure to do so will be a just cause for cancellation of the contract.

I confirmed with the City Attorney that we have the right to cancel the Solenis, LLC Anionic Polymer contract for failure to meet the bid specifications. On 2/25/2019 I notified Solenis, LLC that we are cancelling our Anionic Polymer contract with them.

Therefore, I would like to request that you approve Slack Chemical's attached bid proposal to provide Anionic Polymer for the remainder of the three (3) year contract period at a price of \$1.80 / pound.

Sincerely,  
William M. Davignon  
Superintendent of Water/Wastewater

MOVED by Alderman Pecoraro      SECONDED by Alderman Tylec  
That the Common Council hereby cancels the contract for Anionic Polymer for the Wastewater Treatment Plant with Solenis, LLC for failure to meet bid specifications, and approves Slack Chemical's attached bid proposal to provide Anionic Polymer for the remainder of the three (3) year contract period at a price of \$1.80 / pound, subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

#### VII.1 Accountant

March 22, 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 April 2, 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 Braun      SECONDED by Alderman Berube  
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated April 2, 2019 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$217,164.26
02	Water Fund	55,995.53
04	Sewer Fund	80,020.12
06	Capital Project Fund	35,057.83
07	Trust & Agency Fund	<u>9,047.01</u>
00	Final Total	<u>\$397,284.75</u>



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

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## VII.2 Accountant

March 22, 2019

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

Dear Honorable Body:

In accordance with the adopted City of North Tonawanda 2019 Budget, please find a serial bond resolution in the aggregate amount of \$805,000, from our Bond Counsel, Harris Beach LLP.

Accordingly, please have this resolution adopted by at least a two-thirds vote of the body and have it published in the official newspaper of the City, together with the legal notice of estoppel.

Regards,  
 Amanda Reimer  
 City Accountant

MOVED by Alderman Tylec                      SECONDED by Alderman Pecoraro  
 That the Common Council hereby tables the aforementioned request from the City Accountant, will revisit at the next workshop meeting.  
 Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka (5)  
 Nays: None (0)  
 CARRIED.

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## X. Fire Chief

March 28, 2019

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

Dear Honorable Body:

In accordance with the City Charter of the City of North Tonawanda, and pursuant to the authority vested in me by §3.002.e thereof; I make the following promotion:

Firefighter Edward A. Yaminski, 378 Bennett Street, North Tonawanda, is promoted to the rank of Captain in the City of North Tonawanda Fire Department.

A brief ceremony will be held in the Common Council Chambers on April 8, 2019 starting at 10:00 hours. Everyone is welcome to attend.

Joseph D. Sikora  
 Fire Chief

MOVED by Alderman Braun                      SECONDED by Alderman Pecoraro  
 That the Common Council hereby approves and receives and files the appointment of Firefighter Edward A. Yaminski, 378 Bennett Street, North Tonawanda, to the position of Fire Captain for the North Tonawanda Fire Department effective April 8, 2019.  
 Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka (5)  
 Nays: None (0)  
 CARRIED.

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## XVII. Traffic Safety

February 25, 2019

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

## Traffic Safety Minutes:

The March 2019 meeting of the North Tonawanda Safety Committee was called to order at 1900 hours. Roll call showed the following members present: R. Frank, J. Sikora, M. Lemke, D. Grinnell. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

1. The committee looked into and discussed the possibility of a signal with a left turn arrow being installed on Erie Avenue at Meadow Drive. When the transformation of this intersection was taking place there was a traffic engineers study completed which showed that this signal was not warranted. The committee was also informed that there would be problems with this type of signal and the railroad crossing. The committee has taken the recommendations of the traffic study into consideration and we do not recommend this type of signal at this time.
2. Member Daigler received a request from a citizen who would like a "children at play" sign on Walter Drive. This type of request comes up throughout the year and the committee believes these signs should be designated for areas around schools and playgrounds. There are children playing on every street in North Tonawanda and we feel if we place these signs on every street requested they lose the purpose that they were attended for. The committee denies this request.
3. Councilwoman Donna Braun contacted the committee and requested that we look into placing handicapped spots around the Youth Center located on Vandervoort Street. The committee believes this is a good idea and we will be looking into finding appropriate places for the handicapped spots. The decision will be made at the April 8, 2019 meeting.
4. City Clerk Matthew Parish had a request form Kathleen Larkin. Ms. Larkin would like to see the stop sign on Tremont Street in front of the Hospital monitored for cars continuously going through the stop sign. Member Frank will have the traffic officer Cress monitor the area.
5. The Traffic Safety Committee April meeting will be changed from April 15, 2019 to April 8, 2019.

Meeting adjourned at 1945 hours.

Travel Safely,  
 Robert J. Frank

MOVED by Alderman Tylec

SECONDED by Alderman Berube

That the Common Council hereby receives and files the Traffic Safety March meeting minutes.

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

(5)

Nays: None

(0)

CARRIED.



## COMMUNICATIONS FROM OTHERS

A.  
Gratwick Hose Company, Inc.

March 26, 2019

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

Common Council:

Please remove Raymond Ortega, 460 Kohl Street, from the Fire Rolls.

Thank you,  
David A. Rogge

MOVED by Alderman Tylec                      SECONDED by Alderman Pecoraro  
That the Common Council hereby approves the removal of Raymond Ortega, 460 Kohl Street,  
from the North Tonawanda Fire Rolls.  
Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka                      (5)  
Nays: None                      (0)  
CARRIED.

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B.  
Peter Chenier

March 26, 2019

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

Dear Mayor Pappas,

Canal Fest of the Tonawandas Inc. is requesting permission from the City of North Tonawanda to hold the 36<sup>th</sup> annual festival from Sunday, July 14 – Sunday, July 21, 2019. We are seeking permission to use certain city facilities and streets including manpower from certain city departments. Included with this letter are our requests for the year 2019.

Canal Fest looks forward to another successful event for our membership and the Twin Cities. North Tonawanda has always contributed to this success and we hope to maintain our good working relationship for many years to come.

Thank you for your time and consideration of our requests.

Respectfully,  
Peter R. Chenier, President  
Canal Fest of the Tonawandas Inc.

MOVED by Alderman Braun                      SECONDED by Alderman Berube  
That the Common Council hereby grants permission to the Canal Fest of the Tonawandas, Inc. To hold their annual Canal Fest Sunday, July 14, 2019 to Sunday, July 21, 2019 with provisions outlined in agreement submitted to the City Attorney's Office between City of North Tonawanda and Canal Fest of the Tonawandas, Inc.  
Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka                      (5)  
Nays: None                      (0)  
CARRIED.

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**AUDIENCE PARTICIPATION**

**Alex Domaradzki 1383 Sherwood** – I would like to thank the City Officials for making this day possible.

**Peter Chenier 1666 Eddy Drive** – I would like to thank the Council and the City for supporting the Canal Fest this year.

**Edward Yaminski 378 Bennett Street** – I would like to thank the Fire Chief and the Common Council for my promotion to Fire Captain.

**Susan Wilke 329 Miller Street** – The needs to stop building on wetlands.

**Rich Andres 448 Goundry Street** – Thanked the City for letting the kids participate in Student Government Day

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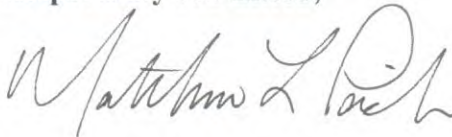
**ADJOURNMENT**

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

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**Time of Adjournment: 6:50 P.M.**

Respectfully submitted,



**Matthew L. Parish**  
**City Clerk-Treasurer**