THE HONORABLE BODY

Council Chambers Municipal Building North Tonawanda, New York 14120 Tuesday, May 28, 2019 6:30 P.M.

SPECIAL SESSION CALLED TO ORDER BY PRESIDENT ZADZILKA

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

President Zadzilka

Alderman Braun, Pecoraro, Tylec

Absent:

Alderman Berube

Also Present:

Mayor Arthur G. Pappas City Attorney Luke Brown

MOVED by Alderman Braun

SECONDED by Alderman Pecoraro

To convene a Special Session of the Common Council.

Ayes: Alderman Braun, Pecoraro, Tylec, Zadzilka

(4) (0)

Nays: None CARRIED.

#1. Historic Preservation Commission

May 21, 2019

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

Honorable Body:

The North Tonawanda Historic Preservation Commission respectfully requests that the City Council arrange for an official vote on land marking the Power Transfer Station on Robinson Road. This building is considered "hugely historic to the history of the world," as one of the first remnants of the history of electricity, Niagara Falls and Nikola Tesla, who pioneered the alternating current electrical system of generators, motors and transformers still in use today. The technology also led to the incorporation of North Tonawanda as a city.

This request was discussed on May 19, 2014 in depth and re-visited during the Council workshop May 14, 2019. The NTHPC would like to finalize this process.

Thank you.

MOVED by Alderman Pecoraro

SECONDED by Alderman Tylec

That the Common Council hereby grants approval for the Historic Preservation Commission to Landmark the Power Transfer Station on Robinson Road.

Ayes: Alderman Braun, Pecoraro, Tylec, Zadzilka

(4)

Nays: None

(0)

CARRIED.

#2. Attorney

May 23, 2019

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

Re: Amendment to City Code Chapter 63 Parks and Recreation Areas §63-14 And §63-15

Dear Honorable Body:

As you know, Lieutenant Frank has been spearheading an initiative to reduce trespassing on railroad property in an effort to reduce injuries and other hazards associated with trespass on those properties. To that end, I am requesting the Council approve the attached code change to §63-14 and §63-15 of the City Code. While the City currently has a misdemeanor level code, there is currently no charge for a violation level trespass. This Code change would address that issue.

Should your Honorable Body concur, please pass a resolution to amend §63-14 and §63-15 of the City Code. If you have any questions, or need any additional information, please do not hesitate to contact me.

Sincerely, Luke A. Brown, Esq. City Attorney

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro That the Common Council at a special session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 PM on May 28, 2019 the Council approved the City Code change to Chapter 63 Parks and Recreation Areas §63-14 and §63-15 to read as follows:

§63-14 Trespass on Private Property.

No person shall trespass upon private real property which is located in the City of North Tonawanda without the landowners express permission.

§63-15 Penalties for Offenses.

Any violation by a person, firm or corporation of any provision of this chapter shall be subject to a fine not to exceed \$250 for each offense or imprisonment for not more than 15 days for each offense, or both such fine and imprisonment. Any person who takes part in or assists in any violation of this chapter shall also be subject to the penalties provided herein. Each day that a violation of this chapter is committed or is permitted to exist shall constitute a separate offense.

Subject to further review by the City Attorney.

Ayes: Alderman Braun, Pecoraro, Tylec, Zadzilka

Nays: None

CARRIED.

(4)

#3. Community Development

May 21, 2019

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

Re: Tonawandas DRI Resolution

Dear Council Members,

Please see attached for a resolution pertaining to the submission of a joint Downtown Revitalization Initiative application, as we discussed at this week's workshop. I apologize for missing the deadline to summit this to the Clerk's office for the regular agenda. I spoke to Eric early today and am requesting this be including on 5/21 as a late communication.

Please let me know if you have any questions.

Thank you, Mike Zimmerman Director of Community Development

MOVED by Alderman Braun SECONDED by Alderman Pecoraro That the Common Council at a special session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 PM on May 28, 2019 the Council approved the following resolution to read as follows:

RESOLUTION OF THE CITY OF NORTH TONAWANDA COMMON COUNCIL AUTHORIZING APPLICATION TO ROUND FOUR OF THE DOWNTOWN REVITALIZATION INITIATIVE

WHEREAS, the New York Governor Andrew Cuomo has announced Round 4 of the \$100,000,000.00 Downtown Revitalization Initiative (DRI); and

WHEREAS, the City of Tonawanda and the City North Tonawanda have a unique opportunity through the DRI program to advance each community's waterfront development, tourism infrastructure, and quality of life by collaborating on a DRI Program; and

WHEREAS, upon DRI Project completion, each respective municipality will be responsible for maintaining that portion of the DRI Project that is located within the geographic bounds of each respective municipality; and

WHEREAS, the total DRI Project cost is estimated to be \$10,000,000. The total cost of the project shall be funded through an application for a grant from the DRI; and

WHEREAS, while each respective municipality is an acceptable DRI applicant and sponsor as determined by the New York State Department of State; and

WHEREAS, the municipalities agree that they will jointly manage and undertake the DRI Project on behalf of their respective municipalities; and

WHEREAS, the municipalities agree that North Tonawanda will act as the lead applicant on a joint DRI application for both municipalities; and

WHEREAS, it is anticipated that work on the DRI Project will commence on March of 2020 and will be concluded on July of 2023;

NOW, THEREFORE, BE IT RESOLVED, that Mayor Arthur G. Pappas is hereby authorized to enter into an agreement, following review by the City Attorney, with the City of Tonawanda committing to a joint DRI application, and be it further

RESOLVED, that Mayor Arthur G. Pappas is hereby authorized to submit an application to the Western New York Regional Economic Development Council for Round 4 of the Downtown Revitalization Initiative, and be it further

RESOLVED, that Mayor Arthur G. Pappas is hereby authorized to execute all necessary documents, pending review by the City Attorney, relating to the Downtown Revitalization Initiative application and submission.

Subject to further review by the City Attorney.	
Ayes: Alderman Braun, Pecoraro, Tylec, Zadzilka	(4)
Nays: None	(0)
CARRIED.	

#4. Mayor

May 23, 2019

Common Council 216 Payne Avenue North Tonawanda, NY 14120

Re: Health Insurance Agreement

Honorable Common Council:

I request that we approve the 2019 Health Insurance agreement with Crown Benefits.

Respectfully submitted, Arthur G. Pappas Mayor

MOVED by Alderman Zadzilka SECONDED by Alderman Braun That the Common Council hereby approves and receives and files the 2019 Health Insurance agreement with Crown Benefits, subject to review by the City Attorney.

Ayes: Alderman Braun, Pecoraro, Tylec, Zadzilka

(4)

Nays: None CARRIED.

(0)

ADJOURNMENT

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

Time of Adjournment: 6:38 P.M.

Respectfully submitted,

Matthew L. Parish City Clerk-Treasurer