

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, May 7, 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

Rob Franil – Was interested in the Railroad Grant.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION APRIL 16, 2019

MOVED by Alderman Zadzilka SECONDED by Alderman Berube
That the minutes of the regular session meeting held April 16, 2019 be approved as circulated
and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED 3/28/2019 & 4/4/2019

1) Legal Notice – Treasurer’s Notice for the Collection of the 2019 City Taxes – City Clerk-Treasurer

PROOF OF PUBLICATION PUBLISHED 04/3/2019

1) Legal Notice – Summary of Bond Resolution – City Clerk-Treasurer

2) Legal Notice – Wastewater Treatment Plant Invitation for Bids for Waste Hauling and Disposal – City Clerk-Treasurer

PROOF OF PUBLICATION PUBLISHED 04/10/2019

1) Legal Notice – Summary of Bond Resolution – City Clerk-Treasurer

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

COMMUNICATIONS FROM CITY OFFICIALS

.1 Austin Tylec

May 1, 2019

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

Re: Open PACE

Dear Honorable Body:

Attached is an agreement in regards to the approval and implementation of the CPACE program offered by the EIC. This program would give commercial & multifamily property owners an opportunity to apply for 100% financing for energy efficiency projects. I believe this would be a benefit to property owners throughout the City of North Tonawanda.

Please put the attached agreement on the Common Council agenda scheduled for 5/7/19. If there are any questions, please feel free to contact me.

Sincerely,
Austin J. Tylec
Alderman-at-Large

MOVED by Alderman Tylec

SECONDED by Alderman Pecoraro

That the Common Council hereby approves the attached agreement for the implementation of the CPACE program offered by the EIC, subject to further review by the City Attorney.

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

(5)

Nays: None

(0)

CARRIED.

III. Clerk-Treasurer

May 2, 2019

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

Re: Committee to Establish City Market Rules and Regulations

Common Council,

I would like to request that a committee be formed with the intent of establishing a set of rules and regulations for City Market Vendors and Guests. It has been brought to my attention that no such document exists and as we are approaching peak market season I feel it is important to address this issue. I would request that the committee consist of the following individuals: Dale Rogers (Market Clerk), Donna Braun (2nd Ward Alderwoman), Robert Pecoraro (Alderman-at-Large), Matthew Parish (Clerk-Treasurer), Arthur Pappas (Mayor), Nicholas Robinson (Asst. City Attorney) and one market vendor (selected by Market Clerk Dale Rogers).

Sincerely,
Matthew L. Parish
City Clerk-Treasurer

MOVED by Alderman Zadzilka

SECONDED by Alderman Pecoraro

That the Common Council hereby approves of establishing a committee to set rules and regulations for the North Tonawanda City Market. This committee consists of Dale Rogers (Market Clerk), Donna Braun (2nd Ward Alderwoman), Robert Pecoraro (Alderman-at-

Large), Matthew Parish (Clerk-Treasurer), Arthur Pappas (Mayor), Nicholas Robinson (Asst. City Attorney) and one market vendor (selected by Market Clerk Dale Rogers).

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

Nays: None (0)

CARRIED.

IV.1 Engineer

April 26, 2019

Honorable Arthur G. Pappas
And Common Council Members
City Hall
North Tonawanda, NY 14120

Re: 2018 Draft Annual Stormwater Report

Honorable Body:

The City of North Tonawanda, in partnership with Western New York Stormwater Coalition, would like to invite the public to review and comment on its draft 2018 Annual Stormwater Report in an effort to increase public awareness and encourage involvement with stormwater pollution prevention.

The Western New York Stormwater Coalition is a group consisting of representatives from Erie County, Niagara County, thirty nine regulated municipalities and environmental consultants. The members meet on a bi-monthly basis to collaborate on shared projects that support their stormwater management programs.

The draft annual report highlights the best management practices that the City of North Tonawanda has implemented in its efforts to prevent pollutants from entering municipal storm sewer systems and local waterways. The draft annual report is available for review and comment at the City Engineer's Office, Room 9 on the second floor, City Hall 216 Payne Avenue. A copy of the report is available online at www.northtonawanda.org under the Stormwater Management Program heading. For more information, contact Dale W. Marshall, P.E. at (716) 695-8565.

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

MOVED by Alderman Pecoraro SECONDED by Alderman Berube
That the Common Council hereby receives and files the Draft 2018 Annual Stormwater Report from the City Engineer.

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

Nays: None (0)

CARRIED.

IV.2 Engineer

April 26, 2019

Honorable Arthur G. Pappas
And Common Council Members
City Hall
North Tonawanda, NY 14120

Re: North Tonawanda Stormwater Program Assistance Agreement

Honorable Body:

As part of the city's commitment as a member of the Western New York Stormwater Coalition beginning in 2010, the city has implemented a vigorous stormwater program to bring the city in compliance with the new stormwater regulations and requirements of the

<u>Control Number</u>	<u>Dollar Amount</u>	<u>Decrease Appropriation Account</u>	<u>Increase Appropriation Account</u>
23	\$17,378.00	004.0882.0000 Reserve for Repairs	004.8120.0480 Sanitary Lines Operations

Regards,
Amanda Reimer
City Accountant

MOVED by Alderman Zadzilka **SECONDED by Alderman Pecoraro**
That the Common Council hereby authorizes the City Accountant to make the following Budgetary Transfers of fiscal year 2019 appropriations, based on the request of the Department Head:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>Decrease Appropriation Account</u>	<u>Increase Appropriation Account</u>
23	\$17,378.00	004.0882.0000 Reserve for Repairs	004.8120.0480 Sanitary Lines Operations

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

XIV. Youth, Recreation & Parks

May 2, 2019

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

Dear Mayor Pappas and Common Council,

After several meetings with department heads and two council workshops, I am submitting the final proposal from Michael Gawel who is wishing to hold a WNY Country Music Festival at Gratwick Riverside Park, from 10:00AM Saturday August 10, 2019 to 8:00AM Sunday August 11, 2019. The event will include music entertainment, beer tent, and food vendors.

Attached you will find the details outlining the event in regards to what is expected from the City and what is expected of Mr. Gawel. All of the items on the attached proposal have been agreed on during the meetings and workshops by both parties, including the responsibility of Mr. Gawel to cover the cost of City Police, Fire and EMS along with park event fees which come to an estimated total of \$12,341.92. An official detailed agreement will be drawn up by the City Attorney's Office and signed by Mr. Gawel and Mayor Pappas pending council approval

Respectfully submitted,
Alex Domaradzki
Dir. of Youth, Recreation, Parks and Seniors

MOVED by Alderman Berube **SECONDED by Braun**
That the Common Council hereby grants permission for Michael Gawel to hold a WNY Country Music Festival at Gratwick Riverside Park, from 10:00AM Saturday August 10, 2019 to 8:00AM Sunday August 11, 2019. An official detailed agreement will be drawn up by the City Attorney's Office and signed by Mr. Gawel and Mayor Pappas, subject to further review by the City Attorney.

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

XVII. Traffic Safety

April 8, 2019

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

Traffic Safety Minutes:

The April 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, M. Lemke, D. Grinnell, A. DiBernardo. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

1. Committee members looked into possible spots for handicapped parking around the North Tonawanda Recreation Center and came up with some couple of ideas of where to place the handicapped parking spots. Member Daigler will work with Parks and Recreation Director, Alex Domaradzki, on what spots would be best for the recreation center.
2. The committee received a complaint from Todd Skoczylas regarding speeders on Linwood Avenue. Member Frank will have Traffic Officer Cress monitor the street. The electronic speed sign will also be placed on Linwood Avenue to slow down vehicles. Member Frank left a voicemail for Skoczylas informing him of our decision.
3. The owners of 460 Oliver Street, Jack and Mary Ann Cohen, requested a terrace parking permit. The committee will look into the request and will discuss it at the May meeting.
4. The owner of 778 Oliver Street, Al Ridge, would like 2 signs put up in front of his business that state "30 Minute Parking Monday-Friday 8:00-4:00". These signs would be split apart to designate 2 spots for Ridge's business. Mr. Ridge states that there were signs up in front of his business in the past and were taken down when the business across the street closed down. The committee recommends the signs and believes that two spots will not hinder any other business.

Meeting adjourned at 2015 hours.

Travel Safely,
 Robert J. Frank

MOVED by Alderman Zadzilka **SECONDED** by Tylec
 That the Common Council hereby approves of Traffic Safety recommendation #4, and receives and files their April minutes.

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

Nays: None (0)

CARRIED.

XIX. Building Inspector

April 17, 2019

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

Re: Weed Cutting Contract

Honorable Body:

Attached please find copy of the only proposal received by this department for brush, weed cutting and cleanup of private property for the 2019 season.

05-07-2019

We sent out ten requests for bids to local landscaping contractors, and advertised request for bids in the Niagara Gazette on 3/27/19, 4/3/19 & 4/10/19. We received a single bid, copy included.

After opening said bid in the presence of the City Clerk and a review of same, I recommended that the 2019 Weed Contract be awarded to the only responsible bidder, Complete Lawn Care & Fencing Inc., 378 Witmer Road, North Tonawanda. This is the same company we used for 2018 and are satisfied with their performance.

If you have questions or need additional information, please let me know.

Cosimo R. Capozzi
Building Inspector

MOVED by Alderman Pecoraro SECONDED by Braun
That the Common Council hereby awards the bid for the 2019 Weed Contract to Complete Lawn Care & Fencing, Inc., 378 Witmer Road, North Tonawanda, NY 14120, subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

XXV. Monthly Reports

.1 Clerk-Treasurer .2 Senior Citizen Center

MOVED by Alderman Pecoraro SECONDED by Alderman Berube
That the Common Council hereby, approves the aforementioned Monthly Reports.
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Project 308 Gallery

April 11, 2019

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

Dear Common Council Members,

My name is Natalie Brown, I own and manage the Project 308 Gallery located at 308 Oliver Street in North Tonawanda. I am requesting Oliver Street to be closed from Robinson St. to Schenck Street on Saturday, August 17th from 9AM -5PM for the 6th Annual Oliver Street Art Festival. I am excited to bring the art festival to the neighborhood for its sixth year!

As we've done in the past, I'd like to showcase the work of over 50 artist vendors while attendees enjoy live music all day, food trucks and activities for kids. As I've done in the past, I plan to reach out to local community groups to showcase like the Oliver Street Merchants Association, the Old Chapel Antique Store and more. The community not only expects the festival each year, but they also enjoy how the festival livens up the neighborhood for a day.

Allowing me to close the street to host the festival is the first step towards a successful and fun event for the community. Please feel free to contact me with questions at the number below. Thank you for your time and consideration.

Sincerely,
Natalie Brown

05-07-2019

Dear Mayor Pappas and Common Council:

iHope Community Church requests permission to place one 4x8 sign in front of Raymond Klimek Veterans Park from May 23rd – June 23rd to advertise our Church in the Park services. Please feel free to contact me with any questions you may have. Thank you so much for your consideration.

Blessings,
Rev. Matthew Richbart

MOVED by Alderman Braun **SECONDED** by Alderman Zadzilka
That the Common Council hereby grants permission to iHope Community Church to place a 4' x 8' sign from May 23, 2019 to June 23, 2019 in front of Veterans Park to advertise their Church in the Park services.

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

Nays: None (0)

CARRIED.

F.
NT Intermediate School

May 1, 2019

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

I am writing to you on behalf of North Tonawanda Intermediate School. In June of last year, we successfully completed our 1st Color-A-Thon Family Fun Run fundraiser to open the new NTI building. This was an evening of healthy fun for the students and their families. Due to the excitement and success that this event brought to our school community, we are planning our 2nd Color-A-Thon Family Fun Run which will take place on Friday, June 14, 2019 at 6 PM.

In order to have this be a safe run for the students, we are requesting that a small section of the surrounding neighborhood be closed off to traffic for the race. Attached is a basic map showing the race route and the streets we would need blocked off. The time frame for the 1 mile race is approximately 5:45 PM – 6:45 PM.

Thank you in advance for your support to make our Color-A-Thon Family Fun Run a success!

Sincerely,
Nicole Grinnell
Color Run Co-Coordinator

MOVED by Alderman Zadzilka **SECONDED** by Alderman Braun
That the Common Council hereby grants permission to the North Tonawanda Intermediate School to hold their Color-A-Thon Family Fun Run fundraiser Friday, June 14, 2019, from 5:45 PM – 6:45 PM and directs the Police Department to assist with the enclosed race route and DPW to assist in providing barricades along said route.

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

Nays: None (0)

CARRIED.

G.
NT American Babe Ruth Baseball

April 12, 2019

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

Dear Mayor Pappas,

I am writing to you on behalf of North Tonawanda American Babe Ruth Baseball (NTABR). You may not be aware but we will be hosting the 10 year old Mid Atlantic Regional Baseball tournament from July 12th to July 16th 2019, as the host we will be expecting 9 visiting teams from 5 different states, which will account for well over 100 visitors to our community. We would like to present our community in the best light possible and wish to request permission for a small parade down Walck Road. For at least one hour on Saturday July 13th tentatively scheduled for 8:30AM to 9:30AM. As part of our request we would like to use the Auxiliary Police, to close off the road and as a current member of the Auxiliary Police I will work with Captain Karen Smith on the details.

In addition we would also like to extend an invitation to yourself, the Common Council Members, Assemblyman Schimminger and Senator Ortt as well as for the NT Police Color Guard to attend the opening Ceremonies of this exciting event.

If you have any questions or concerns, please feel free to contact me at 716-909-9330. Thank you for your support and consideration in this matter.

Sincerely,
Jason Garrison
President, NTABR

MOVED by Alderman Braun SECONDED by Alderman Zadzilka
That the Common Council hereby grants a parade permit to the North Tonawanda American Babe Ruth Baseball (NTABR), for their Mid Atlantic Regional Baseball tournament festivities July 13th from 8:30AM to 9:30AM, and also directs the Police Department to assist in regards to the road closure.

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

LATE COMMUNICATION

MOVED by Alderman Berube SECONDED by Alderman Pecoraro
To bring the following communication to the floor.

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

#1.
Mayor

May 7, 2019

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

Re: Late Communication, Health Insurance Rate Renewal

Honorable Council,

I am asking permission to sign the rate renewal agreement with Blue Cross / Blue Shield for 90 days pending approval of the City Attorney's Office for final contract language.

Sincerely,
Arthur G. Pappas
Mayor

MOVED by Alderman Zadzilka **SECONDED** by Alderman Pecoraro
That the Common Council hereby approves the renewal agreement with Blue Cross / Blue Shield for 90 days pending final approval of the City Attorney.

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

Nays: None (0)

CARRIED.

AUDIENCE PARTICIPATION

Karl Baurer 1066 East Robinson Street – Asked questions regarding the situation with Memorial Pool

Colleen Kendzierski 118 Pine Street – Asked questions regarding the Slow Roll

ADJOURNMENT

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

Time of Adjournment: 7:30P.M.

Respectfully submitted,

Matthew L. Parish
City Clerk-Treasurer