

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, June 18, 2019
6:45 P.M.

REGULAR 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

AUDIENCE PARTICIPATION

Walter Yaro 170 Christiana Street – Was against the increase in the dog license.

Sonia Dusza 123 Miller Street – Asked about the increase in the dog license.

Chuck – Johns Towing – Asked to table the tow contract approval.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION JUNE 4, 2019

MOVED by Alderman Zadzilka SECONDED by Alderman Braun
That the minutes of the regular session meeting held June 4, 2019 be approved as circulated
and filed in the Office of the City Clerk.
CARRIED.

APPROVAL OF THE MINUTES OF THE SPECIAL SESSION JUNE 11, 2019

MOVED by Alderman Pecoraro SECONDED by Alderman Zadzilka
That the minutes of the special session meeting held June 11, 2019 be approved as circulated
and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED 6/5/2019

1) Legal Notice – Public Hearing to discuss the City’s Economic Development programs,
and to submit an application for a Microenterprise Business Assistance grant program–
Community Development

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

PROOF OF PUBLICATION PUBLISHED 6/8/2019

1) Legal Notice – Public Hearing to discuss Local Law 20 to establish a Sustainable Energy Loan Program – 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

#1. Austin Tylec

May 29, 2019

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

Re: Open PACE – Local Law

Dear Honorable Body:

We have approved the EIC Municipal Agreement and held a public hearing for the Open C-Pace Program. The final step is to approve the Open C-PACE local law to enable the provision of the public benefit of PACE in the City. The Local Law restates Article 5-L of the general municipal law which gives the City the authority to provide financing to owners of real property to finance energy related improvements. While EIC and the City are governed on the implementation of Open C-PACE through the EIC Municipal Agreement, the Local Law gives the City the authority to offer Open C-PACE. Please see the template Local Law attached below. This program would give commercial and 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 law on the Common Council agenda scheduled for 6/4/19. If there are any questions, please feel free to contact me.

Sincerely,
Austin J. Tylec
Alderman-at-Large

MOVED by Alderman Tylec SECONDED by 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 June 18, 2019 the Council approved Local Law No.20 to read as follows:

LOCAL LAW No.20

**A LOCAL LAW TO ESTABLISH A SUSTAINABLE ENERGY LOAN PROGRAM
(OPEN C-PACE) IN THE CITY OF NORTH TONAWANDA**

Be it enacted by the City of North Tonawanda as follows:

Section 1. This Local Law shall be known as the “Energize NY Open C-PACE Financing Program” and shall read as follows:

ARTICLE I

§1. Legislative findings, intent and purpose, authority.

- A. It is the policy of both the Municipality and the State of New York to achieve energy efficiency and renewable energy improvements, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The Municipality finds that it can fulfill this policy by providing property assessed clean energy financing to Qualified Property Owners (as defined below) for the installation of renewable energy systems and energy efficiency measures. This local law establishes a program that will allow the Energy Improvement a Corporation (as defined below, “EIC”), a local development corporation, acting on behalf of the Municipality pursuant to the municipal agreement (the “Municipal Agreement”) to be entered into between the Municipality and EIC, to make funds available to Qualified Property Owners that will be repaid through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this local law and accomplishing an important public purpose. This local law provides a method of implementing the public policies expressed by, and exercising the authority provided by, Article 5-L of the General Municipal Law (as defined below, the “Enabling Act”).
- B. The Municipality is authorized to execute, deliver and perform the Municipal Agreement and otherwise to implement this Energize NY Open C-PACE Financing Program pursuant to the Constitution and laws of New York, including particularly Article IX of the Constitution, Section 10 of the Municipal Home Rule Law, the Enabling Act and this local law.
- C. This local law, which is adopted pursuant to Section 10 of the Municipal Home Rule Law and the Enabling Act shall be known and may be cited as the “Energize NY Open C-PACE Local Law”.

§2. Definitions.

- A. Capitalized terms used but not defined herein have the meanings assigned in the Enabling Act.
- B. For purposes of this local law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

Annual installment Amount – shall have the meaning assigned in Section 8, paragraph B.

Annual Installment Lien – shall have the meaning assigned in Section 8 paragraph B.

Authority – the New York State Energy Research and Development Authority.

Benefit Assessment Lien – shall have the meaning assigned in Section 3, paragraph A.

Benefited Property – Qualified Property for which the Qualified Property Owner has entered into a Finance Agreement for a Qualified Project.

Benefited Property Owner – the owner of record of a Benefited Property.

EIC – the Energy Improvement Corporation, a local development corporation, duly organized under Section 1411 of the Not-For-Profit Corporation Law of the State, authorized hereby on behalf of the Municipality to implement the Program by providing funds to Qualified Property Owners and providing for repayment of such funds from money collected by or on behalf of the Municipality as a charge to be levied on the real property.

Eligible Costs – costs incurred by the Benefited Property Owner in connection with a Qualified Project and the related Finance Agreement, including application fees, EIC’s Program administration fee, closing costs and fees, title and appraisal fees, professionals’ fees, permits, fees for design and drawings and any other related fees, expenses and costs, in each case as approved by EIC and the Financing Party under the Finance Agreement.

Enabling Act – Article 5-L of the General Municipal Law of the State, or successor law, as in effect from time to time.

Finance Agreement – the finance agreement described in Section 6A of this local law.

Financing Charges – all charges, fees and expenses related to the loan under the Finance Agreement including accrued interest, capitalized interest, prepayment premiums, and penalties as

a result of a default or late payment and costs and reasonable attorneys' fees incurred by the Financing Party as a result of a foreclosure or other legal proceeding brought against the Benefited Property to enforce any delinquent Annual Installment Liens.

Financing Parties – third party capital providers approved by EIC to provide financing to Qualified Property Owners or other financial support to the Program which have entered into separate agreements with EIC to administer the Program in the Municipality.

Municipality – the City of North Tonawanda, a municipality of the State constituting a tax district as defined in Section 1102 of the RPTL of the State.

Municipal Lien – a lien on Qualified Property which secures the obligation to pay real property taxes, municipal charges, or governmentally imposed assessments in respect of services or benefits to a Qualified Property.

Non-Municipal Lien – a lien on Qualified Property which secures any obligation other than the obligation to pay real property taxes, municipal charges, or governmentally-imposed assessments in respect of services or benefits to a Qualified Property Owner or Qualified Property.

Program – the Energize NY Open C-PACE Financing Program authorized hereby.

Qualified Project – the acquisition, construction, reconstruction or equipping of Energy Efficiency Improvements or Renewable Energy Systems or other projects authorized under the Enabling Act on a Qualified Property, together with a related Energy Audit, Renewable Energy System Feasibility Study and/or other requirements under or pursuant to the Enabling Act, with funds provided in whole or in part by Financing Parties under the Program to achieve the purposes of the Enabling Act.

Qualified Property – any real property other than a residential building containing less than three dwelling units, which is within the boundaries of the Municipality that has been determined to be eligible to participate in the Program under the procedures for eligibility set forth under this local law and the Enabling Act and has become the site of a Qualified Project.

Qualified Property Owner – the owner of record of Qualified Property which has been determined by EIC to meet the requirements for participation on the Program as an owner, and any transferee owner of such Qualified Property.

RPTL – the Real Property Tax Law of the State, as amended from time to time.

Secured Amount – as of any date, the aggregate amount of principal loaned to the Qualified Property Owner for a Qualified Project, together with Eligible Costs and Financing Charges, as provided herein or in the Finance Agreement, as reduced pursuant to Section 8, paragraph C.

State – the State of New York.

§3. Establishment of an Energize NY Open C-PACE Financing Program

- A. An Energize NY Open C-PACE Financing Program is hereby established by the Municipality, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may arrange for the provision of funds by Financing Parties to Qualified Property Owners in accordance with the Enabling Act and the procedures set forth under this local law, to finance the acquisition, construction, reconstruction, and installation of Qualified Projects and Eligible Costs and Financing Charges approved by EIC and by the Financing Party under the Finance Agreement. EIC, on behalf of the Municipality, and with the consent of the Benefited Property Owner, will record a Benefit Assessment Lien on the Benefited Property in the Secured Amount (the "Benefit Assessment Lien") on the land records for the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality.
- B. Before a Qualified Property Owner and a Financing Party enter into a Finance Agreement which results in a loan to finance a Qualified Project, repayment of which is secured by a Benefit Assessment Lien, a written consent from each existing mortgage holder of the Qualified Property shall be obtained, permitting the Benefit Assessment Lien and each Annual Installment Lien to take priority over all existing mortgages.

§4. Procedures for eligibility

- A. Any property owner in the Municipality may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the Municipality's offices.
- B. Every application submitted by a property owner shall be reviewed by EIC, acting on behalf of the Municipality, which shall make a positive or negative determination on such application based upon the criteria enumerated in the Enabling Act and §5 of this local law. EIC may also request further information from the property owner where necessary to aid in its determination.
- C. If a positive determination on an application is made by EIC, acting on behalf of the Municipality, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Program in accordance with §6 of this local law.

§5. Application criteria

Upon the submission of an application, EIC, acting on behalf of the Municipality, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

- A. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;
- B. The amount financed under the Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC.
- C. Sufficient funds are available from Financing Parties to provide financing to the property owner;
- D. The property owner is current in payments on any existing mortgage on the Qualified Property;
- E. The property owner is current in payments on any real property taxes on the Qualified Property; and
- F. Such additional criteria, not inconsistent with the criteria set forth above, as the State, the Municipality, or EIC acting on its behalf, or other Financing Parties may set from time to time.

§6. Energize NY Finance Agreement

- A. A qualified Property Owner may participate in the Program through the execution of a finance agreement made by and between the Qualified Property Owner and a Financing Party, to which EIC, on behalf of the Municipality, shall be a third-party beneficiary (the "Finance Agreement"). Upon execution and delivery of the Finance Agreement, the property that is the subject of the Finance Agreement shall be deemed a "Benefited Property").
- B. Upon execution and delivery of the Finance Agreement, the Benefited Property Owner shall be eligible to receive funds from the Financing Party for the acquisition, construction, and installation of a Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, provided the requirements of the Enabling Act, the Municipal Agreement and this local law have been met.
- C. The Finance Agreement shall include the terms and conditions of repayment of the Secured Amount and the Annual Installment Amounts.
- D. EIC may charge fees to offset the costs of administering the Program and such fees, if not paid by the Financing Party, shall be added to the Secured Amount.

§7. Terms and conditions of repayment

The Finance Agreement shall set forth the terms and conditions of repayment in accordance with

the following:

- A. The principal amount of the funds loaned to the Benefited Property Owner for the Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, shall be specially assessed against the Benefited Property and will be evidenced by a Benefit Assessment Lien recorded against the Benefited Property on the land records on which liens are recorded for properties within the Municipality. The special benefit assessment shall constitute a "charge" within the meaning of the Enabling Act and shall be collected in annual installments in the amounts certified by the Financing Party in a schedule provided at closing and made part of the Benefit Assessment Lien. Said amount shall be annually levied, billed and collected by EIC, on behalf of the Municipality, and shall be paid to the Financing Party as provided in the Finance Agreement.
- B. The term of such repayment shall be determined at the time the Finance Agreement is executed by the Benefited Property Owner and the Financing Party, not to exceed the weighted average of the useful life of the systems and improvements as determined by EIC, acting on behalf of the Municipality.
- C. The rate of interest for the Secured Amount shall be fixed by the Financing Party in conjunction with EIC, acting on behalf of the Municipality, as provided in the Finance Agreement.

§8. Levy of Annual Installment Amount and Creation of Annual Installment Lien

- A. Upon the making of the loan pursuant to the Finance Agreement, the Secured Amount shall become a special Benefit Assessment Lien on the Benefited Property in favor of the Municipality. The amount of the Benefit Assessment Lien shall be the Secured Amount. Evidence of the Benefit Assessment Lien shall be recorded by EIC, on behalf of the Municipality, in the land records for properties in the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. The Benefit Assessment Lien shall not be foreclosed upon by or otherwise enforced by the Municipality.
- B. The Finance Agreement shall provide for the repayment of the Secured Amount in installments made at least annually, as provided in a schedule attached to the Benefit Assessment Lien (the "Annual Installment Amount"). The Annual Installment Amount shall be levied by EIC, on behalf of the Municipality, on the Benefited Property in the same manner as levies for municipal charges, shall become a lien on the Benefited Property as of the first day of January of the fiscal year for which levied (the "Annual Installment Lien") and shall remain a lien until paid. The creation or any recording of the Annual Installment Lien shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. Payment to the Financing Party shall be considered payment for this purpose. Such payment shall partly or wholly discharge the Annual Installment Lien. Delinquent Annual Installment Amounts may accrue Financing Charges as may be provided in the Finance Agreement. Any additional Financing Charges imposed by the Financing Party pursuant to the Finance Agreement shall increase the Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payment were first due.
- C. The Benefit Assessment Lien shall be reduced annually by the amount of each Annual Installment Lien when each Annual Installment Lien becomes a lien. Each Annual Installment Lien shall be subordinate to all Municipal Liens, whether created by Section 902 of the RPTL or by any other State or local law. No portion of a Secured Amount shall be recovered by the Municipality, EIC, or an assignee upon foreclosure, sale or other disposition of the Benefited Property unless and until all Municipal Liens are fully discharged. Each Annual Installment Lien, however, shall have priority over all Non-Municipal Liens, irrespective of when created, except as otherwise required by law.
- D. Neither the Benefit Assessment Lien nor any Annual Installment Lien shall be extinguished or accelerated in the event of a default or bankruptcy of the Benefited Property Owner. Each Annual Installment Amount shall be considered a charge upon the Benefited Property and shall be collected by EIC, on behalf of the Municipality, at the same time and in the same manner as real property taxes or municipal charges. Each Annual installment Lien shall remain a lien until paid. Amounts collected in respect of an Annual Installment Lien shall be remitted to EIC, on behalf of the Municipality, or the Financing Party, as may be provided in the Finance Agreement.

- E. EIC shall act as the Municipality's agent in collection of the Annual Installment Amounts. If any Benefited Property Owner fails to pay an Annual Installment Amount, the Financing Party may redeem the Benefited Property by paying the amount of all unpaid Municipal Liens thereon, and thereafter shall have the right to collect any amounts in respect of any Annual Installment Lien by foreclosure or any other remedy available at law. Any foreclosure shall not affect any subsequent Annual Installment Liens.
- F. EIC, on behalf of the Municipality, may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens to Financing Parties that provide financing to Qualified Properties pursuant to Finance Agreements. The Financing Parties may sell or assign or consideration any and all Benefit Assessment Liens and Annual Installment Liens received from EIC, on behalf of the Municipality, subject to certain conditions provided in the administration agreement between EIC and the Financing Party. The assignee or assignees of such Benefit Assessment Liens and Annual Installment Liens shall have and possess the same powers and rights at law or in equity as the Municipality would have had if the Benefit Assessment Lien and the Annual Installment Liens had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection.

§9. Verification and report

EIC on behalf of the Municipality, shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Program in such form and manner as the Authority may establish.

§10. Separability

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgement shall have been rendered.

Section 2. This local law shall take effect upon filing with the Secretary of State.

Subject to further review by the City Attorney

Ayes: Alderman Braun, Pecoraro, Tylec, Zadzilka (4)

Nays: None (0)

CARRIED.

I. Mayor

June 11, 2019

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

Re: Historic Preservation Committee

Dear Honorable Body:

Please be advised that I am re-appointing April Gampp, 249 Goundry Street, North Tonawanda, NY 14120, to the Historic Preservation Committee, effective July 31, 2019 for a term of (4) years, expiring July 31, 2023.

I'm also appointing Kristin Derby, 98 Niagara Street, North Tonawanda, NY 14120, to the Historic Preservation Committee, effective July 31, 2019 for a term of (3) years, expiring July 31, 2022.

I am also appointing Andrew Klettke, 49 Dean Drive, North Tonawanda, NY 14120, to the Historic Preservation Committee, effective July 31, 2019 for a term of (2) years, expiring July 31, 2021.

Sincerely,
Arthur G. Pappas
Mayor

MOVED by Alderman Pecoraro SECONDED by Alderman Tylec
That the Common Council hereby receives and files the re-appointment April Gampp, 249 Goundry Street, to the Historic Preservation Committee, effective July 31, 2019 for a term of (4) years, expiring July 31, 2023 also the appointment of Kristin Derby, 98 Niagara Street to the Historic Preservation Committee, effective July 31, 2019 for a term of (3) years, expiring July 31, 2022 and Andrew Klettke, 49 Dean Drive, to the Historic Preservation Committee, effective July 31, 2019 for a term of (2) years, expiring July 31, 2021.
Ayes: Alderman Braun, Pecoraro, Tylec, Zadzilka (4)
Nays: None (0)
CARRIED.

III. Clerk-Treasurer

June 6, 2019

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

**Re: Amendment of Chapter 33 DOGS §33-3 Licensing of dogs; fees;
Identification tags – D. Fees.**

Dear Honorable Body:

Below, for your consideration, is an amendment to the North Tonawanda City Code, Chapter 33 DOGS §33-3 Licensing of dogs; fees; identification tags – D. Fees, that took effect as of January 1, 2019. The amendment is recommended for the City of North Tonawanda to be up to or the same as the surrounding Municipalities, and will read as follows:

Chapter 33 – DOGS

§33-3 Licensing of dogs; fees; identification tags. – D. Fees.

D. Fees. The annual fee for each dog license issued shall be:

- (1) For each spayed or neutered dog: \$10.
- (2) For each unsprayed or unneutered dog: \$20.

If your Honorable Body concurs, please pass a resolution to amend the North Tonawanda City Code, Chapter 33 DOGS §33-3 Licensing of dogs; fees; identification tags – D. Fees subject to any further review by the City Attorney. Should you have any questions, please do not hesitate to contact me.

Sincerely,
Matthew L. Parish
City Clerk-Treasurer

MOVED by Alderman Zadzilka SECONDED 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 June 18, 2019 the Council approved the Amendment of Chapter 33 DOGS §33-3 Licensing of dogs; fees; Identification tags – D. Fees. to read as follows:

Chapter 33 – DOGS

§33-3 Licensing of dogs; fees; identification tags. – D. Fees.

D. Fees. The annual fee for each dog license issued shall be:

06-18-2019

- (1) For each spayed or neutered dog: \$10.
 (2) For each unsprayed or unneutered dog: \$20.

Ayes: Alderman Braun, Pecoraro, Tylec, Zadzilka (4)
Nays: None (0)
CARRIED.

V. Supt. Wastewater/Water

June 4, 2019

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

Re: Renewal of Agreement with EnerScope

Honorable Body:

Our annual agreement with EnerScope will expire as of June 30, 2019. EnerScope provides consulting services for the procurement of Natural Gas for the Wastewater & Water Treatment Plants.

The renewal fee for the July 1, 2019 – June 30-2020 contract year will be \$3,600.00 (\$300.00 per month) inclusive for the Wastewater account. Continued inclusion of the Water Filtration Plant account for this contract will be an additional \$600.00 (\$50.00 per month). In addition, the annual fee for bidding will be \$750.00. Total annual cost of this contract will be \$4,950.00 which is the same as last year.

We have used EnerScope for many years and have realized significant savings in our Natural Gas costs. For example we saved \$30,142 for the year starting September 2018 and ending August 2018.

I would appreciate your approval of the EnerScope 7/1/19 -6/30/20 agreement at a total cost of \$4,950.00. This will be contingent upon City Attorney approval.

Thank you in advance for your time and consideration of my request.

**Sincerely,
 William M. Davignon
 Supt. Wastewater/Water**

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
That the Common Council hereby approves the renewal agreement with EnerScope 187 Mill Landing, Rochester, NY 14626 to provide consulting services for the procurement of Natural Gas for the Wastewater & Water Treatment Plants for July 1, 2019 – June 30, 2020. The renewal fee will be \$3,600.00 (\$300.00 per month) inclusive for the Wastewater account. Continued inclusion of the Water Filtration Plant account for this contract will be an additional \$600.00 (\$50.00 per month) with an additional annual fee for bidding will be \$750.00, subject to further review by the City Attorney.

Ayes: Alderman Braun, Pecoraro, Tylec, Zadzilka (4)
Nays: None (0)
CARRIED.

VII. Accountant

June 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 June 18, 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 Pecoraro SECONDED by Alderman Braun
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated June 18, 2019 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$690,464.76
02	Water Fund	51,377.12
04	Sewer Fund	93,068.05
06	Capital Project Fund	207,516.56
07	Trust & Agency Fund	<u>12,314.29</u>
00	Final Total	<u>\$1,054,740.78</u>

Ayes: Alderman Braun, Pecoraro, Tylec, Zadzilka (4)
Nays: None (0)
CARRIED.

X. Police Chief

June 10, 2019

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

Dear Honorable Body:

As a follow up to the May 28, 2019 workshop session where the contract for exclusive towing for the City of North Tonawanda was discussed, the Common Council heard from four interested companies and also desired input from myself, Chief Sikora and Superintendent Zellner.

All of the towing firms that presented their proposals seemed to be well established and capable companies. As I stated that evening, the City of North Tonawanda has worked with a Certified Towing over the last five year contract term as well as a number of years prior. Certified Towing has served the City of North Tonawanda and its customers admirably over that time and has performed as per the language of the contract without complaint.

I respectfully request that you vote to award the next towing contract to Certified Towing.

COMMUNICATIONS FROM OTHERS

A.
OLC Church

May 15, 2019

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

Re: August 25, 2019; Our lady of Czestochowa Feast Day Celebration
Request for approval of 5K Run and 1 Mile Fun Walk

Dear Sir or Madam:

Please allow this letter to serve as the formal request from Our Lady of Czestochowa Parish to the City of North Tonawanda Common Council for approval of a 5K Run and 1 Mile Fun Walk on Sunday, August 25, 2019.

Briefly and similar to last year, the Parish is hosting a celebration in honor of the Feast Day of Our Lady of Czestochowa. The church is proposing a 5K Run and 1 Mile Fun Walk as some of the many activities that will be held that day. Below is the information the church has for the proposed 5K Run and 1 Mile Fun Walk:

WHEN:	August 25, 2019
TIME:	Approximately 11:00AM
WHERE:	Between Center Avenue and 5 th Avenue on Oliver starting Same course as last year (certified)
DISTANCE:	5K Run; 1 Mile Walk

Please advise whether you require any additional information for the initial approval. Additionally, please advise whether you would like a representative at the Common Council meeting to discuss the above and if so the date of the same.

Thank you for your time and we look forward to hearing from the North Tonawanda Common Council regarding the approval of the OLC 5K Run and 1 Mile Fun Walk.

Very truly yours,
Courtney Tasner, Parishioner

MOVED by Alderman Zadzilka **SECONDED** by Alderman Pecoraro
That the Common Council hereby grants permission to close Oliver Street between Center and 5th Avenue for the OLC Church annual Feast Day Celebration 5K Run and 1 Mile Walk, Sunday, August 25, 2019 and directs the DPW to provide barricades for said event, and the Police Department to assist for the 5K Run and 1 Mile Walk course.

Ayes: Alderman Braun, Pecoraro, Tylec, Zadzilka (4)

Nays: None (0)

CARRIED.

B.
Columbia Hook & Ladder, Co.

June 6, 2019

Honorable Common Council
Honorable Mayor Arthur Pappas
City Clerk
City Hall / 216 Payne Avenue
North Tonawanda, NY 14120

Re: Addition to Volunteer Fire Roll

Dear Council and Mayor:

Enclosed is the "Statement of Volunteer Fireman" card for John C. Strauch, of 324 Schenck Street, Upper, North Tonawanda, to be added to the Volunteer Fire Rolls.

He has been elected to and sworn into membership in Columbia Hook & Ladder Co. No.1, on June 5, 2019.

He had previously been a member of another fire company, moved out of the area 6 years ago and left that company. He is now back in the city, and wishes to continue contributing in the volunteer fire service.

Very truly yours,
David L. Evans
Recording Secretary

MOVED by Alderman Braun **SECONDED** by Alderman Pecoraro
That the Common Council hereby grants approval for John C. Strauch, 324 Schenck Street to be added to the North Tonawanda Fire Rolls.

Ayes: Alderman Braun, Pecoraro, Tylec, Zadzilka (4)

Nays: None (0)

CARRIED.

C.
Boys and Girls Club

June 10, 2019

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

Dear Common Council:

On Thursday, July 18, The Boys and Girls Clubs of the Northtowns will be celebrating the 33rd annual Canal Fest Four Miler.

This year, we are once again holding the start/finish line at the corner of Sweeney and Oliver Streets.

To ensure the safety of our runners, we are requesting that Sweeney Street be closed for traffic from Oliver Street to 1293 Sweeney Street, where the 2 mile turnaround is located. We are requesting that the street closure be in effect from 6:30pm to 8:00pm, the race starts at 7:00pm. Thank you for your consideration.

Jeffrey Hardy
Race Director

MOVED by Alderman Zadzilka **SECONDED** by Alderman Tylec
That the Common Council hereby grants permission to the Boys & Girls Club to close Sweeney Street from Oliver Street to 1293 Sweeney Street, on Thursday, July 18, 2019 from 6:30PM to 8:PM for their Annual Canal Fest Four Miler.

Ayes: Alderman Braun, Pecoraro, Tylec, Zadzilka (4)

Nays: None (0)

CARRIED.

ADJOURNMENT

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

Time of Adjournment: 7:40P.M.

Respectfully submitted,



Matthew L. Parish
City Clerk-Treasurer