

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, July 2, 2019
6:38 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

Kristin Derby 98 Niagara Street – Was wondering about the Security measures going to be taken for City Hall.

B.J. Vanderwater 1098 Nash Road – Wants the Council to check out at the County first and make sure there is not something in place already for the City to utilize.

Karl Baurer 1066 East Robinson Street – Is interested in the Committee and wants to be involved with it.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION JUNE 18, 2019

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
That the minutes of the regular session meeting held June 18, 2019 be approved as circulated
and filed in the Office of the City Clerk.
CARRIED.

APPROVAL OF THE MINUTES OF THE SPECIAL SESSION JUNE 26, 2019

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
That the minutes of the special session meeting held June 26, 2019 be approved as circulated
and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED 6/14/2019

1) Legal Notice – Invitation for Bids for the Purchase of Natural Gas for the Wastewater & Water Treatment Plants – Supt. of Water/Wastewater

PROOF OF PUBLICATION PUBLISHED 6/21/2019

1) Legal Notice – Public Hearing to discuss the City’s Economic Development Programs and submission of an application for Community Development Block Grant Funding – Community Development

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. Robert Pecoraro

June 27, 2019

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

Dear Common Council Members,

Due to the recent events on Tuesday, June 25, 2019, I am immediately calling for a committee to be formed to explore the physical security of the North Tonawanda City Hall. In addition, I would like to Chair this committee based on my previous military experience while serving in the United States Air Force. As a former base commander in Spain, we had plans established for the security and protection of people and resources. In addition, as a deployed Senior United States Air Force Commander in Oman, I underwent a Joint Force Vulnerability Assessment by the Department of Defense Team from the Pentagon. I state this because this is a priority and I have the experience to lead a team for success.

As such, I am submitting this resolution and request your support, Force Protection is everyone’s job and for the security and safety of our personnel and resources, I am confident we can reach a successful conclusion.

**Sincerely,
 Robert E. Pecoraro
 Alderman-at-Large**

MOVED by Alderman Pecoraro SECONDED by Alderman Zadzilka
That the Common Council hereby at a regular session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 PM on July 2, 2019, approves the following resolution:

WHEREAS, as a Veteran who also works with Veterans groups, I see the daily challenges faced by veterans like former service member Timothy Payne, and

WHEREAS, an unforeseen incident took place at our North Tonawanda's City Hall on Tuesday June 25, 2019 involving the North Tonawanda Police Department and this service member, and

WHEREAS, we are thankful to the North Tonawanda Police Department who took immediate steps to secure the premises and ensure the safety of the community, while appropriately considering the veteran and his challenges, and

WHEREAS, after reviewing this incident, it may be the appropriate time to address security measures in City Hall and all North Tonawanda government buildings, now, therefore, be it

RESOLVED, Alderman-at-Large Robert E. Pecoraro would like to ask City Clerk/Treasurer Matthew Parish with the guidance of Chief of Police Roger Zgolak to form a committee chaired by Alderman- At-Large Robert E. Pecoraro, to explore security options in all North Tonawanda Municipal Buildings.

Subject to review by the City Attorney.

Ayes: Alderman Braun, Pecoraro, Zadzilka

(3)

Nays: Alderman Tylec

(1)

CARRIED.

V.1 Supt. Wastewater/Water

June 26, 2019

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

Honorable Body:

The Cooperative Bid for Water & Wastewater Chemicals will be expiring on December 31, 2019. The City of Niagara Falls is the "Lead Agency" for this joint purchasing consortium and your approval is necessary for the City of North Tonawanda to participate again in 2020.

Please see the attached letter from the City of Niagara Falls regarding this issue. Our participation in the consortium ensures that we get the lowest price for our chemicals at the Water & Wastewater Treatment Plants and saves us thousands of dollars every year.

I respectfully request that you add this to your next available Common Council meeting agenda for approval. Please contact me if you have any questions regarding our participation in this Cooperative Bid.

Thank you for your time and consideration of my request.

Sincerely,
William M. Davignon
Supt. Wastewater/Water

MOVED by Alderman Zadzilka **SECONDED** by Alderman Braun
That the Common Council hereby grants permission to NFWB to act as Lead Agency on behalf of the City of North Tonawanda for the award of the 2019 Cooperative Bid for Water/Wastewater chemicals.

Ayes: Alderman Braun, Pecoraro, Tylec, Zadzilka

(4)

Nays: None

(0)

CARRIED.

V.1 Supt. Wastewater/Water

June 26, 2019

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

**Re: Award of Bids for the Backup Generator Construction and Electrical
Contracts at the Water Treatment Plant**

Dear Honorable Body:

On June 13, 2019 bids were received and opened for the Backup Generator General Construction and Electrical Contracts.

07-02-2019

Based upon the attached bids and the recommendation of Nussbaumer & Clarke Engineering (see enclosed letter), I would like to recommend that we enter into contracts with the following low bidders:

- 1. General Construction Contract – STC Construction, Inc. at a cost of \$229,700
P.O. Box 459
Springville, NY 14141-0459
- 2. Electrical Contract – Goodwin Electric Corp. at a cost of \$934,000
201 S. Youngs Road
Williamsville, NY 14221

I respectfully request that you review and approve this contract at your next available City Council meeting. The award of this contract is contingent upon the City Attorney’s approval.

Thank you for your time and consideration of my request.

Sincerely,
William M. Davignon
Supt. Wastewater/Water

MOVED by Alderman Pecoraro SECONDED by Alderman Braun
That the Common Council hereby awards the bids for the Backup Generator Construction and Electrical Contracts at the Water Treatment Plant to the following:

- 1. General Construction Contract – STC Construction, Inc. at a cost of \$229,700
P.O. Box 459
Springville, NY 14141-0459
- 2. Electrical Contract – Goodwin Electric Corp. at a cost of \$934,000
201 S. Youngs Road
Williamsville, NY 14221

Subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

VII. Accountant

June 27, 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 July 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 Zadzilka SECONDED by Alderman Braun
 That the Common Council hereby authorizes for payment the current Abstract of Claims
 for Common Council Audit dated July 2, 2019 and further authorizes the Mayor
 and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$352,231.48
02	Water Fund	23,458.61
04	Sewer Fund	74,439.23
06	Capital Project Fund	674,903.53
07	Trust & Agency Fund	10,673.39
81	CD – Comm. Dev.	13,015.86
87	CD – Imprest	<u>178,030.00</u>
00	Final Total	<u>\$1,326,752.10</u>

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

XXV. Monthly Reports

.1 Clerk-Treasurer

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

XXXII. Community Development

June 18, 2019

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

Re: 2019 New York State Consolidated Funding Applications

Dear Honorable Body:

As you may be aware, the ninth round of state-wide economic development funding through the New York State Regional Economic Development Councils has been announced. \$800 Million is available through a pool of over 20 state programs. In previous rounds, North Tonawanda submitted 23 applications and secured over \$2 million. This year's application deadline is July 26th, 2019.

In consultation with Lumber City Development Corporation (LCDC), we have identified two potentially viable projects. These projects were selected based on a number of factors including project feasibility, project need, funding availability, and project readiness.

1.) CDBG Microenterprise Assistance program

The applicant for this project would be the City of North Tonawanda with grant administration performed by Lumber City Development (LCDC). This application will be for approximately \$200,000 to the NYS Office of Community Renewal Microenterprise program, which would allow LCDC to make grants (maximum of \$35,000) to business with 5 or fewer employees who expect to create new job positions. The City and LCDC have successfully implemented 5 previous CDBG Microenterprise programs since 2010, supporting 37 businesses and helping to create over 60 new jobs in that time. If awarded, the program is available to any qualifying business in the city with a specific emphasis on supporting business growth in the downtown and Oliver Street areas. This program does not require any matching funds commitment from the City.

Proposed Budget:

Business Assistance: \$170,000

Program Delivery: \$25,000

Administration: \$5,000

2.) New York Main Street- Downtown Anchor- 230 Oliver Street

The applicant for this project would be Lumber City Development Corporation but the New York Main Street program requires a municipal endorsement. NYMS Downtown Anchor funds can be utilized for redevelopment significant buildings in downtown or commercial corridors. The maximum grant application is \$500,000.

The owners of 230 Oliver have collected cost quotes to date of \$180,000 including new roof, electrical service, HVAC, and windows and are in the process of collecting additional quotes for basement, plumbing, siding, and finishing work. The total project budget is expected to be close to \$300,000.

Project budget:

Owner cash equity	\$50,000
National Grid grant (pending)	\$25,000
Financing	\$50,000
NYMS Downtown Anchor grant	\$175,000
Total	\$300,000

Please let me know if you have any questions or require any additional information.

Thank you,
Michael Zimmerman
Dir. Community Development

MOVED by Alderman Tylec

SECONDED by Alderman Braun

That the Common Council hereby grants approval for Lumber City Development Corporation (LCDC) to file an application for the 2019 New York State Consolidated Funding with the New York State Regional Economic Development Councils, subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM OTHERS

A.
NT Botanical Garden Organization

June 26, 2019

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

Honorable Common Council,

The North Tonawanda Botanical Garden Organization is developing an application for the New York State Department of Environmental Conservation Environmental Justice Community Impact Grant Program.

The " North Tonawanda Sustainable Community Project" will be a two-year grant with an estimated budget of \$47,872. The application requires a municipal endorsement providing the authorization of our not-for-profit to conduct the proposed project at the Botanical Gardens.

Sincerely,
David Conti
 Chairman NTBGO

MOVED by Alderman Zadzilka **SECONDED** by Alderman Pecoraro
 That the Common Council hereby at a regular session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 PM on July 2, 2019, approves the following resolution:

WHEREAS, the North Tonawanda Botanical Garden Organization Inc., is applying to the New York State Department of Environmental Conservation for a grant under the Environmental Justice Community Impact Grant Program for a project to be located at the North Tonawanda Botanical Garden, a site located within the territorial jurisdiction of the City of North Tonawanda; and

WHEREAS, as a requirement under the rules of this program, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, be it resolved that the Common Council of the City of North Tonawanda hereby does approve and endorse the application of North Tonawanda Botanical Garden Organization Inc., for a grant under the State of New York Department of Environmental Conservation's Environmental Justice Program, for a project known as the North Tonawanda Sustainable Community Project and located within this community.

Subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

AUDIENCE PARTICIPATION

Robert Brennan 333 Daniel Drive – Read off examples of situations that need an Ethics Committee to oversee decisions.

B.J. Vanderwater 1098 Nash Road – Stated he has contacted the County regarding an Ethics Committee and wants Attorney Luke Brown to look into their responses.

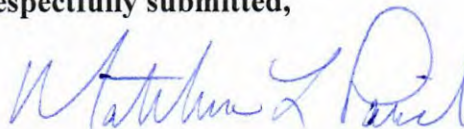
Joe Kissel 980 E. Robinson Street – Said that the Public Hearings should be at the beginning of meetings not at 6:00pm.

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: 7:27 P.M.

Respectfully submitted,



Matthew L. Parish
 City Clerk-Treasurer