

**THE HONORABLE BODY**  
**Council Chambers**  
**Municipal Building**  
**North Tonawanda, New York 14120**  
**Tuesday, November 19, 2019**  
**6:31 P.M.**

---

**REGULAR SESSION CALLED TO ORDER BY ALDERMAN PECORARO**

**PLEDGE OF ALLEGIANCE**

---

**ROLL CALL**

**Present: Alderman Braun, Berube, Pecoraro, Tylec**

**Absent: Mayor Arthur G. Pappas, Alderman Zadzilka**

**Also Present: City Attorney Luke Brown**

---

**AUDIENCE PARTICIPATION –**

**Krista Vince Garland 238 Tremont Street** – Asked about the resolution being presented for the Animal Control Committee for North Tonawanda, thanked Alderwoman Braun for bringing that forward and encourages the Council to vote in favor. Says she would like the Council to help the Niagara County SPCA, it is in need of assistance and needs to reestablish a good name in the County.

**Darlene Bolsover 1337 Sweeney Street** – Asked about the Animal Control Committee, who selects the members and if they will be receiving a stipend.

---

**APPROVAL OF THE MINUTES OF THE REGULAR SESSION NOVEMBER 4, 2019**

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

---

**APPROVAL OF THE MINUTES OF THE SPECIAL SESSION NOVEMBER 12, 2019**

**MOVED** by Alderman Pecoraro                      **SECONDED** by Alderman Braun  
That the minutes of the special session meeting held November 12, 2019 be approved as circulated and filed in the Office of the City Clerk.  
**CARRIED.**

---

**PROOF OF PUBLICATION PUBLISHED 11/1/2019**

**1) Legal Notice – Bids for the Empire State Development Smart Growth Funds Downtown Placemaking Project – City Clerk-Treasurer**

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

---

11-19-2019

**COMMUNICATIONS FROM CITY OFFICIALS**

**#1. Donna Braun**

October 29, 2019

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

Re: Animal Control Committee

Dear Honorable Body:

Enclosed please find a resolution asking permission to form an Animal Control Committee. I am asking this be placed on the next available Common Council Agenda.

Sincerely,  
Donna Braun  
2<sup>nd</sup> Ward Alderwoman

**MOVED** by Alderman Braun      **SECOND** by Alderman Berube  
That the Common Council hereby at a regular session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30PM on November 19, 2019, approves the resolution to form an Animal Control Committee for the City of North Tonawanda, and the resolution reads as follows:

**WHEREAS**, the Animal Control committee shall proactively identify and prioritize animal welfare concerns and opportunities in our City;

**WHEREAS**, the Animal Control Committee shall be comprised of 5 members. One Council Member, Dog Control Officer, one member from Legal and 2 Citizens from the community;

**WHEREAS**, the Animal Control Committee shall review our current Dog Ordinance and make recommendations to the City;

**THEREFORE, BE IT RESOLVED**, that the City of North Tonawanda Common Council approves this resolution to support the formation of said Animal Control Committee.

Subject to review by the City Attorney.

Ayes: Alderman Braun, Berube, Pecoraro, Tylec

(4)

Nays: None

(0)

**CARRIED.**

**II. Attorney**

October 31, 2019

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

Re: Resolution to Accept Responsibility for Daigler Drive and Geneva/  
Katherine Alley

Dear Honorable Body:

While updating the Local Highway Inventory it was noticed by the Engineering Department that Daigler Drive east of Wayne Avenue to the cul-de-sac, and Katherine Alley between the end of Geneva Street and Lincoln Avenue have not been formally accepted by the City. The roadways in question are as follows:

- Daigler Drive – between each end cul-de-sac, approximately 1373 feet, 0.26 miles (map attached), beginning point 0.00 and end point 0.26.
- Geneva Street/Katherine Alley – between the end of Geneva Street and Lincoln Avenue, approximately 360 feet, 0.07 miles (map attached), beginning point 0.09 and end point 0.16.

As such, I am requesting that the Council adopt a resolution that the City accepts responsibility for the maintenance, repair and all legal responsibilities for these roadways as described above.

Please review this proposal and vote as to approve.

Very truly yours,  
 Luke A. Brown  
 City Attorney

**MOVED** by Alderman Tylec                      **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 6:30PM on November 19, 2019 a resolution was passed to accept the responsibility for the following roadways within the City of North Tonawanda:

- Daigler Drive – between each end cul-de-sac, approximately 1373 feet, 0.26 miles (map attached), beginning point 0.00 and end point 2.26.
- Geneva Street/Katherine Alley – between the end of Geneva Street and Lincoln Avenue, approximately 360 feet, 0.07 miles (map attached), beginning point 0.09 and end point 0.16.

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

#### IV.1 Engineer

November 8, 2019

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

**Re: New York State Department of Environmental Conservation (NYSDEC)  
 Urban and Community Forestry Round 15 Grant Program 2019 Request  
 For Funding**

Dear Honorable Body:

The Department of Public Works and Department of Youth, Recreation and Parks in conjunction with the Engineering Department are looking to apply for a grant to do a City-wide tree inventory and community forestry management plan. The grant is for a maximum of \$50,000 through the NYSDEC Urban and Community Forestry Round 15 Grant Program.

As such, I am requesting that the Council adopt the attached resolution that the City apply for the above referenced grant and match any funds in excess of the \$50,000 maximum grant to complete the City-wide tree inventory and community forestry management plan.

Very truly yours,  
 Chelsea L. Spahr, P.E.  
 Assistant City Engineer

**MOVED by Alderman Braun**

**SECONDED by Alderman Tylec**

**That the Common Council hereby at a regular session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30PM on November 19, 2019, approves the “Department of Environmental Conservation Urban and Community Forestry Round 15 Grant Program 2019 Request for Funding” resolution and the resolution reads as follows:**

I, Matthew L. Parish, elected Clerk-Treasurer of the City of North Tonawanda, New York, do hereby certify that the following resolution was adopted at a regular meeting of the City of North Tonawanda Common Council held on November 19, 2019, and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

**WHEREAS**, the North Tonawanda Common Council desires to complete a comprehensive City-wide inventory and assessment of trees located within the City of North Tonawanda right-of-way along streets and municipal properties;

**WHEREAS**, the City of North Tonawanda will procure professional services to complete the comprehensive City-wide Tree Inventory and Assessment Project and to incorporate the reported data into a detailed Community Forestry Management Plan;

**WHEREAS**, the North Tonawanda Common Council has endorsed an application requesting an amount not to exceed the maximum available grant funds of \$50,000 for financial assistance through Round 15 of the Urban and Community Forestry Program (UCF) administrated by the New York State Department of Environmental Conservation in the form of grant funding and commits to the City matching funds in excess of the \$50,000 maximum grant;

**THEREFORE BE IT RESOLVED**, that Arthur G. Pappas, Mayor of the City of North Tonawanda, is hereby authorized and directed to file an application to the New York State Department of Environmental Conservation’s Urban and Community Forestry Program for funds in an amount not to exceed \$50,000, and upon approval of said request to enter into an execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the City of North Tonawanda, New York for a comprehensive City-wide Tree Inventory and Assessment.

**Subject to further review by the City Attorney.**

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

**(4)**

**Nays: None**

**(0)**

**CARRIED.**

#### **IV.2 Engineer**

**November 14, 2019**

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

**Re: Project 2018-03 Main Street Green Infrastructure Improvements  
Award of Contract**

**Dear Honorable Body:**

**On November 12, 2019, ten bids were received and opened by the City Clerk for the Main Street Green Infrastructure Improvements Project. Math errors, all minor in nature, were found in several bids, but the corrections did not change the results of the rankings. The corrected results are as follows:**

Total Base Bid:

1. Milherst Construction	<b>\$835,421.00</b>
2. 4 <sup>th</sup> Generation Co.	\$924,097.10
3. Accadia Site Contracting	\$938,592.25
4. Ed Bauer Construction Corp.	\$943,358.88
5. LJ Quigliano II, Inc.	\$946,092.51

**11-19-2019**







employee is assigned to perform extra duties on a temporary or permanent basis, he/she shall be fairly compensated for additional work while he/she is performing it.”

Since that time, the parties to the contract have continued to negotiate fair and reasonable compensation for that transfer of duties. As a result of those efforts, attached hereto is a proposed Agreement that would resolve this issue.

Considering the above, I am requesting that the Common Council pass a resolution approving the attached.

Very truly yours,  
 Luke A. Brown  
 City Attorney

MOVED by Alderman Pecoraro                      SECONDED by Alderman Berube  
 That the Common Council hereby at a regular session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30PM on November 19, 2019, approves the attached settlement agreement, Grievance 2018-01, between the City of North Tonawanda, and the Office and Professional Employees International Union AFL-CIO & CLC and its Affiliated Local Union No.153 and William M. Davignon, subject to further review by the City Attorney.

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

Nays: None (0)

CARRIED.

#### AUDIENCE PARTICIPATION –

Justin Collins 1285 East Robinson Street – Thanked the Council for approving Vanguard Church to use the City Market parking lot for their annual Trunk and Treat Halloween night.

CaSandra Ramos 64 Keil Street Lower – Handed the Council a petition to make the Dog Control Officer a full time position. Says the Dog Control Officer has compassion and is an asset to the City of North Tonawanda.

Loretta McGee 112 Felton Street – Thanked the City for putting the traffic light back up on the corner of Felton and Oliver Street. Says she would like to complain about the no parking rules on Felton Street. Says that church members and visitors of the residents on the street have nowhere to park. She is afraid that the church will now lose members because of it.

Richard Kline 114 Felton Street – He disagrees with the statement from Mark Daigler that was read by Alderman Berube regarding the decision for the no parking signs on Felton Street. Also says that this will limit friends and family visiting the residents on the street.

Darlene Bolsover 1337 Sweeney Street – Wanted to know what the late communication was and who it was for. Wanted to know if there was an increase in pay for that person and a decrease in pay from the person who was doing the job. Asked what the dog license money goes for and thanked Alderwoman Braun for spearheading the Animal Control Committee.

Sharon Armstrong 34 Second Avenue – Asked if the City could do something about the lights on Schenck Street from Oliver to River Road and Thompson from Oliver to River Road, says she can't walk at night because there is not any lights and it is very dangerous. Also asked if something could be done on Oliver Street between Second and Third Avenue, it is very difficult to pull onto Oliver Street because of the cars that are parking on the street.

Dennis Garland 238 Tremont Street – Congratulated the Council and now wants to see everyone working together for the common good of the City. Also wants to see more lighting in the City.



**ADJOURNMENT**

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

---

**Time of Adjournment: 7:29 P.M.**

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Matthew L. Parish".

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