

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, January 7, 2020
7:59 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT ZADZILKA

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: President Zadzilka
Alderman Braun, Schmigel, Pecoraro, Tylec

Absent: None

Also Present: Mayor Arthur G. Pappas
City Attorney Luke Brown

AUDIENCE PARTICIPATION

Kristin Derby 98 Niagara Street – Asked about the sponsorship at the market and what does the money go for and also the market merchant money.

Sonia Dusza 123 Miller Street – Doesn't think that there should be a public hearing before a council meeting, says the time stamp should be in blue ink. Says there should be a comprehensive study done for the Felton Street parking situation and the city needs to hire a planning person that has to do with traffic.

Darlene Bolsover 1337 Sweeney Street – Asked what the secondary information for the traffic safety was. Says that Sweeney Street is a truck route and it starting to sink, but said was not prepared for the meeting to discuss further.

PROOF OF PUBLICATION PUBLISHED 12/11/2019

- 1) Legal Notice – Invitation for bids for Lighting Upgrades at the Wastewater Treatment Plant – City Clerk-Treasurer

PROOF OF PUBLICATION PUBLISHED 12/20/2019

- 1) Public Notice – A Resolution of the City Council of the City of North Tonawanda Regulating Smoking on City Hall Grounds – City Clerk-Treasurer

PROOF OF PUBLICATION PUBLISHED 12/21/2019

- 1) Legal Notice -Public Hearing - Proposed Changes to the City's Sanitation Program – Supt. Public Works

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

Rules and Regulations for Market Vendors:

- All Vendors are responsible to make sure that all of their employees know, understand and comply with the market Rules and Regulations.
- All vendors and their employees shall maintain their stalls and other areas of the Market in a clean, orderly, well ventilated and sanitary condition.
- All Vendors and their employees shall respect all Market property and personnel. Any vendor who violates this rule will be subject to a suspension of their Permit privileges until the matter can be reviewed by the office of the City Clerk/Treasurer.
- Boisterous or disorderly conduct (e.g., quarreling amongst vendors) will not be tolerated
- There will be a **THREE** stall limit for all market vendors
- The annual rental fee for ONE Market Stall is as follows:
 - o **Full Year:** \$300 (April 1st- March 31st)
 - o **Half Year:** \$225 (April 1st – Sept. 31st) or (October 1st – March 31st)
- **Required Documents:**
 - o Vendor Permit Application
 - o Insurance documentation: Naming City of North Tonawanda as insured
 - o *If you are a vendor participating in the Farmer's Market Nutrition Program, Crop Plan must be returned with Application
- Payment (in full) along with all required paperwork/documentation must be received by the North Tonawanda Clerk/Treasurer's office no later than March 1st
- Incomplete paperwork and/or payment will be returned and the requested stall will be made available to the next vendor on the waiting list.

Food Trucks:

- Food Trucks are permitted on Market Grounds and will be required to abide by the same rules and regulations as all other Market Vendors.
- There will be a designated area for all food trucks
- If a food truck vendor has obtained a City of North Tonawanda Food Truck Permit, they may request a market stall on a daily basis and preference will be given "first come, first served"

Sponsors:

- Market Sponsors must fill out the applicable sponsorship application
- There are three designated sponsorship levels:
 - o Level 1: \$200 Business name/logo will be printed on all market shirts and listed as a sponsor on the city web site.
 - o Level 2: \$500 Banner with business name/logo will be displayed on the Market Pavilion. Business name/logo will be printed on all market shirts and listed as a sponsor on the City Web Site.
 - o Level 3: (Depending upon availability) \$1800- Full Year or \$600- Monthly Sponsors will receive a full stall allocated to set up tent/table/display goods etc. Business name/logo will be printed on all market shirts and listed as a sponsor on the city web site.
- All Sponsorship proceeds will be allocated to designated market improvements.

Subject to review by the City Attorney.

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

(5)

Nays: None

(0)

CARRIED.

IV.1 Engineer

December 18, 2019

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

Re: Project 2018-01E: Gateway Park Improvements Project
Approval of Change Order and Final Project Acceptance

Appurtenances is being deferred until further funds are available. Accordingly, I respectfully request that the Common Council award the ESD Smart Growth Funds Downtown North Tonawanda Placemaking Project contract to 4th Generation Construction, 5650 Simmons Avenue, Niagara Falls, NY 14304, at their low Base Bid item No. 1, 2, 3, 5, and Alternate No. 1 in the amount of \$1,392,900; authorizing the Mayor to sign said contract subject to review by the City Attorney.

Very truly yours,
Dale W. Marshall
City Engineer

MOVED by Alderman Zadzilka **SECONDED** by Alderman Pecoraro
That the Common Council hereby awards the ESD Smart Growth Funds Downtown North Tonawanda Placemaking Project contract to 4th Generation Construction, 5650 Simmons Avenue, Niagara Falls, NY 14304, at their low Base Bid item No. 1, 2, 3, 5, and Alternate No. 1 in the amount of \$1,392,900; and authorizes the Mayor to sign said contract. Subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

VII. Accountant

January 2, 2020

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 January 7, 2020 and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Regards,
Sheri Gampp
Jr. Accountant

MOVED by Alderman Braun **SECONDED** by Alderman Zadzilka
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated January 7, 2020 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$512,877.86
02	Water Fund	8,774.78
04	Sewer Fund	41,421.59
06	Capital Project Fund	5,500.00
07	Trust & Agency Fund	<u>9,497.65</u>
00	Final Total	\$578,071.88

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

Nays: None (0)

CARRIED.

**XIV. Dir. Youth, Recreation, Parks
And Seniors**

December 27, 2019

**The Honorable Mayor Pappas and Common Council
216 Payne Avenue
North Tonawanda, NY 14120**

Dear Mayor Pappas and Common Council:

After reviewing their application, I am respectfully asking to waive the special event fee of \$300 for the WNY Disc Golf Club to use the Pinewoods Disc Golf Course for a tournament on February 29, 2020 from 8am-4pm on the basis that the course is free and available for anyone to play on during park hours, and that the tournament will be taking place in the winter while pavilions are still closed and the park has little to no public activity which would be impacted by the tournament.

WNY Disc Golf Club has worked closely with our department in the design and implementation of the new course layout, including being a part of volunteer cleanup efforts as well as donating directional basket signage to enhance the course for the public. The tournament will require no set up from our department, they will not be using any of the pavilions as they are still closed for the season, and will not hinder the general public's use of the park during the time of the tournament. The WNYDGC will additionally provide our department with the necessary proof of adequate liability insurance for the event. This tournament is a great opportunity to expose new users to the new Pinewoods Disc Course layout and bring positive attention to our public spaces.

Respectfully submitted,
Alex Domaradzki
Dir. Youth, Recreation, Parks & Seniors

MOVED by Alderman Tylec

SECONDED by Alderman Schmigel

That the Common Council hereby approves waiving the special event fee of \$300 for the WNY Disc Golf Club to use the Pinewoods Disc Golf Course for a tournament on February 29, 2020 from 8am-4pm.

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

Nays: None (0)

CARRIED.

XVII. Traffic Safety

December 17, 2019

**Matthew L. Parish
City Clerk/Treasurer
216 Payne Avenue
North Tonawanda, NY 14120
Traffic Safety Minutes:**

The December 2019 meeting of the North Tonawanda Traffic Safety Committee was called to order at 1830 hours. Roll call showed the following members present: R. Frank, J. Sikora, M. Daigler, A. Vater, M. Lemke, D. Grinnell, M. Anastasi. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

1. The clerk's office received a complaint from an unknown citizen on 2nd Avenue asking if we could look into placing "No Parking" signs in front of Dom Polski's on Oliver Street. Parking is already difficult in this area and there haven't been any accidents with the current situation. The committee votes to leave the parking situation the same.
2. Robert Welch from Senator Ortt's office received a complaint from Suzanne Carroll asking why the "School Signs" were taken down at the old Gilmore School (now the

Board of Education) just because it is a private school. The “School Signs” were taken down when Gilmore School closed which at the time was unoccupied. The committee was unaware that the Christian Academy was now leasing space at Gilmore School. The Christian Academy being “private” has no effect on whether it can have “School Signs”. Member Daigler contacted Welch and the Board of Education and the Christian Academy did not see a need for “School Signs” at this time due to certain circumstances. The committee recommends “School Signs” if the school would like them put up.

3. Austin Tylec contacted member Frank to see if the committee could come up with different suggestions regarding the current parking situation on Felton Street. The committee’s suggestions are: make dash marks instead of solid yellow lines so vehicles can go around the parked vehicles; have “No Parking” signs Monday-Friday 9:00-5:00 to help with truck traffic; make Ward Road the Truck route; leave the “No Parking” signs up. The committee was informed by the North Tonawanda DPW that the current situation is temporary and they are looking at other alternatives that would be the safest for everyone not just a couple people.
4. Matt Parish received a comment submission form from Elly Crouch asking if “No Turn on Red” and “Do Not Block Intersection” signs could be put up on Felton Street. Those signs have been installed.
5. Jason Klepp of 600 Oliver Street requested a terrace parking permit. The request states that they need space for one vehicle. The property has a garage and a spot for a vehicle next to the garage which currently has a pop up tent on it. The committee does not see this as a hard ship and therefore declines the request at this time. If Mr. Klepp would like to come to our traffic meeting to explain his hardship we could reconsider.

Meeting adjourned at 1930 hours.

Travel Safely and Happy Holidays,
Robert J. Frank

MOVED by Alderman Tylec

SECONDED by Alderman Braun

That the Common Council hereby approves and receives and files the Traffic Safety minutes from their December meeting.

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

(5)

Nays: None

(0)

CARRIED.

XXV. Monthly Reports

.1 Clerk-Treasurer

MOVED by Alderman Pecoraro

SECONDED by Alderman Zadzilka

That the Common Council hereby, approves the aforementioned Monthly Reports.

CARRIED.

XXVII. Annual Reports

.1 Clerk-Treasurer

MOVED by Alderman Pecoraro

SECONDED by Alderman Braun

That the Common Council hereby, approves the aforementioned Annual Report.

CARRIED.

I'm also requesting that I meet with your department heads shortly after we receive approval. This is always a good time to discuss the pros and cons from the previous year's event. I also feel that having the meeting ensures that all the permits and any new rules are followed as required by the City of North Tonawanda.

We will once again have a fireworks display Saturday evening at dusk.

Thank you,
 Gary Roesch
 Commodore Niagara Frontier Boat
 Racing Association

MOVED by Alderman Pecoraro **SECONDED** by Alderman Braun
 That the Common Council hereby grants permission to the Niagara Frontier Boat Racing Association to hold their Annual Thunder on the Niagara August 1st and August 2nd, 2020. Items other than dates needed for said event are contingent on the Department Heads and the City Attorney approvals.

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

Nays: None (0)

CARRIED.

C.
 Thomas Johnston

November 5, 2019

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

Dear Council Members:

I am writing to request permission to conduct The Ride For Roswell within the City of North Tonawanda on Saturday June 27, 2020.

We anticipate 10-12 routes starting at UB Amherst and at Roswell Cancer Institute, all ending at UB Amherst. We would like to plan one in the City of North Tonawanda - the Canada Route from Niagara Falls to the City of Tonawanda, riding to UB Amherst via River Road and the Seymour Street Bridge. We have also submitted an application to reserve the Gratwick Waterfront Park pavilion for use as a rest stop.

The City of North Tonawanda is an integral part of The Ride for Roswell, and we appreciate the critical cooperation and support from city government that keeps The Ride safe and successful. I look forward to working with you and your team to make this Ride for Roswell the best yet.

Sincerely,
 Thomas Johnston
 Operations Manager

MOVED by Alderman Braun **SECONDED** by Alderman Tylec
 That the Common Council hereby approves the Ride for Roswell going through the City of North Tonawanda on Saturday June 27, 2020 with the use of the pavilion shelter in Gratwick Park for a rehydration stop, and directs the North Tonawanda Police and Fire Police to provide assistance at critical traffic intersections on River Road, and along a protected bike lane on the Seymour Street Bridge to the hand off to City of Tonawanda Police at Niagara Street.

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

Nays: None (0)

CARRIED.

Anthony DiBesco

Ronald Walker
Scott Wilson
Mark O'Lay

Please award the appropriate certificates.

Thank you,
David A. Rogge
Membership Secretary

MOVED by Alderman Tylec SECONDED by Alderman Braun
That the Common Council hereby grants exemption petitions for the following for years of service:

50 YearsRaymond Mangus
Russell Horvath
James Iwanicki
Anthony DiBesco35 YearsMark Lemke
Christopher Sommer
Patrick Hutton
Ronald Walker
Scott Wilson
Mark O'Lay25 Years

Marc Galus

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

(5)

Nays: None

(0)

CARRIED.

F.
Sweeney Hose Co.

December 30, 2019

North Tonawanda City Hall
ATTN: Matthew Parish – NT City Clerk
CC: Eric M. Zadzilka
216 Payne Avenue
North Tonawanda, NY 14120

Mr. Parish,

As per instructed please find enclosed with this letter the completed Statement of Volunteer Fireman forms for members of Sweeney Hose Company #7.

Kyle Reeves – joined September 12, 2016
James Bogner – joined May 1, 2017
Sean Fisher – joined July 10, 2017
Michael Ennis – joined February 4, 2019
Katlyn Short - joined June 3, 2019
Josh Wiatr – joined September 9, 2019

Due to a miscommunication of procedure we believe these members were never added to the official roster kept with the City of North Tonawanda. Please add them to the roster with the date listed above as that is their actual date of becoming a member of Sweeney Hose Company #7.

Sincerely,
Raymond Dworzanski
Sweeney Hose Company Secretary

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
That the Common Council hereby approves of the following to be added the North Tonawanda Fire Rolls:

Kyle Reeves – joined September 12, 2016
James Bogner – joined May 1, 2017

Sean Fisher – joined July 10, 2017
Michael Ennis – joined February 4, 2019
Katlyn Short - joined June 3, 2019
Josh Wiatr – joined September 9, 2019

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

AUDIENCE PARTICIPATION

Sonia Dusza 123 Miller Street – Said that the No Turn on Red and Do not Block Driveway signs on Felton Street, Miller Street has the same situation and she knows what it is like. Says that she is still advocating for the tennis courts at Carruthers Park to be maintained. Said that the city needs a cat ordinance it is a real problem on her street.

Karl Bowers 1066 East Robinson Street – Asked if the council has ever thought about appointing a Sargent of Arms for the meetings, and welcomed Alderman Schmigel.

Loretta McGee 112 Felton Street – Wanted to say that the old Ward Road would make a better truck route because no one parks on that street.

Richard Kline 114 Felton Street – Says he would like to see parking back to the way it was on Felton Street. Said that Loretta has family members that come to check on her, she is a handicapped senior and they have nowhere to park.

Chris Ott 64 Wardell Street – Says that he has a whole neighborhood full of feral cats and the smell is terrible. Says he wants the City Attorney to do his job and write a law to get rid of these cats.

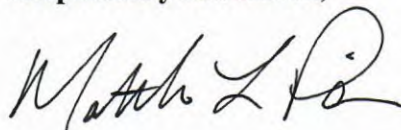
Darlene Bolsover 1337 Sweeney Street – Says that Sweeney Street is leaning between Parkview and Claire Avenue. Asked if the money received from the market vendor stalls go for maintenance and could some of the market grant money go for overhead heating

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: 9:13 P.M.

Respectfully submitted,



Matthew L. Parish
City Clerk-Treasurer