

# City of North Tonawanda

DONNA L. BRAUN  
City Clerk-Treasurer  
dbraun@northtonawanda.org

Lori Swartz  
Assistant City Clerk

Denise Proefrock  
Assistant City Treasurer

OFFICE OF THE CITY CLERK - TREASURER  
VITAL STATISTICS  
CITY HALL  
216 PAYNE AVENUE  
NORTH TONAWANDA, N.Y. 14120

Treasurer's Office: (716) 695-8575  
Clerk's Office: (716) 695-8555  
Fax: (716) 695-8557

**October 29, 2020**

**The following meetings have been scheduled for MONDAY, NOVEMBER 2, 2020:**

**6:15PM Common Council - Re: Agenda Discussion**

**6:30PM Common Council Meeting in the Common Council Chambers.**

**Respectfully submitted,**



**Donna L. Braun  
City Clerk-Treasurer**

**TO: Honorable Mayor & Common Council  
President Zadzilka  
Aldermen Schmigel, DiBernardo, Pecoraro, Tylec**

**FROM: Donna L. Braun, City Clerk-Treasurer**

**RE: Agenda for Regular Session MONDAY, NOVEMBER 2, 2020 6:30PM**

**AUDIENCE PARTICIPATION – Due to the COVID-19 (Coronavirus) the meeting will not be open to the public.**

**\*\*PUBLIC HEARING – To Review the 2021 Preliminary Budgets\*\***

**PROOF OF PUBLICATION PUBLISHED 10/16/2020**

- 1) Legal Notice – Public Hearing – To discuss the Preliminary 2021 Budgets – City Clerk-Treasurer

**PROOF OF PUBLICATION PUBLISHED 10/17/2020**

- 1) Legal Notice – Bids for the Repair and Refinish of (6) tennis courts located at the intersection of Taber Place & Payne Ave. – Dir. Youth, Recreation, Parks & Seniors

**PROOF OF PUBLICATION PUBLISHED 10/22/2020**

- 1) Legal Notice – Public Notice for the final review of the Environmental Assessment Review for the construction of 1100 Sweeney Street – City Engineer

**PROOF OF PUBLICATION PUBLISHED 10/23/2020**

- 1) Legal Notice – Public Hearing – Amended Publication To vote on the Preliminary 2021 Budgets – City Clerk-Treasurer

**COMMUNICATIONS FROM CITY OFFICIALS**

- #1. Robert Pecoraro** - Re: Approval of Resolution Regulating Smoking at City Parks
- V. Supt. Wastewater/Water** - Re: Approval of various Payment Applications For WWTP Phase I Upgrade Project

- VII. Accountant** - **Re: Payment of the Abstract of Claims Dated November 2, 2020**
- XVII. Traffic Safety** - **Re: Various Traffic Safety Recommendations from their October meeting**
- XXXII. Community Development** - **Re: Approval of a Preferred Developer for the Development of 78 Bridge Street**

### **COMMUNICATIONS FROM OTHERS**

- A.**  
**Gratwick Hose Co. Inc.** - **Re: Removal of Walter Broniszewski from the North Tonawanda Fire Rolls**

Respectfully submitted,



**Donna L. Braun**  
**City Clerk-Treasurer**

NOV 02 2020


STATE OF NEW YORK  
NIAGARA COUNTY, } SS, \_\_\_\_\_

Robin Meisburger, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Clerk of

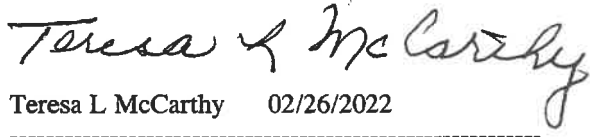
NIAGARA GAZETTE

A newspaper published in the County and State aforesaid, and that the annexed printed legal # 274563 was printed and published in said paper on the following dates:

10/16/2020

  
Principal Clerk

Subscribed and sworn to before me this  
10-20-2020

  
Teresa L. McCarthy      02/26/2022

Notary Public                      Expiration Date

TERESA L MCCARTHY  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01MC4962698  
Qualified in Niagara County  
Commission Expires February 26, 2022

2020 OCT 28 AM 9:30  
NORTH TONAWANDA NY

RECEIVED  
CITY CLERK'S OFFICE

**CITY OF NORTH TONAWANDA**

**2021 BUDGETS**

General Fund  
Water Fund  
Sewer Fund

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held by the Common Council in the Common Council Chambers at City Hall, 216 Payne Avenue, North Tonawanda, NY at 6:00 P.M. on Monday, November 2, 2020, to review the 2021 Preliminary Budgets. Citizens attending the hearing have a right to provide written or oral comments and ask questions concerning the budgets.

A copy of the entire Preliminary Budget and message is on file at the City Clerk-Treasurers Office and City Web site [www.northtonawanda.org](http://www.northtonawanda.org) to be inspected by any interested citizens from 8:30 A.M. until 4:30 P.M., commencing on October 21, 2020.

The 2021 Budget Adoption will be held Tuesday, November 10, 2020 at 6:00 P.M. before the Common Council Meeting, in the Common Council Chambers.

Donna L. Braun, City Clerk-Treasurer  
Jeffrey R. Zellner, City Accountant  
#N274563                                      10/16/2020

NOV 02 2020

STATE OF NEW YORK  
NIAGARA COUNTY, } SS, \_\_\_\_\_

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NIAGARA GAZETTE

A newspaper published in the County and State aforesaid,  
and that the annexed printed legal # 274619  
was printed and published in said paper on the following dates:

10/17/2020

*Robin Meisburger*  
Principal Clerk

Subscribed and sworn to before me this  
10-20-2020

*Teresa L. McCarthy*  
Teresa L. McCarthy      02/26/2022

Notary Public                  Expiration Date

TERESA L MCCARTHY  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01MC4962698  
Qualified in Niagara County  
Commission Expires February 26, 2022

### REQUEST FOR FORMAL BIDS

**Bid Title:** Taber Tennis Courts (206 Taber Place,  
North Tonawanda, NY 14120

**Bid Opening Date:** Friday October 30, 2020  
11:00am

**Submit To:** City Clerk/Treasurer Office, 216 Payne  
Ave., North Tonawanda, NY 14120

The North Tonawanda Department of Youth, Recreation & Parks is seeking quotations for the following item(s):

1. Repair & Refinish six (6) tennis courts located at the intersection of Taber Place & Payne Ave in North Tonawanda (206 Taber Place).

**Bid Specifications:**

Air blow and thoroughly clean all court services  
Presser wash surface  
Repair all low areas with Acrylic Cement Mixture  
Repair approximately 875 linear feet of cracks using standard court repair practices  
Sand Level and repair all areas  
Apply one coat of Acrylic Resurfacer  
Apply two coats of Acrylic Color (to be selected by owner)  
Layout tape, seal and paint 6 tennis court lines  
USTA Regulations with acrylic white painting  
Layout tape, seal and paint 6 Pickleball court lines  
USAPA Regulations with acrylic yellow paint  
Complete project by requested date July 2, 2021

**Note:** If company standards differ from the repair and refinish specifications above, please provide a list of recommended procedural work to be expected by your company to complete the project to satisfactory conditions.

### NOTICE TO BIDDERS

All bids shall be submitted to the City Clerk's office in a sealed envelope address to the City of North Tonawanda and shall be plainly marked on the outside with the Contractor's name and title of the bid. No bidder may withdraw their bid within sixty (60) days after the opening thereof, but may withdraw it at any time prior to the opening thereof. Bidder must sign the statement of non-collusion in accordance with the Chapter 751 of the Laws of the State of New York

#N274619

10/17/2020

## REQUEST FOR FORMAL BIDS

Bid Title: Taber Tennis Courts (206 Taber Place, North Tonawanda NY 14120)  
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Submit To: City Clerk/Treasurer Office  
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North Tonawanda, NY 14120

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### Bid Specifications:

- Air blow and thoroughly clean all court surfaces
- Pressure wash surface
- Repair all low areas with Acrylic Cement mixture
- Repair approximately 875 linear feet of cracks using standard court repair practices
- Saw cut and repave areas with cracks too sizable to repair with standard patching practices
- Sand Level and repair all areas
- Apply one coat of Acrylic Resurfacer
- Apply two coats of Acrylic Color (to be selected by owner)
- Layout tape, seal and paint 6 tennis court lines USTA Regulations with acrylic white paint
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## NOTICE TO BIDDERS

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### General Conditions:

1. **AWARD OF BID:** It is mutually understood and agreed by and between the Director of Youth, Recreation & Parks and the Bidder that the Director may make his award for the Taber Tennis Court Project set forth in these specifications. The Director reserves the right to select the Alternative Bid which best suits the City's need and the right to not award an item due to fiscal limitations.
2. **FAITHFUL PERFORMANCE:** If the aggregate amount of the Contract awarded to any one bidder is more than \$1,000.00 the City of North Tonawanda will require the successful Bidder to execute a Performance Bond with corporate security to be approved by the City of North Tonawanda for the full amount of the Contract.
3. **DEFINITION OF TERMS:** The singular; as used herein, shall include the plural, the masculine shall include the feminine and neuter; the "Articles" shall include supplies materials and equipment and all incidental work and labor, if the same is contemplated in these specifications. Where the term, "Director" is used, it shall be taken to mean the Director of Youth, Recreation & Parks, or his authorized representative. The term "Dept" will mean the North Tonawanda Dept. of Youth, Recreation & Parks.
4. **BRAND NAMES, CATALOG REFERENCES, ALTERNATIVES:** Where brand name or catalog reference is included in the specifications, it shall be interpreted to mean that the proprietary product or equal shall be approved and is not intended to limit competition. If item bid is not the particular brand name product, Bidder shall state in his Bid what he is bidding on as an equal, or as an alternate. Catalog cuts and descriptive material shall accompany the bid. In all cases, final judgement as to whether or not an item meets the specifications rests with the Engineer.
5. **PROVISION OF LIST OF REFERENCES:** Vendor shall provide a list of references and project descriptions for projects that indicate the Vendor's qualifications and ability to successfully complete and provide the play device specified.
6. **PRICING:** All bids shall be lump sum unit prices including material and installation. Prices must be firm for at least 120 days and without escalator clause.
7. **TAXES:** No charge will be allowed for Federal, State or Municipal Sales and Excise Taxes, from which the City of North Tonawanda is exempt. The price bid shall be net and shall not include the amount of any such tax. Exemption Certificates will be furnished upon request of the successful bidder.



8. **WARRANTY:** The successful Bidder shall guarantee his installation work for a period of at least one year against faulty construction and/or inferior materials. Any apparent defect or hazard caused by negligence or defective workmanship on the part of the successful Bidder shall be corrected immediately or as soon as feasible upon notice from the City of North Tonawanda.
9. **PAYMENTS:** Payments of this Contract will be made with 25% down at project start and the remaining 75% paid in full for all acceptable items at the Regular Common Council Meeting following date of completion.
10. **QUALIFICATIONS OF BIDDER:** The Director may make any investigation he deems necessary to determine the ability of the Bidder to meet the terms of the specifications covered by this Contract. The Bidder shall furnish all such information and data for this purpose as the City of North Tonawanda may request.
11. **CONFLICT OF INTEREST:** Each Bidder must state that no officer or employee of the Dept. is directly or indirectly interested in the proposal.
12. **OBLIGATIONS OF SUCCESSFUL BIDDERS:** The Bidder agrees if awarded the Contract to furnish and deliver the said rehabilitation at such time, and to such place, and in such quantities as herein specified and that the articles shall be new and in good condition, and shall be subject to inspection and approval by the Director. In the event that any of the said play device shall be rejected as unsuitable for the purpose intended or not in conformity with these specifications, such play device shall be removed and replaced with another play device of proper quality as set forth in the specifications at the expense of the successful Bidder.

In the event that the successful Bidder shall neglect or refuse to furnish and deliver said device, or any part thereof, as provided in these specifications, or to replace any which are rejected, as stated in the preceding paragraph, then the Director may purchase such device, in conformity with this Contract, from such party or parties, in such quantities and in such manner as it shall select at the expense of the successful Bidder, or may cancel this contract reserving to itself, nevertheless, all rights for damages which may be incurred by the City of North Tonawanda.

The Bidder agrees that if he is awarded the Contract, he will not assign, transfer or sublet it, unless specific permission to do so is granted, in writing, by the City of North Tonawanda, nor will he assign in whole or in part any rights or privileges which may accrue to him under the terms of the Contract or any money which may become due to him thereafter.

The Bidder further agrees that, if awarded the Contract under these specifications, he will indemnify and save harmless the City of North Tonawanda from all suits and actions of every nature and description brought against them, or any of them, growing out of any Contract or Contracts, written or verbal, entered into between the City of North Tonawanda and the successful Bidder, and further, that upon awarding the Contract to the successful Bidder in accordance with these specifications, this agreement of indemnification shall automatically become effective.

13. **PART OF PROPOSAL:** These General Conditions are to be considered an integral part of all proposals.

14. **INSURANCE:** The Contractor shall take out and maintain during the life of this Contract such Public Liability and Property Damage insurance as shall protect him and any subcontractor performing work covered by this Contract, from claims for damages, for personal injury, including accidental death, as well as from claims for property damage, which may arise from operations under this Contract whether such operations be by himself or by any subcontractor or by anyone directly or indirectly employed by either of them and the amounts of such shall be as follows.

Public Liability Insurance in the amount not less than \$100,000 on account of any one accident, and in an amount of not less than \$300,000 of all accidents.

Insurance Coverage for Owner- The Contractor shall procure and shall maintain during the life of the Contract, insurance and bonds for the benefit of the Owner, its agents, including the Engineer, surveyors and inspectors, protective public liability and property damage insurance with limits of not less than \$300,000 covering the liability for damages imposed by law upon Owner or its representative or agents with respect to all operations under the agreement with the Contractor or subcontractors, which must include within its coverage omissions and supervisory acts of the employees or agents of the insured and/or of the agents, engineers, inspectors or employees of this municipality or the City of North Tonawanda Dept. of Youth Recreation \* Parks of public utility which may have granted permits in connection with the work. Owner and agents shall be specifically named on said policy. Proof of carriage if required insurance shall be furnished to the Owner.

15. **NON-DISCRIMINATION REQUIREMENTS:** Consistent with federal and state anti-discrimination provisions, the vendor agrees not to discriminate against any employee or supplier on the basis of race, creed, color, disability, sex or national origin; or against any applicant for the employment on the basis of race, creed, color, disability or national origin.

#### **GENERAL MATERIAL AND INSTALLATION GUIDELINES**

1. The bid quote should include both the cost of materials and installation as specified.
2. A written award notice will be forwarded by the Director of the Department of Youth, Recreation & Parks following the Bid Opening. The contract order will be officially awarded at the following Common Council Meeting.
3. All areas affected by the work must be returned to their original condition and approved by Dept.
4. Additional questions regarding the project may be obtained from the Director, Alex Domaradzki at 695-8520 x5500, email: [alexdomaradzki@northtonawanda.org](mailto:alexdomaradzki@northtonawanda.org)
5. 25% down payment will be made at the start of the project with the remaining 75% following the completion of the project.

**BID PROPOSAL  
TABER TENNIS COURTS  
CITY OF NORTH TONAWANDA, NY 14120**

**JOB TITLE:** Taber Tennis Courts  
**JOB LOCATION:** Six (6) Tennis Courts located at intersection of Taber Place and Payne Avenue.  
**REQUESTED BY:** North Tonawanda Department of Youth, Recreation & Parks  
**BID SPECIFICATIONS:**

- Air blow and thoroughly clean all court surfaces
- Pressure wash surface
- Repair all low areas with Acrylic Cement mixture
- Repair approximately 875 linear feet of cracks using standard court repair practices
- Saw cut and repave areas with cracks too sizable to repair with standard patching practices
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- Layout tape, seal and paint 6 tennis court lines USTA Regulations with acrylic white paint
- Layout tape, seal and paint 6 Pickleball court lines USAPA Regulations with acrylic yellow paint
- Complete project by requested date July 2, 2021

**VENDOR INFORMATION:**

Company Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Contact Name: \_\_\_\_\_

Email: \_\_\_\_\_

Total Bid Price: \$ \_\_\_\_\_

***In your proposal be sure to include the following...***

✓ **REFERENCES:**

Provide job descriptions from reliable projects completed by your company including date of each project, size of project, work completed, and reference information for contact.

✓ **PROPOSAL DESCRIPTION (INCLUDE ITEMIZED COSTS FOR LABOR & MATERIAL, ETC)**

If company standards differ from the repair and refinish specifications above, please provide a list of recommended procedural work to be expected by your company to complete the project to satisfactory conditions

✓ **PROPOSED JOB TIMELINE:**

Include proposed start date, and earliest potential completion date (Note: completion date of July 2, 2021 is preferred). Should there be reasons for not being able to meet this deadline please provide details as to the earliest projected finish date.

## PROPOSAL ACCEPTANCE

I the undersigned herewith, propose to furnish the City of North Tonawanda, New York and the Department of Youth, Recreation & Parks, all items upon which we have bid for the prices herein, in accordance with the designated specifications.

The undersigned Bidder certifies to having read the instructions to bidders, the General conditions, the supplementary General Conditions (if applicable) and Non-collusive Bidding Certification and offers to furnish the articles specified to the Director of Youth, Recreation & Parks in the exact accordance with specifications and prices stated.

Non-collusive bidding certification. By submission of this bid proposal the bidder certifies that:

- (a) This bid proposal has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor;
- (b) This bid proposal has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of bids for this project, to any other bidder, competitor or potential competitor
- (c) No attempt has been made or will be made to induce any other person, partnership or corporation to submit or not to submit a bid proposal.
- (d) The person signing this bid proposal certifies that he has fully informed himself regarding the accuracy of statements contained in this certification, and under penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as the person signing its behalf;
- (e) That attached hereto (if a corporate bidder) is a certified copy of the resolution authorizing the execution of this certificate by the signatory of this bid proposal in behalf of the corporate bidder.

Total Bid Price: \$ \_\_\_\_\_

Authorized Representative Signature: \_\_\_\_\_

Print Representative's Name: \_\_\_\_\_

Title of Representative: \_\_\_\_\_

Company Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

NOV 02 2020

STATE OF NEW YORK  
NIAGARA COUNTY, } SS, \_\_\_\_\_

Robin Meisburger, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Clerk of

NIAGARA GAZETTE

A newspaper published in the County and State aforesaid, and that the annexed printed legal # 274763 was printed and published in said paper on the following dates:

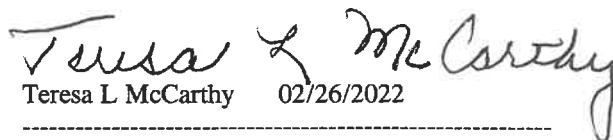
10/22/2020

  
Principal Clerk

2020 OCT 28 AM 10:20  
NORTH TONAWANDA NY

Subscribed and sworn to before me this  
10-26-2020

RECEIVED  
CITY CLERK'S OFFICE

  
Teresa L. McCarthy      02/26/2022

Notary Public                      Expiration Date

**PUBLIC NOTICE**  
October 22, 2020

The City of North Tonawanda has received an application to construct 16 new 4 unit townhomes at 1100 Sweeney Street, upon 9.2 acres of land owned by MCW Construction, Inc. This project is considered an Unlisted Action pursuant the State Environmental Quality Review Act. In order to determine whether this action may or will not have a significant impact on the environment, the City Engineer will be reviewing the Full Environmental Assessment Form provided in the application from the developer's engineer. The City Engineer will receive written views from the public on the proposed action on or before 4:30 PM, Friday November 6, 2020. The plans are available for review in the City Engineer's Office, Room 9, second floor of City Hall, 216 Payne Avenue, or online at [www.northtonawanda.org](http://www.northtonawanda.org) #N274763

10/22/2020

TERESA L MCCARTHY  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01MC4962698  
Qualified in Niagara County  
Commission Expires February 26, 2022

NOV 02 2020

STATE OF NEW YORK  
NIAGARA COUNTY, } SS, \_\_\_\_\_

Robin Meisburger, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Clerk of

NIAGARA GAZETTE

A newspaper published in the County and State aforesaid, and that the annexed printed legal # 274826 was printed and published in said paper on the following dates:

10/23/2020

*Robin Meisburger*

Principal Clerk

Subscribed and sworn to before me this

*10-26-2020*

*Teresa L McCarthy*

Teresa L McCarthy 02/26/2022

Notary Public Expiration Date

TERESA L MCCARTHY  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01MC4962698  
Qualified in Niagara County  
Commission Expires February 26, 2022

RECEIVED  
CITY CLERK'S OFFICE

2020 OCT 28 AM 10:20  
NORTH TONAWANDA NY

**LEGAL NOTICE**  
CITY OF NORTH TONAWANDA  
2021 BUDGETS  
General Fund  
Water Fund  
Sewer Fund

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Common Council in the Common Council Chambers at City Hall, 216 Payne Avenue, North Tonawanda, NY at 6:00P.M. on Monday, November 2, 2020, to review the 2021 Preliminary Budgets. Citizens attending the hearing have a right to provide written or oral comments and ask questions concerning the budgets.

A copy of the entire Preliminary Budget and message is on file at the City Clerk-Treasurer's Office and City Web site [www.northtonawanda.org](http://www.northtonawanda.org) to be inspected by any interested citizen from 8:30A.M. until 4:30P.M., commencing on October 21, 2020.

The 2021 Budget Adoption will be held Thursday, November 12, 2020 at 6:00P.M.

Donna L. Braun, City Clerk-Treasurer  
Jeffrey R. Zellner, City Accountant

AMENDED 10/21/2020  
#N274826

10/23/2020

Robert Pecoraro #1

NOV 02 2020

October 28, 2020

Dear Mayor and Common Council Members,

I am excited to present the attached Resolution for Smoke Free Parks. Through a collaborated effort with the Community Health Alliance of North Tonawanda (CHANT) along with Reality Check, they gathered empirical evidence from the 2020 Preventative Needs Assessment that identified a linear increase for youth e-cigarette/vaping use as grade increases. To assist CHANT with their mission to keep youth off substance abuse products, attached is a resolution banning smoking from North Tonawanda Parks.

Overall:

- Tobacco-Free Environments are more family-friendly.
- Parks systems contribute to the health of children and adults.
- Modeling tobacco free behaviors is one of the best ways to prevent tobacco. use among youth and build a healthier community.

The policy benefits are:

- Health Impacts: Improves community health, reduces health risks and exposure to secondhand smoke and/or e-cigarette aerosol, especially among children and those with chronic conditions.
- Environmental Impacts: Protects against litter and fires, protects green spaces and animal habitats (cigarette butts contribute to 1/3 of all litter collected)
- Social Impact: Lead by example – children/teen emulate adults, parks enhance quality of life.
- Economic Impacts: Decrease maintenance/clean-up costs, increase health of community members.

Recommendation: The North Tonawanda Common Council adopt the Smoke Free Parks Resolution.



Sincerely,

Robert E. Pecoraro, Colonel, USAF (ret)  
North Tonawanda Alderman-at-Large

RECEIVED  
CITY CLERK'S OFFICE

2020 OCT 28 AM 11:02  
NORTH TONAWANDA NY

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF NORTH TONAWANDA REGULATING SMOKING AT CITY PARKS

WHEREAS, tobacco related illness is the leading cause of preventable death in the United States; and

WHEREAS, exposure to secondhand smoke causes death and many diseases including cancer; and

WHEREAS, the U.S. Surgeon General concluded in a 2004 report that smoking has a direct relationship with various forms of cancer; and

WHEREAS, the U.S. Surgeon General concluded in a 2010 report that even occasional secondhand smoke is harmful; and

WHEREAS, smoke free workplace laws protect people from secondhand smoke, reduce tobacco use overall and reduce health care costs; and

WHEREAS the Community Health Alliance of North Tonawanda 2020 Preventative Health (Preventative Needs Assessment) Assessment identified a linear increase for youth e-cigarette/vaping use as grade increases; and

WHEREAS tobacco free environments are more family friendly and provide the following impacts:

- Health Impacts: Improves community health, reduces health risks and exposure to secondhand smoke and/or e-cigarette aerosol, especially among children and those with chronic conditions.
- Environmental Impacts: Protects against litter and fires, protects green spaces and animal habitats (cigarette butts contribute to 1/3 of all litter collected).
- Social Impact: Lead by example – children/teen emulate adults, parks enhance quality of life.
- Economic Impacts: Decrease maintenance/clean-up costs, increase health of community members.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Section \_\_\_\_\_ of the North Tonawanda City Code, the City Council of the City of North Tonawanda does hereby declare the following:

1. Smoking a cigarette, pipe, cigar, electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, vape pen, any cartridge or other component of the device or related product or any other matter of substance which contains tobacco, nicotine, any illegal substance or any other substance that is similar shall be prohibited as follows:

A. At all times on the grounds of North Tonawanda City Parks

B. "No Smoking\*/Vaping\*" signs shall be placed on the property entrances at an appropriate location on the park entrances.

\* Include signage at entryways, public restrooms, shelters\* Maybe 2 per park?

C. Penalties for offenses



1) Smoking of tobacco, nicotine and other similar products shall be unlawful in the areas posted as stated in this Chapter.

2) A violation of any provision of this ordinance shall be subject to a fine not to exceed \$250 for each offense or imprisonment for not more than 15 days for each offense, or both fine and imprisonment.

\* We do not want to criminalize smokers \* Possible community service (a park clean-up), consider cessation treatment \* INSTEAD, focus on **compliance** i.e. Violators may be asked to leave the outdoor area.

\* Consider Parks/Works employees smoking or using tobacco/e-cigarettes in town vehicles

D. Severability

1) The several terms and provisions of this section shall be deemed severable, and if any provision hereof or the application hereof to any person or circumstances is held invalid, the remainder of the section and the applicability of such provisions to other persons and circumstances shall not be affected thereby.

E. When effective.

1) This ordinance shall become effective on the day after publication in the official newspaper of the City of North Tonawanda.

XII

JEFFREY ZELLNER  
CITY ACCOUNTANT

# City of North Tonawanda

TELEPHONE: (716) 695-8545  
FAX: (716) 695-8573

JENNIFER CRESS  
PERSONNEL SPECIALIST

DEPARTMENT OF ACCOUNTING  
CITY HALL  
216 PAYNE AVENUE NORTH  
TONAWANDA, N.Y. 14120

SHERI GAMPP  
JUNIOR ACCOUNTANT

NOV 02 2020

October 28, 2020

Honorable Arthur G. Pappas, Mayor  
and Common Council  
City Hall, 216 Payne Avenue  
North Tonawanda, New York 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 November 2, 2020 and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Regards,



Jeffrey R. Zellner  
City Accountant

XVIII

NOV 02 2020

October 19, 2020

Donna Braun

City Clerk/Treasurer

216 Payne Avenue

North Tonawanda, NY 14120

Traffic Safety Minutes:

The October 19, 2020 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. Meisenburg, M. Lemke, A. DiBernardo, 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. Councilman Austin Tylec requested a traffic study for Wurlitzer Drive. Member Frank spoke to the City Engineer, Chelsea Spahr, who stated that a traffic study was done prior to the Walmart project and to do another one would cost money. Member Frank advised Tylec of this and informed him that Wurlitzer Drive has been monitored by the police department over the last couple months for speeding. The speeding complaint on Wurlitzer Drive has been coming from the same resident every month and has been dealt with by the NTPD traffic officer, special assignment officers and the speed sign. Wurlitzer Drive has been and will continue to be monitored by NTPD.
2. Member Grinnell recommended taking out the stop signs at Maple Terrace and Oakwood Terrace. The committee will look into the request and review it at the November meeting.
3. Member Sikora received a complaint regarding the portable street sign in front of Matt's Music. The sign has been hit a couple times while vehicles are trying to go around the parked cars in front of the store. Member Sikora and member Daigler will speak to the owner of Matt's Music to see if they can come up with a better parking solution.

2020 OCT 28 AM 11:42  
NORTH TONAWANDA NY

Meeting Adjourned at 2015 hours

Travel safely,

Robert J. Frank

RECEIVED  
CITY CLERK'S OFFICE



# City of North Tonawanda

Department of Community Development  
500 Wheatfield Street  
North Tonawanda, New York 14120  
716-695-8580  
716-614-0519 (fax)

XXXII

NOV 02 2020

October 20, 2020

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

Re: 78 Bridge Street – Preferred Developer selection

RECEIVED  
CITY CLERK'S OFFICE  
2020 OCT 22 P 12:47  
NORTH TONAWANDA NY

Dear Honorable Body;

As you are aware, the City issued a Request for Development Proposals (RFP) for 78 Bridge Street, the city-owned former fire training site on Tonawanda Island, on August 14<sup>th</sup> 2020. The City received 3 proposals by the September 18<sup>th</sup> deadline. A review committee representing the Community Development, Engineering, Attorney, Code Enforcement, and Clerk-Treasurer's offices as well as the Mayor and representation from the Common Council was formed to review the proposals. The proposals were scored and a review meeting was held on October 1<sup>st</sup>. The top 2-scoring proposing developers were then selected to interview with the committee members, held on October 14<sup>th</sup> and 15<sup>th</sup>.

All 3 proposals were high quality and submitted by well qualified development teams. Following a lengthy review, the committee unanimously selected Pennrose, LLC's "Timber Shore" proposal.

Pennrose, LLC is a leading national developer of mixed-income, mixed-use residential developments with over 200 successful development projects across 17 states. Their development team includes local architecture and construction firms with extensive experience with similar projects in communities throughout Upstate New York.

Pennrose's "Timber Shore" project is a proposed 3-story, 72,000 square foot residential concept with complimentary retail, community, and public amenities. The project will provide 70 workforce-affordable 1-, 2-, and 3-bedroom apartment units and will be the first step to developing critical density on Tonawanda Island. The project also features significant public access to the Little River waterfront and a unique design approach that will set a high standard for future Tonawanda Island development projects. Please see enclosed for additional information on the Timber Shore proposal.

The estimated total project cost is \$22,745,000 and Pennrose is offering a purchase price for the property of \$380,363

If selected by this Honorable Body, Pennrose will have 60 days to execute a Land Disposition Agreement (LDA) with the City and 18 months from the execution of the LDA to secure financing and all required site plan and building approvals. Upon completion of these tasks, Pennrose will have 6 months to begin construction and 24 months to complete the project.

On behalf of the selection committee I respectfully request this Honorable Body select and designate Pennrose, LLC as preferred developer for 78 Bridge Street, direct the City Attorney to draft a Land Disposition Agreement in accordance with the outline set forth in the original RFP, and authorize the Mayor to execute the Land Disposition Agreement with Pennrose, LLC.

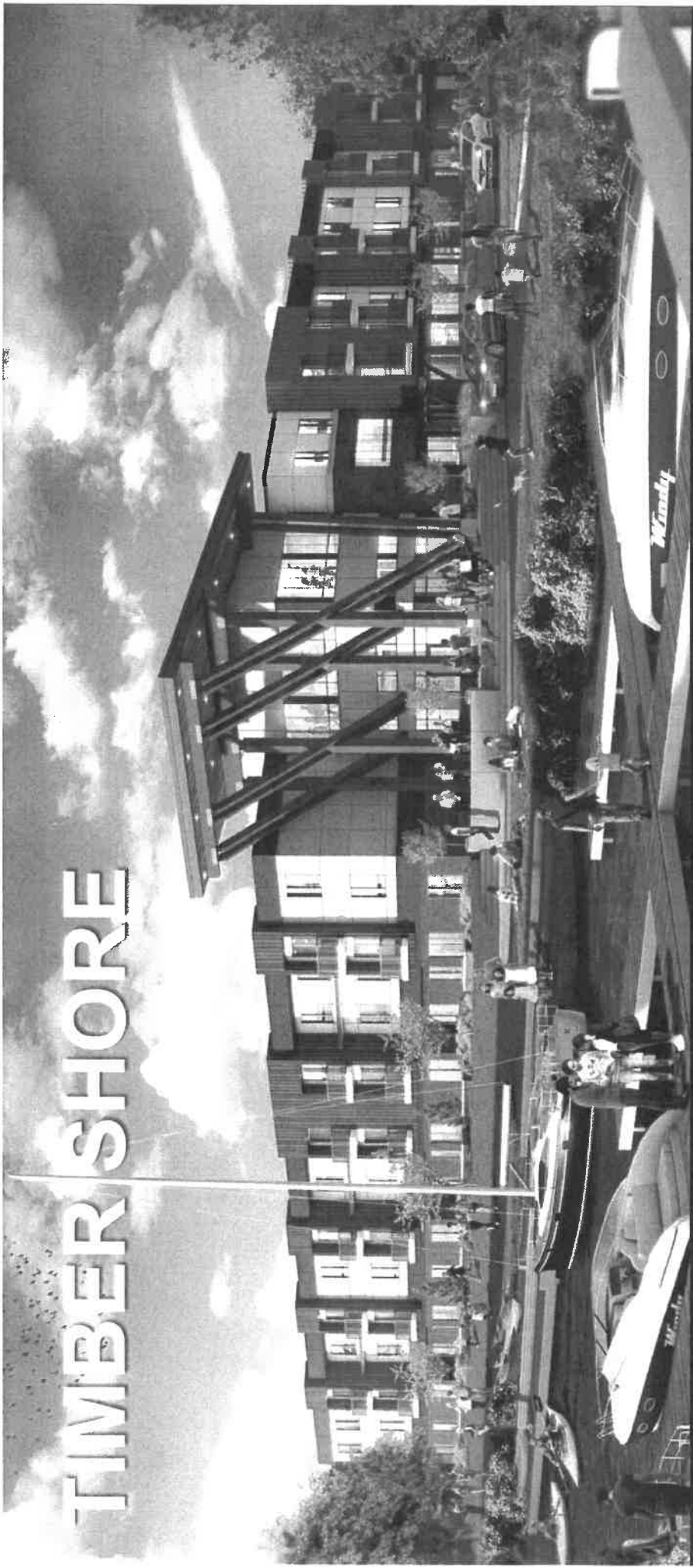
Please contact my office if you have any questions or would like to review any of the development proposals.

Kindest regards,

A handwritten signature in black ink, appearing to read 'MZ', followed by a long horizontal line extending to the right.

Michael Zimmerman  
Director

# TIMBER SHORE



REQUEST FOR QUALIFICATIONS FOR  
**DEVELOPMENT PARTNERS**  
78 BRIDGE STREET  
North Tonawanda, NY

## DEVELOPMENT TEAM ESTABLISHED & PROVEN

We have assembled a core team of professionals with unsurpassed qualifications, expertise, and local knowledge to partner with the City of North Tonawanda.

Developer

**Pennrose, LLC**

Architect +  
Landscape

**SWBR**

General  
Contractor

**DiMarco**

MBE/WBE  
Consultant

**Renaissance**

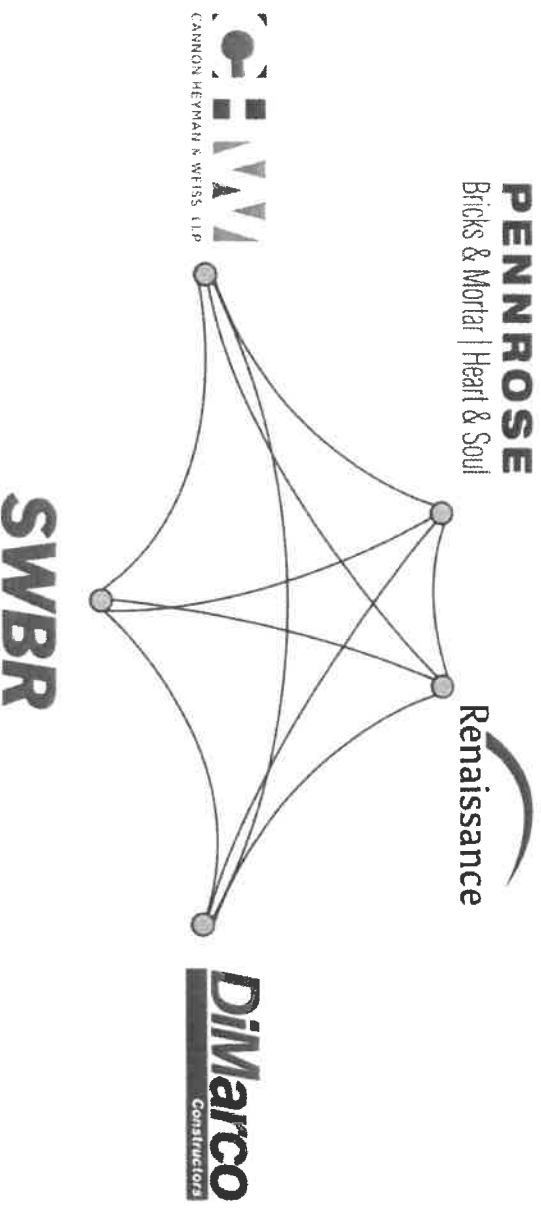
Property  
Manager

**Pennrose  
Management Co.**

Local Attorney

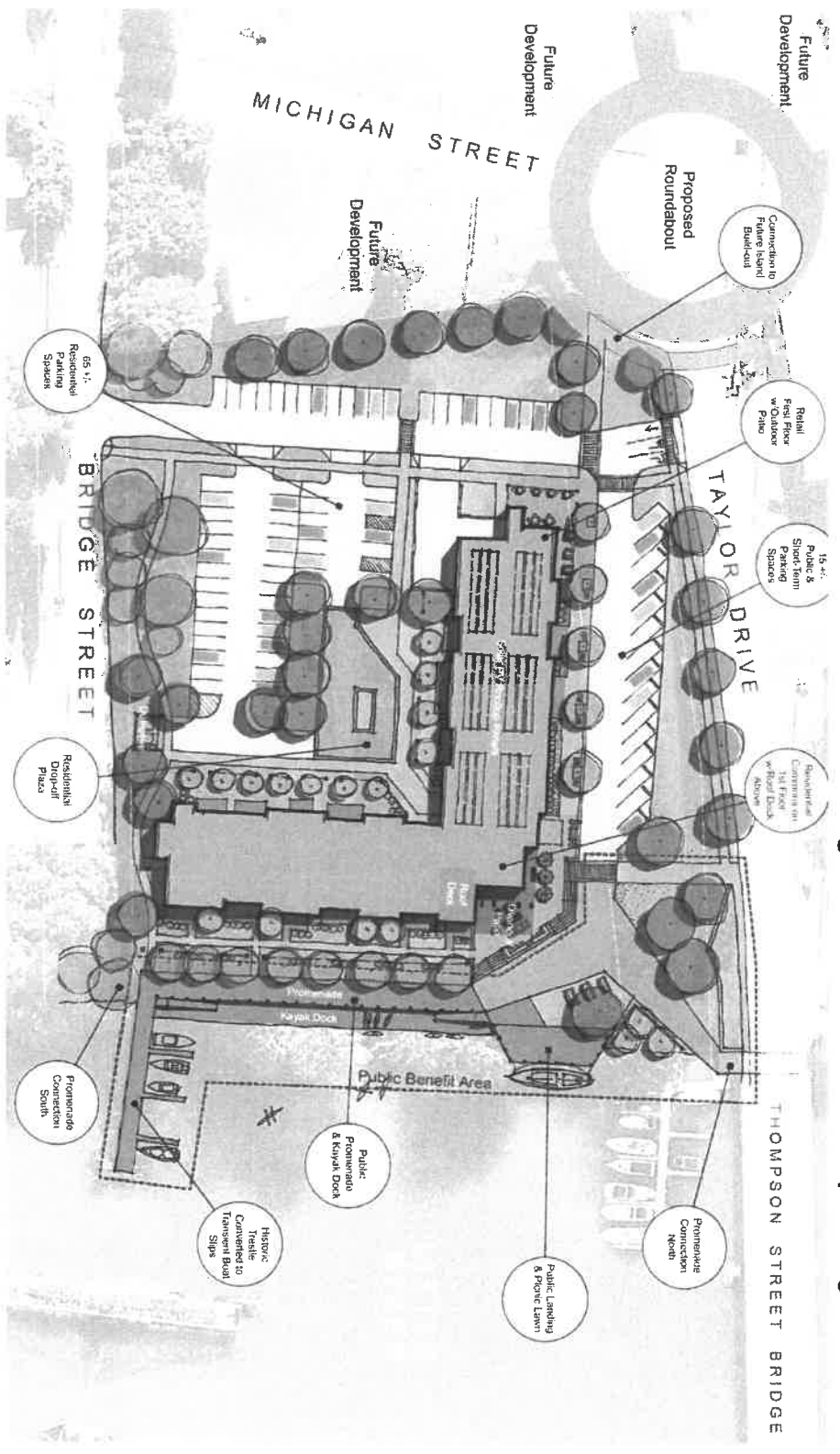
**Cannon Heyman &  
Weiss**

## EXPERIENCE WORKING TOGETHER



# THE PROJECT: TIMBER SHORE SITE DESIGN

Develop a project that is a **linchpin** to unlocking the future of Tonawanda Island. Embrace **placemaking**, **connectivity**, and the **integration** of land uses. Line the **public realm** with beautiful building facades and screen parking and services areas mid-block.

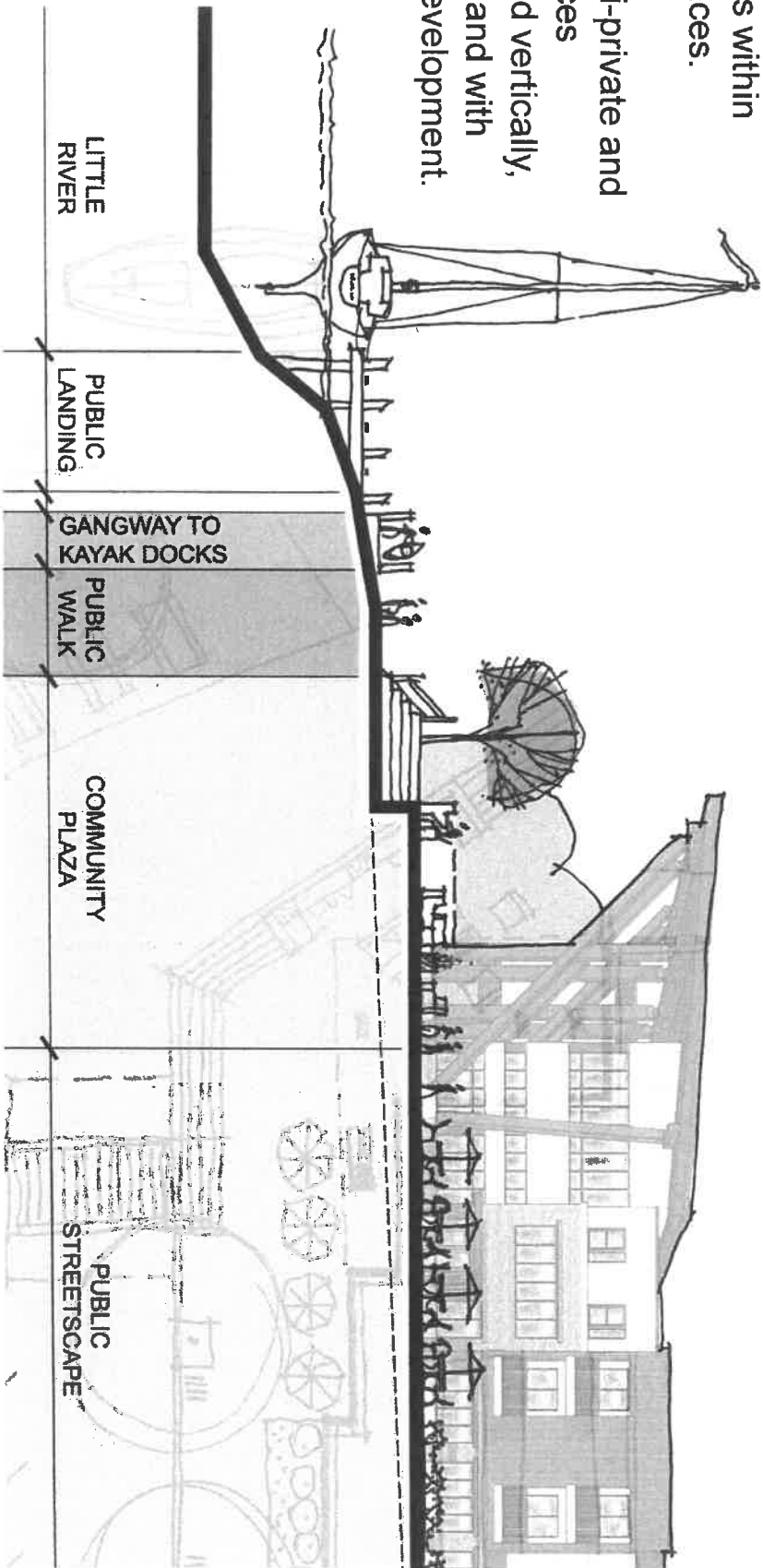




**THE PROJECT: TIMBER SHORE  
THE PUBLIC REALM**

A variety of public realm opportunities within efficient spaces.

Public, semi-private and private spaces distinguished vertically, horizontally and with character development.



# Gratwick Hose Company, Inc.

CITY OF NORTH TONAWANDA FIRE DEPARTMENT  
110 WARD ROAD • NORTH TONAWANDA, NEW YORK 14120  
716-692-9675

NOV 02 2020



October 22, 2020

Honorable Mayor and

Common Council:

Please remove the name of Walter Broniszewski from the Fire Rolls.

Thank you!

David A. Rogge

Membership Secretary

RECEIVED  
CITY CLERK'S OFFICE

RECEIVED  
CITY CLERK'S OFFICE

2020 OCT 27 AM 8:28  
NORTH TONAWANDA NY



# CITY OF NORTH TONAWANDA WATER WORKS

830 RIVER ROAD

NORTH TONAWANDA, NEW YORK 14120

Phone: (716) 695-8560, ext. #6411

Cell: (716) 583-1518

Email: [billdavignon@northtonawanda.org](mailto:billdavignon@northtonawanda.org)

**William M. Davignon**

*Superintendent*

Oct. 29, 2020

Honorable Mayor Arthur G. Pappas and Common Council  
216 Payne Ave. – City Hall  
North Tonawanda, NY 14120

**RE: Approval of various Payment Applications for WWTP Phase 1 Upgrade Project.**

Honorable Body,

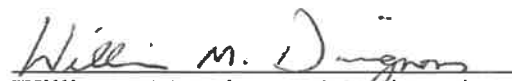
I respectfully request that you approve the following Pay Applications for work performed under the WWTP Phase 1 Upgrade Contract. This work has been reviewed and approved by myself and Wendel Engineering.

1. STC Construction 9/4/2020 pay app #2	\$355,775.00
2. Wendel Engineering 9/30/2020 pay app (invoice #353014)	\$57,683.42
3. PSI Testing 9/30/2020 pay app (invoice #00728259)	\$1,300.00
4. Danforth Construction 10/13/2020 pay app #2	\$4,750.00
5. Frey Electric 10/13/2020 pay app #2	\$7,457.50
6. STC Construction 10/13/2020 pay app #3	\$194,275.00

The City does not have to issue a Purchase Order for payment. This work is being funded through a NY State WIIA Grant and NY State Environmental Finance Center (“EFC”) 0% loan.

With your approval Rotella Grant Management will submit this request to the EFC on the City’s behalf. Thank you for your time and consideration of my request.

Sincerely,

  
William M. Davignon, Superintendent

c.c. (via email)

Bernie Rotella, Rotella Grant Management

Jeff Zellner, City Accountant

Donna Braun, City Clerk / Treasurer

Chelsea Spahr, City Engineer



September 4, 2020

William M. Davignon  
Superintendent of Water/Wastewater  
City of North Tonawanda  
830 River Road  
North Tonawanda, New York 14120

**SUBJECT: CITY OF NORTH TONAWANDA  
WASTEWATER TREATMENT PLANT PHASE 1 UPGRADES PROJECT  
PAY REQUEST NO. 2 CONTRACT NO. 2020-01G  
WENDEL PROJECT NO. 2728-27  
CWSRF PROJECT NO. C9-6675-03-00**

Dear Mr. Davignon,

We are enclosing Payment Request No. 2 from STC Construction, Inc. on the above referenced project in the amount of \$355,775.00.

We have checked all items, find them to be in order, and would recommend payment of this request.

Sincerely,

Wendel

A handwritten signature in cursive script, appearing to read "Ryan C. Laninga".

Ryan C. Laninga

Enclosures

xc:

Chelsea L. Spahr, PE, City of North Tonawanda Engineer  
Jeffery R. Zellner, City of North Tonawanda Accountant  
Nathan Taylor, Rotella Grant Management  
Bernie Rotella, Rotella Grant Management

**AIA DOCUMENT G702/Cma**

**TO OWNER:** City of North Tonawanda  
216 Payne Ave.  
North Tonawanda, NY 14120  
4500277004

**PROJECT:** North Tonawanda  
Wastewater Treatment Plant  
Phase 1 Capital Improvements  
Contract: 2020-01-G

**APPLICATION NO.:** 2  
**PERIOD TO :** 08/31/20  
**STC PROJECT NO.:** 2009

**DISTRIBUTION TO:** OWNER   
CONSTRUCTION MANAGER

**FROM CONTRACTOR:** STC Construction, Inc.  
P.O. Box 459, 63 Zoar Valley Road  
Springville, New York 14141

**ENGINEER:** Wendel  
375 Essjay Road  
Suite 200  
Williamsville, NY 14221

**CONTRACT DATE:**  ARCHITECT  
 CONTRACTOR

**CONTRACT FOR:** 2020-01-G - General Construction

**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below. In connection with the Contract Continuation Sheet, AIA Document G703, is attached.

This undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with with the Contract Documents, that all amounts have been paid by the Contractor for Work for which Certificates of Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM \$ 3,376,800.00

2. Net Change By Change Orders \$ -

3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 3,376,800.00

4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 542,000.00

5. RETAINAGE \$ 27,100.00

a. 5% of Completed Work (Column D + E on G703)

b. 5% of Stored Material (Column F on G703)

Total Retainage (Line 5a & 5b or Total in Column 1 of G703) \$ 27,100.00


6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total) \$ 514,900.00

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 159,125.00

8. CURRENT PAYMENT DUE \$ 355,775.00

9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 2,861,900.00


CONTRACTOR: STC Construction, Inc

By:   
Norris Poleon, Project Manager

Date: 9/1/2020

State of: New York  
County of: Erie  
Subscribed and sworn to before me this 1st day of September 2020

TAMARA L COLLINS  
Notary Public, State of New York  
01CO6259368

NOTARY PUBLIC:   
My Commission expires: April 9, 2024

My Commission expires:

**CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Construction Manager and Architect certify to the Owner that to the best of their knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 355,775.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the Amount Certified)

By:   
ENGINEER:   
Date: 9/1/2020

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous month by Owner	\$0.00	
Total approved this Month	\$0.00	
<b>TOTALS:</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>NET CHANGES by Change Order</b>	<b>\$0.00</b>	<b>\$0.00</b>

Bill Davignon



City of North Tonawanda  
City Engineer's Office  
City Hall  
216 Payne Avenue  
North Tonawanda NY 14120

Invoice # : 353014  
Project : 272827  
Invoice Date : 9/30/2020

Attention: Accounts Payable

Project Name : City of North Tonawanda - WWTP Phase 1 Upgrades

For Professional Services Rendered through: 8/31/2020

Phase Code / Name	Phase Fee	Pct. Comp	Total Fee Earned	Previous Amount	Current Amount
050 -- 30% Design	146,605.00	100.00	146,605.00	146,605.00	0.00
051 -- 60% Design	231,775.00	100.00	231,775.00	231,775.00	0.00
052 -- 90% Design	208,095.00	100.00	208,095.00	208,095.00	0.00
060 -- Bidding- CIP	7,372.50	100.00	7,372.50	7,372.50	0.00
061 -- Bidding- Lighting	7,657.50	100.00	7,657.50	7,657.50	0.00
070 -- Construction Admin/ Construction	220,000.00	40.00	88,000.00	62,927.83	25,072.17
080 -- Construcion Inspection/Observation	369,500.00	8.83	32,611.25	0.00	32,611.25
090 -- ADG Survey	6,495.00	100.00	6,495.00	6,495.00	0.00
<b>Total :</b>	<b>1,197,500.00</b>			<b>670,927.83</b>	<b>57,683.42</b>

**Sub-Total Fee Earned 728,611.25**

<b>Current Billing Amount</b>	<b>728,611.25</b>
Less Previous Billings	670,927.83
<b>Amount Due This Invoice</b>	<b>57,683.42</b>

Outstanding Accounts Receivable

Invoice #	Invoice Date	Under 30	31 - 60	61 - 90	Over 90
<b>Total:</b>		0.00	0.00	0.00	0.00

**Please Remit Payment To:**  
Wendel  
375 Essjay Road, Suite 200  
Williamsville, NY 14221

Phase : 080 -- Constructon Inspection/Observation

Rate Schedule Labor

<u>Class / Employee Name</u>	<u>Date</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
<b>Civil Engineer 4</b>				
Ryan C. Laninga	07/01/2020	8.00	130.00	1,040.00
	07/02/2020	2.00	130.00	260.00
	07/06/2020	4.00	130.00	520.00
	07/09/2020	4.00	130.00	520.00
	07/10/2020	5.00	130.00	650.00
	07/13/2020	4.00	130.00	520.00
	07/14/2020	2.00	130.00	260.00
	07/15/2020	4.00	130.00	520.00
	07/21/2020	4.00	130.00	520.00
	07/22/2020	4.00	130.00	520.00
	07/24/2020	2.00	130.00	260.00
	07/27/2020	2.00	130.00	260.00
	07/29/2020	2.00	130.00	260.00
	07/29/2020	2.00	130.00	260.00
	07/31/2020	3.00	130.00	390.00
	07/31/2020	2.00	130.00	260.00
	08/03/2020	2.00	130.00	260.00
	08/04/2020	4.00	130.00	520.00
	08/05/2020	4.00	130.00	520.00
	08/06/2020	3.00	130.00	390.00
	08/07/2020	2.00	130.00	260.00
	08/10/2020	2.00	130.00	260.00
	08/11/2020	4.00	130.00	520.00
	08/12/2020	6.00	130.00	780.00
	08/19/2020	2.00	130.00	260.00
	08/20/2020	5.00	130.00	650.00
	08/21/2020	2.00	130.00	260.00
		-----		-----
		90.00		11,700.00
Ryan C. Laninga	08/26/2020	6.00	140.00	840.00
	08/27/2020	2.00	140.00	280.00
	08/28/2020	2.00	140.00	280.00
	08/31/2020	4.00	140.00	560.00
		-----		-----
		14.00		1,960.00
<b>Electrical Engineer 2</b>				
William K. Rowles	07/01/2020	8.00	125.00	1,000.00
	07/07/2020	4.00	125.00	500.00
	07/08/2020	4.00	125.00	500.00
	07/15/2020	4.00	125.00	500.00
	07/22/2020	4.00	125.00	500.00
	07/29/2020	4.00	125.00	500.00
	08/04/2020	8.00	125.00	1,000.00
	08/11/2020	4.00	125.00	500.00
	08/18/2020	2.00	125.00	250.00
	08/20/2020	2.00	125.00	250.00
		-----		-----
		44.00		5,500.00
<b>Electrical Engineer 3</b>				
William K. Rowles	08/26/2020	4.00	135.00	540.00
	08/31/2020	4.00	135.00	540.00
		-----		-----
		8.00		1,080.00
<b>Rate Schedule Labor</b>				<b>20,240.00</b>

**Phase : 080 -- Construcion Inspection/Observation**

**Regular Expenses**

<u>Vendor Name</u>	<u>Doc Nbr</u>	<u>Date</u>	<u>Cost</u>	<u>Multiplier</u>	<u>Amount</u>
<b>Direct Subconsultant Expense</b>					
Advanced Design Group	63855	08/02/2020	472.50	1.00	472.50
	63973	08/31/2020	11,898.75	1.00	11,898.75
			-----		-----
			12,371.25		12,371.25
<b>Regular Expenses</b>					<b>12,371.25</b>

<b>Total Phase : 080 -- Construcion Inspection/Observation</b>	<b>Labor :</b>	<b>20,240.00</b>
	<b>Expense :</b>	<b>12,371.25</b>

---

**Total Project : 272827 -- City of North Tonawanda - WWTP Phase 1 Upgrade** **32,611.25**





Engineering • Consulting • Testing

Federal ID 37-0962090

Professional Service Industries, Inc.

www.psiusa.com

BUFFALO BRANCH  
NORTH TONAWANDA, NY 14120  
(716) 694-8657

CITY OF NORTH TONAWANDA  
830 RIVER ROAD  
NORTH TONAWANDA NY 14120  
USA

CITY OF NORTH TONAWANDA  
830 RIVER ROAD  
NORTH TONAWANDA NY 14120

Customer #	Purchase Order	Project Number	Date	Invoice #	Page
1207962		08061214	09/30/20	00728259	0001

Project: CITY OF NORTH TONAWANDA WWTP - 830 RIVER ROAD

Date	Work Order Nbr	Description	Quantity	Unit Cost	Amount
08/31/20	08061214-4	ENGINEERING TECH, CON (HR)	4.00	30.00	120.00
08/31/20	08061214-4	TRIP CHARGE (EA)	1.00	10.00	10.00
08/31/20	08061214-4	TEST EVAL-REPORT REVIEW	1.00	40.00	40.00
09/01/20	08061214-5	SAMPLE/CYL PICKUP (HR)	1.50	30.00	45.00
09/01/20	08061214-5	TRIP CHARGE (EA)	1.00	10.00	10.00
09/02/20	08061214-6	REINFORCE STEEL OBSER (HR)	1.00	30.00	30.00
09/02/20	08061214-6	ENGINEERING TECH, CON (HR)	3.00	30.00	90.00
09/02/20	08061214-6	TRIP CHARGE (EA)	1.00	10.00	10.00
09/02/20	08061214-6	TEST EVAL-REPORT REVIEW	1.00	40.00	40.00
09/03/20	08061214-7	SAMPLE/CYL PICKUP (HR)	1.50	30.00	45.00
09/03/20	08061214-7	TRIP CHARGE (EA)	1.00	10.00	10.00
Invoice Total:					*Continued*

TERMS: NET 30 DAYS. A SERVICE CHARGE OF 1.5% PER MONTH, WHICH IS AN ANNUAL PERCENTAGE RATE OF 18% WILL BE ADDED TO ALL PAST DUE ACCOUNTS. FOR QUESTIONS REGARDING THIS INVOICE, PLEASE CALL THE PHONE NUMBER ABOVE.

To assure proper credit to your account, please return with your check made payable to PSI.

Please mail remittance to:

Customer #	Invoice #	Project Number	Amount Enclosed
1207962	00728259	08061214	

Professional Service Industries, Inc.  
PO Box 74008418  
Chicago, IL 60674-8418



**Professional Service Industries, Inc.**  
www.psiusa.com

**BUFFALO BRANCH  
NORTH TONAWANDA, NY 14120  
(716) 694-8657**

Federal ID 37-0962090

**CITY OF NORTH TONAWANDA  
830 RIVER ROAD  
NORTH TONAWANDA NY 14120  
USA**

**CITY OF NORTH TONAWANDA  
830 RIVER ROAD  
NORTH TONAWANDA NY 14120**

Customer #	Purchase Order	Project Number	Date	Invoice #	Page
1207962		08061214	09/30/20	00728259	0002

Project: CITY OF NORTH TONAWANDA WWTP - 830 RIVER ROAD

Date	Work Order Nbr	Description	Quantity	Unit Cost	Amount
09/09/20	08061214-8	REINFORCE STEEL OBSER (HR)	1.00	30.00	30.00
09/09/20	08061214-8	ENGINEERING TECH, CON (HR)	3.00	30.00	90.00
09/09/20	08061214-8	TRIP CHARGE (EA)	1.00	10.00	10.00
09/09/20	08061214-8	TEST EVAL-REPORT REVIEW	1.00	40.00	40.00
09/10/20	08061214-9	ENGINEERING TECH, CON (HR)	5.00	30.00	150.00
09/10/20	08061214-9	TRIP CHARGE (EA)	1.00	10.00	10.00
09/10/20	08061214-9	TEST EVAL-REPORT REVIEW	1.00	40.00	40.00
09/11/20	08061214-10	SAMPLE/CYL PICKUP (HR)	1.50	30.00	45.00
09/11/20	08061214-10	TRIP CHARGE (EA)	1.00	10.00	10.00
09/22/20	08061214-11	REINFORCE STEEL OBSER (HR)	4.00	30.00	120.00
09/22/20	08061214-11	TRIP CHARGE (EA)	1.00	10.00	10.00
<b>Invoice Total:</b>					<b>*Continued*</b>

**TERMS: NET 30 DAYS. A SERVICE CHARGE OF 1.5% PER MONTH, WHICH IS AN ANNUAL PERCENTAGE RATE OF 18% WILL BE ADDED TO ALL PAST DUE ACCOUNTS. FOR QUESTIONS REGARDING THIS INVOICE, PLEASE CALL THE PHONE NUMBER ABOVE.**

To assure proper credit to your account, please return with your check made payable to PSI.

Please mail remittance to:

Customer #	Invoice #	Project Number	Amount Enclosed
1207962	00728259	08061214	

**Professional Service Industries, Inc.**  
PO Box 74008418  
Chicago, IL 60674-8418



**Professional Service Industries, Inc.**  
www.psiusa.com

**BUFFALO BRANCH**  
NORTH TONAWANDA, NY 14120  
(716) 694-8657

Federal ID 37-0962090

**CITY OF NORTH TONAWANDA**  
830 RIVER ROAD  
NORTH TONAWANDA NY 14120  
USA

**CITY OF NORTH TONAWANDA**  
830 RIVER ROAD  
NORTH TONAWANDA NY 14120

Customer #	Purchase Order	Project Number	Date	Invoice #	Page
1207962		08061214	09/30/20	00728259	0003

Project: CITY OF NORTH TONAWANDA WWTP - 830 RIVER ROAD

Date	Work Order Nbr	Description	Quantity	Unit Cost	Amount
09/22/20	08061214-11	TEST EVAL-REPORT REVIEW	1.00	40.00	40.00
09/23/20	08061214-12	ENGINEERING TECH, CON (HR)	5.00	30.00	150.00
09/23/20	08061214-12	TRIP CHARGE (EA)	1.00	10.00	10.00
09/23/20	08061214-12	TEST EVAL-REPORT REVIEW	1.00	40.00	40.00
09/24/20	08061214-13	SAMPLE/CYL PICKUP (HR)	1.50	30.00	45.00
09/24/20	08061214-13	TRIP CHARGE (EA)	1.00	10.00	10.00

Invoice Total:	\$1,300.00
Balance Due:	\$1,300.00

**TERMS: NET 30 DAYS. A SERVICE CHARGE OF 1.5% PER MONTH, WHICH IS AN ANNUAL PERCENTAGE RATE OF 18% WILL BE ADDED TO ALL PAST DUE ACCOUNTS. FOR QUESTIONS REGARDING THIS INVOICE, PLEASE CALL THE PHONE NUMBER ABOVE.**

To assure proper credit to your account, please return with your check made payable to PSI.

Please mail remittance to:

Customer #	Invoice #	Project Number	Amount Enclosed
1207962	00728259	08061214	

**Professional Service Industries, Inc.**  
PO Box 74008418  
Chicago, IL 60674-8418



October 13, 2020

William M. Davignon  
Superintendent of Water/Wastewater  
City of North Tonawanda  
830 River Road  
North Tonawanda, New York 14120

**SUBJECT: CITY OF NORTH TONAWANDA  
WASTEWATER TREATMENT PLANT PHASE 1 UPGRADES PROJECT  
PAY REQUEST NO. 2 CONTRACT NO. 2020-01-M  
WENDEL PROJECT NO. 2728-27  
CWSRF PROJECT NO. C9-6675-03-00**

Dear Mr. Davignon,

We are enclosing Payment Request No. 2 from John W. Danforth Company on the above referenced project in the amount of \$4,750.00.

We have checked all items, find them to be in order, and would recommend payment of this request.

Sincerely,

Wendel

A handwritten signature in black ink, appearing to read "Ryan C. Laninga".

Ryan C. Laninga

Enclosures

xc:

Chelsea L. Spahr, PE, City of North Tonawanda Engineer  
Jeffery R. Zellner, City of North Tonawanda Accountant  
Nathan Taylor, Rotella Grant Management  
Bernie Rotella, Rotella Grant Management

# APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702

**TO OWNER:**  
 CITY OF NORTH TONAWANDA  
 216 PAYNE AVE  
 NORTH TONAWANDA, NY 14120

**PROJECT:**  
 NORTH TONAWANDA WWTP UPGRADES  
 PHASE 1 CONTRACT 2020-01-M

**FROM CONTRACTOR:**  
 JOHN W. DANFORTH COMPANY  
 300 COLVIN WOODS PKWY  
 TONAWANDA, NY 14160

**VIA ARCHITECT:**  
 WENDEL  
 375 ESSIAY ROAD, SUITE 200  
 WILLIAMSVILLE, NY 14221

**APPLICATION NO:**  
 PERIOD TO:

2  
 9/30/2020

**JWD JOB #**  
**CONTRACT#**  
**CONTRACT DATE**  
**PROJECT NO.:**

50107  
 2020-01-M  
 4/7/2020  
 2728-27

Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

**CONTRACT FOR: 2020-01-M (HVAC)**

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM..... 64,900.00
2. Net change by Change orders..... 0.00
3. CONTRACT SUM TO DATE (Line 1 + 2)..... 64,900.00
4. TOTAL COMPLETED & STORED TO DATE... (Column G on G703) 13,500.00
5. RETAINAGE:
  - a. 5% of Completed Work \$ 675.00  
 (Column D+E on G703)
  - b. % of Stored Material  
 (Column F on G703)
 Total Retainage (Line 5a + 5b or Total in Column I of G703) 675.00
6. TOTAL EARNED LESS RETAINAGE..... (Line 4 less Line 5 Total) 12,825.00
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) 8,075.00
8. CURRENT PAYMENT DUE 4,750.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) 52,075.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	-	-
Total approved this month	-	-
<b>TOTALS</b>	<b>-</b>	<b>-</b>
<b>NET CHANGES by Change Order</b>	<b>-</b>	<b>-</b>

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: JOHN W. DANFORTH COMPANY

Date: September 25, 2020

By:   
 JAMIE JULIAN, CONTROLLER  
 State of: New York  
 County of: Erie  
 I subscribe and swear to before me this 25th day of September, 2020

LINDA M MANN

NOTARY PUBLIC-STATE OF NEW YORK

No. 01MA6331651

Qualified in Erie County

My Commission Expires October 13, 2023

## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED

AMOUNT CERTIFIED..... \$4,750.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this application and on the Continuation Sheet that are changed to confirm to the amount certified.)

By:   
 ARCHITECT: Linda M Mann  
 Date: 10/13/2020

This Certificate is non-negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner of Contractor under this Contract.



October 13, 2020

William M. Davignon  
Superintendent of Water/Wastewater  
City of North Tonawanda  
830 River Road  
North Tonawanda, New York 14120

**SUBJECT: CITY OF NORTH TONAWANDA  
WASTEWATER TREATMENT PLANT PHASE 1 UPGRADES PROJECT  
PAY REQUEST NO. 3 CONTRACT NO. 2020-01-G  
WENDEL PROJECT NO. 2728-27  
CWSRF PROJECT NO. C9-6675-03-00**

Dear Mr. Davignon,

We are enclosing Payment Request No. 3 from STC Construction, Inc. on the above referenced project in the amount of \$194,275.00.

We have checked all items, find them to be in order, and would recommend payment of this request.

Sincerely,

Wendel

A handwritten signature in cursive script, appearing to read "Ryan C. Laninga".

Ryan C. Laninga

Enclosures

xc:

Chelsea L. Spahr, PE, City of North Tonawanda Engineer  
Jeffery R. Zellner, City of North Tonawanda Accountant  
Nathan Taylor, Rotella Grant Management  
Bernie Rotella, Rotella Grant Management

**AIA DOCUMENT G702/Cma**

**TO OWNER:** City of North Tonawanda  
 216 Payne Ave.  
 North Tonawanda, NY 14120

**PROJECT:** North Tonawanda  
 Wastewater Treatment Plant  
 Phase 1 Capital Improvements  
 Contract: 2020-01-G

**PO #:** 4500277004

**FROM CONTRACTOR:** STC Construction, Inc.  
 P.O. Box 459, 63 Goat Valley Road  
 Springville, New York 14141

**ENGINEER:** Wendel  
 375 Essjay Road  
 Suite 200  
 Williamsville, NY 14221

**CONTRACT FOR:** 2020-01-G - General Construction

**APPLICATION NO. PERIOD TO: DISTRIBUTION TO:**  
 3 09/30/20 3 OWNER  
 2009 2009 CONSTURCTION  
 MANAGER

**CONTRACT DATE:** ARCHITECT  
 CONTRACTOR

**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G703, is attached.

This undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which Certificates of Payment were issued and payments received from the Owner, and that current payment shown herein is now due.


1. ORIGINAL CONTRACT SUM \$ 3,376,800.00
2. Net Change By Change Orders \$ -
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 3,376,800.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 746,500.00
5. RETAINAGE
  - a. 5% of Completed Work (Column D + E on G703) \$ 37,325.00
  - b. 5% of Stored Material (Column F on G703) \$ -
  - Total Retainage (Line 5a & 5b or Total in Column 1 of G703) \$ 37,325.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total) \$ 709,175.00
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 514,900.00
8. CURRENT PAYMENT DUE \$ 194,275.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 2,667,625.00

CONTRACTOR: STC Construction, Inc

By:   
 Norris Poleon, Project Manager

Date: 10/5/2020

State of: New York  
 County of: Erie  
 Subscribed and sworn to before me this 5th day of October 2020

NOTARY PUBLIC:   
 My Commission expires April 8, 2024

**CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Construction Manager and Architect certify to the Owner that to the best of their knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ..... \$ 194,275.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the Amount Certified)

By:   
 ENGINEER: \_\_\_\_\_ Date: 10/13/2020

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous month by Owner	\$0.00	
Total approved this Month	\$0.00	
<b>TOTALS:</b>	<b>\$0.00</b>	<b>\$0.00</b>
NET CHANGES by Change Order		



October 13, 2020

William M. Davignon  
Superintendent of Water/Wastewater  
City of North Tonawanda  
830 River Road  
North Tonawanda, New York 14120

**SUBJECT: CITY OF NORTH TONAWANDA  
WASTEWATER TREATMENT PLANT PHASE 1 UPGRADES PROJECT  
PAY REQUEST NO. 2 CONTRACT NO. 2020-01-E  
WENDEL PROJECT NO. 2728-27**

Dear Mr. Davignon,

We are enclosing Payment Request No. 2 from Frey Electric Construction on the above referenced project in the amount of \$7,457.50.

We have checked all items, find them to be in order, and would recommend payment of this request.

Sincerely,

Wendel

A handwritten signature in cursive script, appearing to read "Ryan C. Laninga".

Ryan C. Laninga

Enclosures

xc:

Chelsea L. Spahr, PE, City of North Tonawanda Engineer  
Jeffery R. Zellner, City of North Tonawanda Accountant  
Nathan Taylor, Rotella Grant Management  
Bernie Rotella, Rotella Grant Management



**Application and Certificate For Payment**

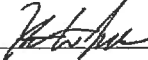
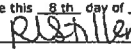
<b>To Owner:</b> City of North Tonawanda City Hall 216 Payne Avenue No. Tonawanda, NY 14120  <b>From (Contractor):</b> Frey Electric Construction 100 Pearce Ave Tonawanda, NY 14150  <b>Phone:</b> (716) 874-1710	<b>Project:</b> North Tonawanda WWTP 830 River Road North Tonawanda, NY 14120  <b>Contractor Job Number:</b> 20-0251-00  <b>Via (Architect):</b>  <b>Contract For:</b> Contract No. 2020-01-E / Project No. 2728-27	<b>Application No:</b> 2 <b>Date:</b> 08/31/2020  <b>Period To:</b> 08/31/20  <b>Architect's Project No:</b>  <b>Contract Date:</b> 04/10/20
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**Contractor's Application For Payment**

Change Order Summary	Additions	Deductions
Change orders approved in previous months by owner		
	Date Number      Approved	
Change orders approved this month		
<b>Totals</b>		
<b>Net change by change orders</b>		

Original contract sum	1,118,000.00
Net change by change orders	0.00
Contract sum to date	1,118,000.00
Total completed and stored to date	19,400.00
<b>Retainage</b>	
5.0% of completed work	970.00
0.0% of stored material	0.00
Total retainage	970.00
Total earned less retainage	18,430.00
Less previous certificates of payment	10,972.50
<b>Current sales tax</b>	
0.000% of taxable amount	0.00
Current sales tax	0.00
Current payment due	<b>7,457.50</b>
Balance to finish, including retainage	1,099,570.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief the work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.


Contractor:   
 By: \_\_\_\_\_ Date: 09/08/20  
 Name/Title: Kenneth W. Jaskier, Secretary Treasurer  
 State of: New York County of: Erie  
 Subscribed and sworn to before me this 8<sup>th</sup> day of September, 2020 (year). Notary public:   
 My commission expires \_\_\_\_\_

RACHEL L. STILLER  
 Notary Public, State of New York  
 Reg. No. 01ST6234674  
 Qualified in Niagara County  
 Commission Expires 01/24/2023

**Architect's Certificate for Payment**

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the Amount Certified.

Amount Certified: \$ 7,457.50

Architect:  Date: 10/13/2020

This Certification is not negotiable. The Amount Certified is payable only to the Contractor named herein. Issuance, payment, and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



October 13, 2020

William M. Davignon  
Superintendent of Water/Wastewater  
City of North Tonawanda  
830 River Road  
North Tonawanda, New York 14120

**SUBJECT: CITY OF NORTH TONAWANDA  
WASTEWATER TREATMENT PLANT PHASE 1 UPGRADES PROJECT  
PAY REQUEST NO. 3 CONTRACT NO. 2020-01-G  
WENDEL PROJECT NO. 2728-27  
CWSRF PROJECT NO. C9-6675-03-00**

Dear Mr. Davignon,

We are enclosing Payment Request No. 3 from STC Construction, Inc. on the above referenced project in the amount of \$194,275.00.

We have checked all items, find them to be in order, and would recommend payment of this request.

Sincerely,

Wendel

A handwritten signature in cursive script, appearing to read "Ryan C. Laninga".

Ryan C. Laninga

Enclosures

xc:

Chelsea L. Spahr, PE, City of North Tonawanda Engineer  
Jeffery R. Zellner, City of North Tonawanda Accountant  
Nathan Taylor, Rotella Grant Management  
Bernie Rotella, Rotella Grant Management

**AIA DOCUMENT G702/Cma**

**TO OWNER:** City of North Tonawanda  
 216 Payne Ave.  
 North Tonawanda, NY 14120

**PROJECT:** North Tonawanda  
 Wastewater Treatment Plant  
 Phase 1 Capital Improvements  
 Contract: 2020-01-G

**PO #:** 4500277004

**FROM CONTRACTOR:** STC Construction, Inc.  
 P.O. Box 459, 93 Zoar Valley Road  
 Springville, New York 14141

**ENGINEER:** Wendel  
 375 Essjay Road  
 Suite 200  
 Williamsville, NY 14221

**CONTRACT FOR:** 2020-01-G - General Construction

**CONTRACTOR'S APPLICATION FOR PAYMENT**

**APPLICATION NO. 3**  
**PERIOD TO : 09/30/20**  
**STC PROJECT NO. 2009**

**DISTRIBUTION TO:**  
 OWNER  
 CONSTRUCTION MANAGER

**CONTRACT DATE:**  
 ARCHITECT  
 CONTRACTOR

Application is made for payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G703, is attached.

This undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which Certificates of Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM \$ 3,376,800.00

2. Net Change By Change Orders \$ -

3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 3,376,800.00



4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 746,500.00

5. RETAINAGE

a. 5% of Completed Work (Column D + E on G703) \$ 37,325.00

b. 5% of Stored Material (Column F on G703) \$ -

Total Retainage (Line 5a & 5b or Total in Column 1 of G703) \$ 37,325.00

CONTRACTOR: STC Construction, Inc  
 By:   
 Norris Poleon, Project Manager  
 State of: New York  
 County of: Erie  
 Subscribed and sworn to before me this 5th day of October 2020  
 NOTARY PUBLIC:   
 My Commission expires: April 8, 2024  
 Date: 10/5/2020  
 TAMARA L. COLLINS  
 Notary Public, State of New York  
 01CO6259368  
 Qualified in Erie County  
 My Commission Expires April 8, 2024

6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total) \$ 709,175.00

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 514,900.00


8. CURRENT PAYMENT DUE \$ 194,275.00

9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 2,667,625.00

**AMOUNT CERTIFIED** ..... \$ 194,275.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the Amount Certified)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous month by Owner	\$0.00	
Total approved this Month	\$0.00	
<b>TOTALS:</b>	<b>\$0.00</b>	<b>\$0.00</b>
NET CHANGES by Change Order		

By:   
 ENGINEER: \_\_\_\_\_  
 Date: 10/13/2020