

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, June 1, 2021
6:30 P.M.**

REGULAR SESSION CALLED TO ORDER BY PRESIDENT PECORARO

PLEDGE OF ALLEGIANCE

ROLL CALL

**Present: President Pecoraro
Alderman Schmigel, DiBernardo, Zadzilka, Tylec**

Absent: None

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

AUDIENCE PARTICIPATION - None

APPROVAL OF THE MINUTES OF THE REGULAR SESSION MAY 18, 2021

**MOVED by Alderman Zadzilka SECONDED by Alderman Schmigel
That the minutes of the regular session held May 18, 2021 be approved as circulated and
filed in the Office of the City Clerk.**

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

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

IV. Engineer

May 27, 2021

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

Re: Erie Canal Bike Path Extension – Mayor’s Park to Botanical Garden

Dear Honorable Body:

**The City was awarded grant funding through the NYSDOS, DASNY, and Canal Corps
with a City match for a total of \$1,029,500 worth of funding to extend the bike path from
Mayor’s Park to the Botanical Garden.**

To complete the new bike path extension, the City intends to procure the services of a professional engineering firm. This firm's responsibilities will include design of the identified improvements, and implementation assistance through the construction and installation stages.

A request for proposals was issued in April 2021 and the City received twelve proposals from professional firms. A review committee was convened with representation from city Engineering, Community Development, Lumber city Development Corporation, Parks and Recreation, the Mayor's Office, City Council, and the Public to review the proposals and provide a recommendation to the Council.

Upon review, the committee is recommending the City select C&S Companies to perform the design services and assistance through the construction and installation stages. C&S Companies is a local firm with experience in transportation engineering design. The review committee felt the team assembled by C&S Companies demonstrated the experience, expertise, and capacity to complete this project for the City.

I am hereby requesting this honorable body consider selecting C&S Companies to complete the Erie Canal Bike Path Extension Project from Mayor's Park to the Botanical Garden and authorize the Mayor to sign a contract with C&S Companies, pending review and approval by the City Attorney, for the proposed design fee of \$122,000. Please let me know if you have any further questions or concerns. Thank you for your consideration.

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

MOVED by Alderman Pecoraro **SECONDED** by Alderman DiBernardo
That the Common Council hereby grants approval for C&S Companies to complete the Erie Canal Bike Path Extension Project from Mayor's Park to the Botanical Garden and authorizes the Mayor to sign said contract with C&S Companies, for the proposed design fee of \$122,000, pending review and approval by the City Attorney.
Ayes: Alderman Schmigel, DiBernardo, Zadzilka, Tylec, Pecoraro (5)
Nays: None (0)
CARRIED.

VII.1 Accountant

May 27, 2021

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

Dear Honorable Body:

In accordance with Article V, Division 1, Section 5.002 and 5.003 of the City Charter, an Abstract Sheet, comprised of a Warrant of Claims, has been submitted by this office for your review and approval.

Accordingly, please authorize for payment the current Warrant of Claims for Common Council audit, dated June 1st, 2021, and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Warm regards,
Jeffrey R. Zellner
City Accountant

MOVED by Alderman Zadzilka SECONDED by Alderman DiBernardo
That the Common Council hereby authorizes for payment the current Abstract of Claims
for Common Council Audit dated June 1, 2021, and further authorizes the Mayor and City
Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$650,542.74
02	Water Fund	77,510.47
04	Sewer Fund	379,144.98
06	Capital Project Fund	90,096.33
07	Trust & Agency Fund	<u>16,912.59</u>
00	Final Total	<u>\$1,214,207.11</u>

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

VII.2 Accountant

May 27, 2021

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

Dear Honorable Body:

In accordance with Article V, Division 2, Section 5.023 and Section 2.2 of the Budgetary Transfer Policy, please authorize the City Accountant to make the following amendment of fiscal year 2021 appropriations, based on the request of the Department Head, copy attached.

<u>Dollar Amount</u>	<u>Decrease/Increase Account</u>	<u>Increase Appropriation Account</u>
\$3,600	01.3510.0100 Control of Animals_Personal Service	001.3510.0480 Control of Animals_Operations

Reason: Payment of SPCA Partnership

Warm regards,
Jeffrey Zellner
City Accountant

MOVED by Alderman Tylec SECONDED by Alderman DiBernardo
That the Common Council hereby authorizes the City Accountant to make the following
Budgetary Transfer of fiscal year 2021 appropriations, based on the request of the
Department Head:

<u>Dollar Amount</u>	<u>Decrease/Increase Account</u>	<u>Increase Appropriation Account</u>
\$3,600	01.3510.0100 Control of Animals_Personal Service	001.3510.0480 Control of Animals_Operations

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

X.1 Police Chief

May 18, 2021

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

Dear Honorable Body,

I am requesting that the common council approve a request to allow me to hire a Police Matron that lives outside of the City. We currently have a vacancy that we have been unable to fill for lack of interest. We have been advertising for the position for the last three weeks with no one applying.

I am requesting that Nancy Vetter 268 Canton St., Tonawanda, NY, who has been assisting us on a needed bases since 2018, when we have not been able to provide a Matron due to vacation, illness or unavailability. She has assisted us 49 times since 2018 and has been reliable and responsible Matron. She currently is a part time Matron for the City of Tonawanda but has expressed interest in becoming one of our four Matrons if the waiver is approved.

There is no additional cost to the City as the position is already in the budget.

Please consider this request as it relates to section 73B-4 below.

§ 73B-4 Waiver of requirements.

- A.** In the event that the City determines that it is in the best interest to do so, the provisions of §73B-3 may be waived with respect to either an incumbent or a prospective employee of a particular title in accordance with the following standards:
- (1)** Lack of qualified applicants. The requirement of residency may be waived in those instances and circumstances where the employer has difficulty hiring or promoting the most qualified person because of its residency requirement.
 - (2)** Necessity for non residence. The requirement of residency may be waived in those instances where it is determined that residency is not in the best interest of the municipality as, for example, the responsibilities of an employee for the City might be best fulfilled by permitting residency to be located outside of the geographical boundaries of the municipality.
 - (3)** Necessity because of illness of a family member. The requirement of residency may be waived in those instances and circumstances where the employee must take care of an immediate family member who has a serious illness or is disabled and resides outside of the geographical boundaries of the municipality.
- B.** Said application may be granted only by a majority vote (three votes) of the entire Common Council.

Respectfully submitted,
Thomas E. Krantz
Chief of Police

MOVED by Alderman Pecoraro **SECONDED by Alderman Tylec**
That the Common Council hereby approves waiving the residency for Nancy Vetter, 268 Canton Street, Tonawanda, to be hired as the Police Matron for the North Tonawanda Police Department.

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

Nays: None (0)

CARRIED.

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

MOVED by Alderman Tylec

SECONDED by Alderman Schmigel

That the Common Council hereby awards the proposal to complete a tree inventory and Community Forestry Management Plan (CFMP), to PlanIT Geo at their bid proposal of \$47,900.

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

Nays: None (0)

CARRIED.

XIV.2 Youth, Recreation, Parks & Seniors

May 26, 2021

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

Dear Mayor Pappas and Common Council,

Our department in coordination with the NT Youth Board is respectfully asking for approval to put up a large scale "2021" sign at Gratwick Park to serve as photo opportunity for graduating NTHS seniors.

Our parks maintenance department will construction the signs using sheets of 4' x 8' plywood. Each number will be cut out of a sheet of plywood and stand approximately 8' tall with the entire "2021" sign spanning approximately 16 feet. Each number will be anchored securely to the ground to prevent it from being knocked over from the wind, or other forces. The numbers will be painted and designed in such a way to create a dynamic backdrop along the night Niagara River, perfect for seniors to take a memorable picture for an everlasting keepsake.

Due to the pandemic, our NTHS seniors have lost a lot of opportunities that are normally taken for granted. We thought this would be a great opportunity to support our seniors in a safe, fun, and interactive way, while additionally promoting visitation to our park.

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

MOVED by Alderman Pecoraro

SECONDED by Alderman DiBernardo

That the Common Council hereby grants approval for the NT Youth Board to put up a 4' x 8' plywood large scale "2021" sign spanning 16 feet, at Gratwick Park.

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

Nays: None (0)

CARRIED.

XVII. Traffic Safety

May 17, 2021

Donna Braun
 City Clerk-Treasurer
 216 Payne Avenue
 North Tonawanda, NY 14120

Traffic Safety Minutes:

The May 2021 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. Meisenburg, M. Lemke, D. Grinnell, A. DiBernardo, M. Anastasi. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

- 1) The City Clerk's office received a terrace parking permit from Kathy Browning Ferro for 338 Bryant Street. The Traffic Safety Committee looked at the property and noticed that the residence has a driveway, and the terrace is grass. The committee denies the request.
- 2) The council members requested that the committee look at Deerfield Drive again with regards to putting up a "Children at Play" sign. The committee looked at the request again. We placed the speed sign on Deerfield Drive for 8 days and had the traffic officer and police patrols monitor the street several times during different days. The average speed over several days was 26.42 mph. there are children on every street in North Tonawanda and if we give Deerfield Drive a sign because there are children playing on the street then we would have to put a sign up for everyone that requests it. If these signs are on every street, then they do not serve the purpose that they are intended for. Every year we have several requests for "Children at Play" signs, and it is the committee's stance that they be used for schools, daycares, parks, playgrounds, and ball fields. We will continue to monitor Deerfield Drive. This request is denied.
- 3) The committee received another complaint that stated vehicles were doing 50 mph on Oakwood Terrace. The council asked that the committee monitor the street again. The speed sign was placed there for 14 days. The traffic officer, police patrols and committee member Frank have all monitored the street approximately 20 times on various days and times. These were done with police cars, unmarked police cars and personal vehicles. The average speed is 23.7 mph. the busiest time is usually between 5:00pm-6:00pm where there were 55 vehicles. The average speed was 24.9 mph. the top speed was 33 mph which happened 5 times. During all of the details the highest speed was 38 mph. member Frank sat with the neighbor who lives at Oakwood Terrace and Maple Terrace. The neighbor believed that most vehicles were going between 36-38 mph in which they were actually going between 23-25 mph. during bus pickup times there were 4 kids that walked up from Maple Terrace. During these times the average speed was 22.6 mph. Oakwood Terrace is less than a quarter mile long and there is no crosswalk going east to west at the requested stop sign. Oakwood Terrace will continue to be monitored. The data collected doesn't support having a stop sign at this intersection.
- 4) Steve Brown who owns Brownie's Sports Bar and Tavern on Oliver Street requested that the city paint parking lines and post "Brownie's Patrons Only" signs in front of his establishment from 11:30 am to 10:00 pm from Tuesday to Sunday. The committee spoke to a couple of city officials who advised that the city does not put up private establishment signs on city roads.
- 5) Lt. Glass (NTPD) received a complaint from a citizen who stated cars are driving across the double yellow lines on the east side of Main Street between Island Street and Thompson Street due to a parking problem. Members Frank and Meisenburg checked the complaint to find that this was a safety hazard and appeared to be an oversight on behalf of the private contracting company. Frank advised Mayor Pappas and due to the safety hazard, it was decided that "No Parking" signs would be put up on the east side of Main Street.
- 6) Susan Eckstein of 1376 Nash Road requested that lines be painted on Nash Road between Ruie Road and Division Street. Member Meisenburg advised that these lines have not been painted yet due to Nash Road being part of a road repurposing project that is being taken care of by Engineering Department in the future. The lines will be painted when the project is complete. Frank advised Eckstein.
- 7) Greg Lureman of 201 12th Avenue requested "Children at Play" signs on his street due to Memorial Park being at the end of 12th Avenue. The committee is asking for approval from the council to put up these signs due to the park, playground and basketball courts.

Meeting adjourned at 1945 hours.

Travel safely,
Robert J. Frank

MOVED by Alderman Zadzilka **SECONDED** by Alderman Tylec
That the Common Council hereby approves of Traffic Safety recommendation #5, and #7.
Council receives and files the Traffic Safety minutes from their May meeting.
Ayes: Alderman Schmigel, DiBernardo, Zadzilka, Tylec, Pecoraro (5)
Nays: None (0)
CARRIED.

XXV. Monthly Reports

.1 Police Department

MOVED by Alderman Pecoraro **SECONDED** by Alderman Tylec
That the Common Council hereby receives and files the aforementioned Monthly Report.
Ayes: Alderman Schmigel, DiBernardo, Zadzilka, Tylec, Pecoraro (5)
Nays: None (0)
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Gratwick Hose Company

May 18, 2021

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

Common Council:

Please remove the name of Nicholas Doel from the Fire Rolls.

Thank you.
David A. Rogge
Membership Secretary

MOVED by Alderman Schmigel **SECONDED** by Alderman DiBernardo
That the Common Council hereby approves of the removal of Nicholas Doel from the North
Tonawanda Fire Rolls.
Ayes: Alderman Schmigel, DiBernardo, Zadzilka, Tylec, Pecoraro (5)
Nays: None (0)
CARRIED.

B.
Richard Andres

May 17, 2021

Donna Braun
City Clerk-Treasurer
216 Payne Avenue
North Tonawanda, NY 14120

Dear NT Common Council,

Once again I am requesting your permission to hold the 4th of July Kids Parade. This has become an annual tradition in North Tonawanda and has drawn many families to two of the Jewels of North Tonawanda, Pinewoods Park and the Herschel Carousel Museum. We are requesting we post no parking signs on Thompson Street from Niagara to Vandervoort and have the auxiliary police escort the parade and block traffic at all relevant intersections. We are also looking to have access to Pinewoods Park as a staging area. The parade will begin at 10am on July 4th.

Thank you for your consideration of this matter.

Sincerely,
Richard Andres
 Niagara County Legislator

MOVED by Alderman Pecoraro **SECONDED** by Alderman DiBernardo
 That the Common Council hereby grants permission to hold the 4th of July Kids Parade with the use of Pinewoods Park as a staging area and directs the Police Department to assist with posting no parking signs on Thompson Street from Niagara to Vandervoort and have the Auxiliary Police escort the parade and block traffic.

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

Nays: None (0)

CARRIED.

C.
Glenn Ditillio

May 17, 2021

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

I would like to request that a portion of Lincoln Ave. be closed on Saturday, August 28th from 4pm-10pm for a block party. In addition, we would like to ask if the city could provide barricades on both end of the requested street closure to ensure drivers are aware. This block party is intended to bring many of our neighbors together during these difficult times, while we also abide by any NYS covid related restrictions. Please see attached for the area we are requesting.

We would appreciate this consideration and will work with the city to ensure this is a safe event.

Thank you,
Glenn Ditillio

MOVED by Alderman Tylec SECONDED by Alderman DiBernardo
That the Common Council hereby grants approval to block off a portion of Lincoln Avenue
Saturday, August 28, 2021 from 4pm-10pm for a block party and directs the Department of
Public Works to provide barricades for said event.

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

Nays: None (0)

CARRIED.

D.
NT Neighborhood Watch

May 27, 2021

Council President Robert E. Pecoraro
216 Payne Avenue
North Tonawanda, NY 14120

Dear President Pecoraro & Honorable Council:

We write this letter to ask for your support in our efforts to hold a community bike ride
event in the City of North Tonawanda on Saturday, August 14, 2021. The ride would be
approximately a 12 mile loop, starting form Manhattan St. and ending on Webster St. This
event is hosted by the NT Neighborhood Watch.

The regiment is as follows:

- **Sign-up: 12pm -1:30pm**
- **Ride: 2pm-4pm**
- **“After Party” Celebration: 4pm-8pm**

We are requesting to have the block of Webster St. from Tremont St. to Goundry St. closed
form 4pm-8pm for the after party celebration. We have received support from numerous
small business along with the Downtown Merchants Association. There will be a city-
approved liability waiver all riders must sign to participate, along with insurance coverage
for the day’s event. In addition we are requesting peddler permit fees be waived for Tom’s
Pro Bike and the sale of Wardysnski’s Meats at the event. We are also requesting the
presence of the North Tonawanda Auxiliary Police to help ensure this is a safe and family
friendly event.

We hope you support and approve of this event as it would greatly benefit our local small
businesses during these difficult times. All state COVID-19 protocols will be in place
during this event to ensure public safety. Thank you for your consideration and we look
forward to working with the city and businesses to make this event a success.

Sincerely,
 Steve Surwarski

MOVED by Alderman Tylec SECONDED by Alderman Zadzilka
That the Common Council hereby grants approval for the NT Neighborhood Watch to hold
their community bike event on Saturday, August 14, 2021, and approves of blocking off
Webster Street from Tremont to Goundry Street from 4pm -8pm for the after party
celebration. Council grants permission to waive the permit fees for Tom’s Pro Bike and
Wardynski’s Meats for said event and directs the Police Department and Department of
Public Works to assist with said event.

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

Nays: None (0)

CARRIED.

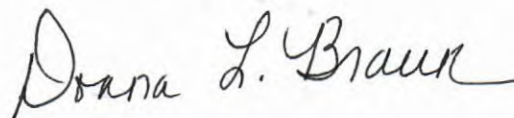
AUDIENCE PARTICIPATION - None

ADJOURNMENT

MOVED by Alderman Zadzilka SECONDED by Alderman DiBernardo
That this regular session of the Common Council be and hereby is adjourned.
CARRIED.

Time of Adjournment: 6:57 P.M.

Respectfully submitted,



Donna L. Braun
City Clerk-Treasurer