

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, September 5, 2017
6:35 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT ZADZILKA

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: **President Zadzilka**
 Alderman Braun, Berube, Glatz, Pecoraro,

Absent: **None**

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

AUDIENCE PARTICIPATION

Sonia Dusza 123 Miller Street – This has been a positive change having these Department Heads at this meeting. I noticed Mark Dotterweich is resigning and I thought he just got in there. I did hear Amanda Reimer at a workshop a while ago, has she been here long? Was she here during Jakes term? It looks like we are ready to go into a progressive era. We are changing. I wish other people could hear what I heard at that workshop. Congratulations and I hope you can save the City money. On to the D.O. T. agreement, can River Road handle all the truck traffic? What is a Commissioner of Deeds?

APPROVAL OF THE MINUTES OF THE SPECIAL SESSION AUGUST 29, 2017

MOVED by Alderman Zadzilka SECONDED by Alderman Braun
That the minutes of the special session held August 29, 2017 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED

1) Legal Notice – A Request for Proposals from Qualified Professionals and Firms to complete a Residential Historic Preservation Cultural Resources Survey – Community Development

MOVED by Alderman Glatz SECONDED by Alderman Zadzilka
That the Common Council hereby receives and files the aforementioned Proof of Publication.
CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

#1

Mark Dotterweich

August 30, 2017

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

Dear Honorable Body:

I write this letter to announce my formal retirement from the City of North Tonawanda as City Accountant, effective as of September 8th.

I would like to thank everyone for all the great opportunities that were given me as an employee of the City. I have enjoyed working with and learning from my coworkers for the past thirty-six years, and am ready to move on to the next phase in my life.

Please let me know if I can be of any assistance during this transition.

Very truly yours,
Mark W. Dotterweich
City Accountant

MOVED by Alderman Zadzilka SECONDED by Alderman Braun
That the Common Council hereby receives and files the letter of resignation from Mark W. Dotterweich as City Accountant of North Tonawanda effective September 8, 2017.
CARRIED.

I. Mayor

August 31, 2017

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

Re: Appointment of City Accountant

Dear Honorable Body:

Please be advised that I am appointing Amanda Reimer, 94 Brundage Avenue, North Tonawanda, NY 14120, as the City Accountant, effective September 8, 2017. Ms. Reimer's starting pay will be \$77,825 step 3 of the existing OPEIU salary schedule.

I feel confident she is well qualified to do the best job on behalf of the residents of the City of North Tonawanda.

Sincerely,
Arthur G. Pappas
Mayor

MOVED by Alderman Pecoraro SECONDED by Alderman Zadzilka
That the Common Council hereby receives and files the appointment of Amanda Reimer, 94 Brundage Avenue, North Tonawanda, NY 14120 as City Accountant for North Tonawanda, effective September 8, 2017.
CARRIED.

II. Attorney

August 29, 2017

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

Re: Proposed Shared Services Agreement between City of North Tonawanda and New York State Department of Transportation, to Provide Additional Equipment and help in the Maintenance of State and Municipal Roadways

Dear Honorable Body:

Attached, for your consideration, is a proposed shared services agreement between the City of North Tonawanda and the New York State D.O.T. to provide additional equipment and help in maintaining state and municipal roadways during major events within the City of North Tonawanda. This is a 4 year agreement to run from fall, 2017 until fall, 2021.

Should your Honorable Body concur, please pass a resolution authorizing the Mayor to execute the agreement on behalf of the City of North Tonawanda, subject to any further review by the City Attorney.

Very truly yours,
Luke A. Brown
City Attorney

MOVED by Alderman Berube

SECONDED by Alderman Zadzilka

That the Common Council hereby approves of the shared services agreement between the City of North Tonawanda and the New York State D.O.T. to provide additional equipment and help in maintaining state and municipal roadways within the City of North Tonawanda, for a term of 4 years to run from fall, 2017 until fall, 2021, and directs the Mayor to sign said agreement. Subject to review by the City Attorney.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka

(5)

Nays: None

(0)

CARRIED.

III. Clerk-Treasurer

August 28, 2017

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

Re: Evaluation of Existing Main Electrical Equipment and Utility Source Paralleling

Dear Honorable Body:

I respectfully request on behalf of Wastewater/Water Superintendent Bill Davignon that your Honorable Body accept the proposal for professional engineering services for the evaluation of existing main electrical equipment and utility source paralleling for the amount of \$5,500. Nussbaumer and Clarke, Inc. will be performing the study at our Water Treatment Plant.

Sincerely,
Daniel R. Quinn
City Clerk-Treasurer

MOVED by Alderman Berube

SECONDED by Alderman Pecoraro

That the Common Council hereby grants Nussbaumer and Clarke, Inc., to provide the City with professional engineering services for the evaluation of existing main electrical equipment and utility source paralleling in the amount of \$5,500. Subject to review by the City Attorney.

09-05-2017

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka

(5)

Nays: None

(0)

CARRIED.

IV.1 Engineer

August 31, 2017

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

Re: Project 2017-11 City Hall Payne Avenue Entrance Stairs
Award of Contract

Dear Honorable Body:

On August 31, 2017, two bids were received and opened by the City Clerk for the City Hall Payne Avenue Entrance Stairs Project. The results are as follows:

Base Bid:

- | | |
|---|--------------|
| 1. 4 th Generation Construction Inc. | \$110,000.00 |
| 2. Ideal Concrete Inc. | \$146,338.00 |

Accordingly, I respectfully request that the Common Council award the City Hall Payne Avenue Entrance Stairs Project to 4th Generation Construction Inc., 5650 Simmons Avenue Niagara Falls, NY 14304, at their low total bid amount of \$110,000.00; authorizing the Mayor to sign said contract, subject to review by the City Attorney.

Very truly yours,
Dale W. Marshall, P.E.
City Engineer

MOVED by Alderman Braun

SECONDED by Alderman Zadzilka

That the Common Council hereby awards the City Hall Payne Avenue Entrance Stairs Project to 4th Generation Construction Inc., 5650 Simmons Avenue Niagara Falls, NY 14304, at their low total bid amount of \$110,000.00, and authorizes the Mayor to sign said contract, subject to review by the City Attorney.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka

(5)

Nays: None

(0)

CARRIED.

IV.2 Engineer

August 31, 2017

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

Re: Project 2016-04: City Hall and Police Patrol Entrance Stair Project
Approval of Change Order and Final Project Acceptance

Dear honorable Body:

Approval of Change Order No. 1 and final acceptance of the City Hall and Police Patrol Entrance Stair Project is hereby requested. The change order, as directed by me, is for the new exposed aggregate concrete and curbing at the City Hall entrance, in lieu of plain concrete, in order to match the existing front sidewalk as best as possible.

Accordingly, I respectfully request that the Common Council approve Change Order No.1 for the City Hall and Police Patrol Entrance Stair Project in the amount of \$5,420.28 with Ideal Concrete Inc., 400 Kennedy Road Cheektowaga, NY 14227; increasing the contract amount from \$111,078.00; to the final contract amount of \$116,498.28; authorizing the Mayor to sign said change order. Further, that the Common Council accept this project as complete and approve the final payment subject to review by the City Attorney.

Very truly yours,
Dale W. Marshall, P.E.
City Engineer

MOVED by Alderman Pecoraro

SECONDED by Alderman Glatz

That the Common Council hereby approves the Change Order No.1 for the City Hall and Police Patrol Entrance Stair Project in the amount of \$5,420.28 with Ideal Concrete Inc., 400 Kennedy Road Cheektowaga, NY 14227; increasing the contract amount from \$111,078.00; to the final contract amount of \$116,498.28; and authorizes the Mayor to sign said change order and accepts this project as complete, subject to review by the City Attorney.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka

(5)

Nays: None

(0)

CARRIED.

VII.1 Accountant

August 31, 2017

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 September 5, 2017, further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Very truly yours,
Mark W. Dotterweich
City Accountant

MOVED by Alderman Zadzilka

SECONDED by Alderman Pecoraro

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated September 5, 2017 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$866,466.39
02	Water Fund	45,616.50
04	Sewer Fund	116,000.54
06	Capital Project Fund	179,473.88
07	Trust & Agency Fund	75.99
82	CD Block Grant	48,151.20
85	Housing Rehab	<u>17,190.00</u>
00	Final Total	<u>\$1,272,974.50</u>

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka

(5)

Nays: None

(0)

CARRIED.

VII.2 Accountant

August 3, 2017

Honorable Arthur G. Pappas, Mayor
and Common Council
City Hall

North Tonawanda, NY 14120

Dear Honorable Body:

Dear Honorable Body:

Please be advised that this office sent out a Request for Proposal (RFP) on June 16, 2017, to six (6) qualified Grant Consultants for professional services related to grant writing and management for the City of North Tonawanda. The evaluation of each firm was based on the following criteria: consultant and staff experience, proficiency obtaining funds, experience with municipal grants and the specific areas of need identified by the City in the RFP, cost/proposed fee structure, and the firms plan and commitment to assessing funding needs. Three proposals were received by the City. Each proposal was ranked by the committee comprised of four (4) City Officials/Employees. Based on the criteria defined above, and interviews conducted with the top two firms (including reference checks), the three proposals received were ranked as follows:

<u>Consulting Firm</u>	<u>Cost</u>
1. Rotella Grant Management	Month-to month retainer, \$1,800/month. No additional application fees.
2. J. O'Connell and Associates	No monthly retainer. Cost is on a per application basis with average application fee of \$6,500
3. Battaglia & Associates	\$400 monthly retainer. Cost is on a per application basis with average application fee of \$5,500

Based on our evaluation of the rating criteria and the annual cost to the City, it is our recommendation that Rotella Grant Management, be awarded a month-to-month contract with the City of North Tonawanda at a rate of \$1,800/month, upon review and approval with the City Attorney. Whereas, such resolution will result in the need for a budget transfer of \$7,200 from the Contingent Account to establish funding from September 1, 2017 through December 31, 2017, a budget transfer form is completed and attached.

Regards,
Amanda Reimer
Staff Accountant

MOVED by Alderman Pecoraro

SECONDED by Alderman Glatz

That the Common Council hereby awards a month-to-month contract effective September 1, 2017 through December 31, 2017, to Rotella Grant Management, to be Grant Consultants for professional services related to grant writing and management for the City of North Tonawanda at a rate of \$1,800/month, subject to review by the City Attorney.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka

(5)

Nays: None

(0)

CARRIED.

VII.3 Accountant

August 31, 2017

Honorable Arthur G. Pappas, Mayor
and Common Council
City Hall
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 Police, please authorize the City Accountant to make the following transfers of fiscal year 2017 appropriations, based on the request of the Department Head, dopy attached:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From: Revenue Account</u>	<u>Into: Appropriation Account</u>
10	5,400.00	1-1670.0227 Central Printing	1-3135.440 Traffic Signs Operations

Very truly yours,
Mark W. Dotterweich
City Accountant

MOVED by Alderman Braun SECONDED by Alderman Berube
That the Common Council hereby authorizes the City Accountant to make the following Budgetary Transfer of fiscal year 2017 appropriations, based on the request of the Department Head:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From: Revenue Account</u>	<u>Into: Appropriation Account</u>
10	5,400.00	1-1670.0227 Central Printing	1-3135.440 Traffic Signs Operations

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)
Nays: None (0)
CARRIED.

X. Police Chief

August 29, 2017

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

Dear Honorable Body:

Would you please appoint Daryl E. Truty, 214 Zimmerman Street, North Tonawanda, NY 14120 as Commissioner of Deeds for the City of North Tonawanda.

Sincerely,
Roger R. Zgolak
Chief of Police

MOVED by Alderman Pecoraro SECONDED by Alderman Braun
That the Common Council hereby approves the appointment of Daryl E. Truty, 214 Zimmerman Street, North Tonawanda, NY 14120 as Commissioner of Deeds for the City of North Tonawanda, effective September 6, 2017 and expiring September 5, 2019.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)
Nays: None (0)
CARRIED

XIV. Youth Recreation & Parks

August 28, 2017

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

Dear Mayor Pappas and Common Council,

I respectfully request that the 2017 State Aid Appropriation as recommended by the North Tonawanda Youth Board be accepted and approved. Funding is provided by the New York State Office of Children and Family services and administered by the Niagara County Department of Social Services on behalf of the Niagara County Youth Bureau.

The 2017 appropriations are:

- Department of Youth, Recreation & Parks Youth Programs \$ 18,000.00
- Youth Court and First Offender Program \$ 13,800.00

The total State Aid for Youth Program allocation for 2017 will be Thirty One Thousand, Eight Hundred Dollars (\$31,800.00).

Respectfully Submitted,
Patricia A. Brosius
Director of Youth, Recreation & Parks

MOVED by Alderman Berube

SECONDED by Alderman Glatz

That the Common Council hereby approves and accepts the total State Aid for Youth Program allocation for 2017 of Thirty One Thousand, Eight Hundred Dollars (\$31,800.00), subject to review by the City Attorney.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)

Nays: None (0)

CARRIED

XXV. Monthly Reports

.1 Police Department

MOVED by Alderman Zadzilka

SECONDED by Alderman Pecoraro

That the Common Council hereby, approves the aforementioned Monthly Report.
CARRIED.

XXXIII. Community Development

August 15, 2017

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

Re: City of North Tonawanda / Lumber City Development Corporation Commercial
Property agreement – 664 Oliver Street

Dear Honorable Body:

In 2014 the City and Lumber City Development Corporation (LCDC) entered into an agreement enabling LCDC to market and incentivize the sale and redevelopment of selected commercial properties owned by the City of North Tonawanda, the initial list of selected properties included 653 Oliver Street, 664 Oliver Street, and 301 Payne Avenue. The intent of this agreement was to identify properties in the tax foreclosure process which have suffered neglect and are currently detrimental to their surrounding neighborhood and promote responsible owner ship and redevelopment of these properties in an attempt to stabilize and improve their respective neighborhoods.

The City and LCDC established a set of guidelines for prospective purchasers interested in these properties. The guidelines included submitting a proposed redevelopment and property reuse plan, including project cost estimates and financial capability, as well as requiring the potential purchaser be in current good standing with the City with regards to any other property owned within North Tonawanda.

LCDC has received a purchase offer and redevelopment plan for 664 Oliver Street from Mr. Michael Gersitz. Mr. Gersitz has proposed to purchase the property for \$1,000 and invest an estimated \$31,150 in renovations and repairs. Mr. Gersitz intends to lease the second floor apartment and maintain a commercial/retail use on the first floor by opening and operating a unique entertainment destination "Break Room Buffalo". Mr. Gersitz currently operates the "Escape Room Buffalo" at 290 Oliver Street in North Tonawanda.

LCDC believes Mr. Gersitz's investment in 664 Oliver Street will have a positive impact on the neighborhood and will revitalize a vacant structure. LCDC would like to hereby recommend the City of North Tonawanda consider accepting Mr. Gersitz's purchase offer.

Thank you for your time and consideration

Kindest regards,
Michael Zimmerman
Executive Director

MOVED by Alderman Braun

SECONDED by Alderman Pecoraro

That the Common Council hereby grants approval to LCDC to sell 664 Oliver Street for \$1,000 to Michael Gersitz for redevelopment, building must be brought up to code per the City Building Inspector after renovations, subject to further review by the City Attorney.

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka

(5)

Nays: None

(0)

CARRIED

COMMUNICATIONS FROM OTHERS

A.

Tonawanda Heritage Tour

August 10, 2017

To: North Tonawanda Common Council

Dear Sirs,

In regards to "Tonawanda's Heritage Tour" please consider allowing the North Tonawanda DPW to produce 26 signs to be placed prominently at historic sites around the Tonawanda's.

This project is very important to the community and many partners including the City of Tonawanda, Partners in Art, and The Chamber of Commerce to name a few have contributed. Upon completion it will be something for all of us to be proud of.

Your help will be greatly appreciated!

Sincerely,
Evelyn M. Zupo / Committee Chair
Tonawanda Heritage Tour

MOVED by Alderman Pecoraro

SECONDED by Alderman Glatz

That the Common Council hereby grants permission for the North Tonawanda DPW to produce 26 signs to be placed at historic sites around the Tonawanda's for the "Tonawanda's Heritage Tour".

Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka

(5)

Nays: None

(0)

CARRIED.

LATE COMMUNICATION

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
 To bring the following communication to the floor.
 Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka
 Nays: None
 CARRIED.

#1
 Police Chief

September 5, 2017

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

Dear Honorable Body:

I respectfully request to fill two vacancies within the Police Department by appointing with your approval the following two Police Officer candidates, effective Friday September 8, 2017.

Justin A. Tomaszewski	782 Daigler Drive, North Tonawanda, NY 14120
Frank C. Burkhart	706 Harrison Avenue, Tonawanda, NY 14150

Both candidates were chosen from the current Niagara County Civil Service List of Eligible for Police Officer which expires 3/9/2021.

Sincerely,
 Roger R. Zgolak
 Chief of Police

MOVED by Alderman Braun SECONDED by Alderman Glatz
 That the Common Council hereby approves the appointment of Justin A. Tomaszewski, 782 Daigler Drive, North Tonawanda, NY 14120 and Frank C. Burkhart 706 Harrison Avenue, Tonawanda, NY 14150 as Police Officers for the North Tonawanda Police Department, effective September 8, 2017.
 Ayes: Alderman Braun, Berube, Glatz, Pecoraro, Zadzilka (5)
 Nays: None (0)
 CARRIED.

AUDIENCE PARTICIPATION

Sonia Dusza 123 Miller Street – 664 Oliver Street they are buying it for \$1000, what is it assessed for? That is cheap. Where is it on Oliver Street? What is it going to be? I have been a proponent of Oliver Street, but is this the correct business for that location? We should put in Bakers and Delis. We need recreation for the kids. You should reconsider something else. We have problems in my neighborhood that are just blown off, people take the attitude of “don’t see it”, “don’t hear it”, and “don’t want to address it”. I brought to the attention of the Engineering Department the question of, what is Lumber Jacks pallets property line. The Building Inspector said “we don’t know”. Those two departments should know those kinds of things. The City never addressed it. The roads in North Tonawanda are so improved. Good job DPW.

Amanda Reimer 94 Brundage Avenue – I would like to thank the Mayor and the Council for my appointment of City Accountant.

Destiny Harris 37 Chipman – I think there is enough entertainment for teenagers in this City. My mom wanted me to come up and say that our street is in bad shape. The streets around us all have been paved, but ours has not.

Joseph Kissel 950 East Robinson Street – Who owns the former Buffalo Bolt property? What is happening with the Cities Website, has a vendor been chosen? Did the City buy a "Hotbox"? I think it is disrespectful when people are talking in the audience during the meeting. I think it is disrespectful to the Mayor, Council and the speaker. But I think it is even worse when it is a Department Head doing it. I think if it was anyone else it wouldn't be tolerated.

ADJOURNMENT

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

Time of Adjournment: 7:42 P.M.

Respectfully submitted,



Daniel R. Quinn
City Clerk-Treasurer