

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, April 17, 2018
6:31 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT ZADZILKA

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: President Zadzilka
Alderman Berube, Pecoraro, Tylec

Absent: Aldерwoman Braun

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

TODAY IS STUDENT GOVERNMENT DAY

Mayor	Harrison Moll
City Attorney	Nina Marranca
City Clerk-Treasurer	Noel Nickerson
3rd Ward Alderman/Council President	Jacob Thompson
Alderman at Large	Rosie Kieffer
Alderman at Large	Austin Spatorico
1st Ward Alderman	Brandon Lynch
2nd Ward Alderman	Madison Heiss
City Judge	Angela Stevick
Appointed City Judge	William Guagliardo
Assistant City Attorney	Tatum Gonzalez
Building Inspector/Code Enforcement	Alex Euler
City Accountant	Jenna Hebler
City Engineer	Nick Przybyiski
Director of Youth, Recreation & Parks	Kira Dewey
Fire Chief	Leah Manth
Mayor's Assistant	Alec Roy
Police Chief	Ryder Uplinger

Community Development

Colin Krzystek

City Assessor

Marissa Smith

AUDIENCE PARTICIPATION

Sonia Dusza 123 Miller Street – The City Attorney knew what he was getting paid before he took the job. Is that not enough? If after a couple years he is doing a good job, than yes give him a raise. I remember reading in the NY Times that the Attorney General worked for the people of NY. I think that is common sense. Mr. Brown don't you agree that you represent the people? The item from the Building Inspector regarding the grass cutting, I hope they take pride in the work they are doing and not just leaving the grass all over the street and sidewalk. When they cut grass in my neighborhood it looks horrible. It is blown all over the place.

Karl Bower 1066 East Robinson Street – I think it is great that the students are getting a taste of this. I have met Mr. Brown on a few occasions, but what I would like to say is generally people in public sectors are not paid the same as in the private sector. We are behind the times when it comes to paying our public officials and we do not want constant turn around.

Alberta Roman 462 Walck Road – It is lovely seeing all these young people and people of all ages. I admire people asking for what they want. I have a couple of questions that occurred to me. How long has it been since the City Attorney did receive a pay increase and what about the other City Officials? Are they asking for a pay increase?

Shawn Nickerson 324 Wheatfield Street – I am a former City Attorney and I can state that the salary has not increased since 2003. As for the rest of the elected officials they have not changed since 2000. I believe those salary's should be looked at also. Look at the comparable from the other municipalities.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION APRIL 3, 2018

MOVED by Alderman Berube SECONDED by Alderman Tylec
That the minutes of the regular session meeting held April 3, 2018 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED 3/9/18, 3/16/18 & 3/23/18

- 1) Legal Notice – Bid Request for Landscape Contractors for grass, weed and brush cutting– Building Inspectors Office

PROOF OF PUBLICATION PUBLISHED 3/28 & 4/4/18

- 1) Legal Notice – For the Collection of the 2018 City Taxes – City Clerk-Treasurer

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

Should your Honorable Body concur, please pass a resolution to amend the North Tonawanda City Code, Chapter 62B per the above. This resolution should be passed effective January 1, 2019. If you have any questions, or need any additional information, please do not hesitate to contact me.

Sincerely,
Luke A. Brown, Esq.
City Attorney

MOVED by Alderman Berube **SECONDED** by Alderman Zadzilka
That the Common Council at a regular meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 p.m. on April 17, 2018 the following resolution was passed and reads as follows:

Article II: Salaries of Elected City Officials

62B-6: Salaries of Elected Officials of the City of North Tonawanda shall be as follows, effective January 1, 2019, or such other date as specified below:

Mayor:	\$50,000
City Clerk-Treasurer:	\$54,000
City Attorney:	\$75,000
Council President:	\$ 8,500
Council Members:	\$ 8,000 each

Subject to review by the City Attorney.

Ayes: Alderman Berube, Pecoraro, Zadzilka (3)
Nays: Alderman Tylec (1)
CARRIED

III.1 Clerk-Treasurer

April 2, 2018

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

Dear Honorable Mayor and Common Council:

Please be advised that I have received payment in full for back City, School and County taxes, per their tax agreement with the City, for the following parcel:

182.71-1-43 340 Bryant Street Gregory Guarino

Therefore, please pass the necessary resolution withdrawing this parcel from the appropriate In Rem foreclosure proceeding.

Thank you for your cooperation.

Very truly yours,
Daniel R. Quinn
City Clerk-Treasurer

MOVED by Alderman Zadzilka **SECONDED** by Alderman Tylec
That the Common Council hereby approves the removal of the following parcel:

182.71-1-43 340 Bryant Street Gregory Guarino

From the appropriate In Rem foreclosure proceeding for payment in full of City, School, and County taxes. Subject to review by the City Attorney.

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

MOVED by Alderman Pecoraro **SECONDED** by Alderman Tylec
 That the Common Council hereby approves of Nussbaumer & Clarke to replace the Adjustable Speed Drives on the pumps at the Water Treatment Plant for their proposal fee of \$25,000, subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

VII. Accountant

April 10, 2018

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 April 17, 2018 and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Regards,
 Amanda Reimer
 City Accountant

MOVED by Alderman Zadzilka **SECONDED** by Alderman Tylec
 That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated April 17, 2018 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$878,856.04
02	Water Fund	24,764.99
04	Sewer Fund	102,079.39
06	Capital Project Fund	46,242.07
82	CD-Block Grant	<u>40,000.00</u>
00	Final Total	<u>\$1,091,942.49</u>

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

Nays: None (0)

CARRIED.

X. Police Chief

April 2, 2018

Honorable Arthur G. Pappas
 And Common Council
 City Hall
 North Tonawanda, NY 14120

Dear Honorable Body:

Would you please re-appoint Michelle A. Day, 290 DiMatteo Dr., North Tonawanda, NY 14120, as Commissioner of Deeds for the City of North Tonawanda beginning May 4, 2018 and ending May 3, 2020.

Roger R. Zgolak
 Chief of Police

04-17-2018

MOVED by Alderman Tylec SECONDED by Alderman Berube
That the Common Council hereby approves of Michelle A. Day, 290 DiMatteo Dr.,
North Tonawanda, NY 14120 to be re-appointed as a Commissioner of Deeds for
the City of North Tonawanda, effective May 4, 2018 and ending May 3, 2020.

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

Nays: None (0)

CARRIED.

XIX. Building Inspector

April 10, 2018

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

Re: Weed Cutting Contract

Attached please find copies of the only two proposals received by this department for brush, weed cutting and cleanup of private property for the 2018 season.

We sent out ten request for bids to local landscaping contractors, and advertised request for bids in the Buffalo News. We received a total of two bids, copies included.

After opening said bids in the presence of the City Clerk and a review of same, I recommend that the 2018 Weed Contract be awarded to the lowest responsible bidder, Complete Lawn Care & Fencing, Inc., 378 Witmer Road, North Tonawanda, NY 14120. This is the same company we used for 2017 and are satisfied with their performance.

If you have any questions or need additional information, please let me know.

Cosimo R. Capozzi
Building Inspector

MOVED by Alderman Pecoraro SECONDED by Alderman Zadzilka
That the Common Council hereby awards the bid for the 2018 Weed Contract to Complete Lawn Care & Fencing, Inc., 378 Witmer Road, North Tonawanda, NY 14120, subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

XXV. Monthly Reports

.1 Clerk-Treasurer .2 Senior Citizen Center

MOVED by Alderman Berube SECONDED by Alderman Zadzilka
That the Common Council hereby, approves the aforementioned Monthly Reports.
CARRIED.

COMMUNICATIONS FROM OTHERS

A.

Natalie Brown

March 28, 2018

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

Dear Common Council Members,

My name is Natalie Brown. I own and manage the Project 308 Gallery located at 308 Oliver Street in North Tonawanda. I am requesting Oliver Street to be closed from Robinson St. to Schenck Street on Saturday, August 4, 2018 from 9AM – 5PM for the 5th Annual Oliver Street Art Festival. I am excited to bring the art festival to the neighborhood for its fifth year!

Although the main goal of the festival is to celebrate the arts and to support local artists, I also make an effort to support other community members. Over the past few years, I have collaborated with several local organizations to make the event a success, including the Oliver Street Merchants Association, of which I am a member, Western NY Books Arts Center and the West Side Bazaar. I work with my neighboring businesses to ensure that the festival is accepted in the community. Wattengal Funeral Home (across the street from the gallery) allows the participating artists and attendees to park in their lot. Academy Auction (next door to the gallery) sponsored a rock climbing wall last year.

The 2018 festival will feature over 50 local artists and live music all day. We will have a kid's tent where children can create a craft for free. I will work to form new relationships with local organizations and businesses and continue to strengthen the partnerships I already have. Allowing me to close the street to host the festival is the first step towards a successful and fun event for the community. Please feel free to contact me with questions at the number below. Thank you for your time and consideration.

Sincerely,
Natalie Brown

MOVED by Alderman Tylec

SECONDED by Alderman Zadzilka

That the Common Council hereby grants permission to Project 308 Gallery to block off Oliver Street from Robinson Street to Schenck Street, Saturday, August 4, 2018 from 9 AM to 5 PM for their annual Oliver Street Art Festival, and directs the DPW to provide barricades for said event.

Ayes: Alderman Berube, Pecoraro , Tylec, Zadzilka

(4)

Nays: None

(0)

CARRIED.

B.

NT National Little League

April 6, 2018

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

Re: Parade Permit

Dear Honorable Body:

The North Tonawanda National Little League is planning to hold its Opening Day activities on Saturday May 19, 2018. The primary kick-off activity is the annual Little League Parade.

of the Bridge, for a few minutes, as the soap box cars take a run down the bridge hill. Once the soap box cars have gotten to the bottom of the hill, traffic can be allowed through. We will take a few runs down the hill over the course of about one hour.

This is racing, with only some who will win the race, but we hope all the youth and mentors will have the adventure of a lifetime. There will be tremendous value in spending time together, assembling, traveling and racing. We hope our youth and mentors value the opportunity to develop respect, trust, pride and sportsmanship.

When each racer has advanced as far as they can in sanctioned races, the cars will be reclaimed, taken apart, and reused again with other children the following year.

We look forward to this great new adventure! If you have any questions, please contact me. Thank you for considering our request.

Sincerely,
Karl Heilemann

MOVED by Alderman Berube **SECONDED** by Alderman Tylec
That the Common Council hereby grants permission to close the Thompson Street (Durkee) Bridge on Saturday, May 5, 2018 10:00AM – 11:00AM with a rain date of Saturday May 12, 2018, 10:00AM – 11:00AM, so the Nor-Ton Red Jacket Club, Inc. can do practice runs for their upcoming “Soap Box Derby for Youth and Mentors”, and directs the Auxiliary Police to assist for traffic control.

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

Nays: None (0)

CARRIED.

G.
Peter Chenier

April 10, 2018

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

Dear Mayor Pappas,

Canal Fest of the Tonawandas Inc. is requesting permission from the City of North Tonawanda to hold the 36th annual festival from Sunday, July 15 – Sunday, July 22, 2018. We are seeking permission to use certain city facilities and streets including manpower from certain city departments. Included with this letter are our requests for the year 2018.

Canal Fest looks forward to another successful event for our membership and the Twin Cities. North Tonawanda has always contributed to this success and we hope to maintain our good working relationship for many years to come.

Thank you for your time and consideration of our requests.

Respectfully,
Peter R. Chenier, President
Canal Fest of the Tonawandas Inc.

MOVED by Alderman Tylec **SECONDED** by Alderman Pecoraro
That the Common Council hereby grants permission to the Canal Fest of the Tonawandas, Inc. To hold their annual Canal Fest Sunday, July 15, 2018 to Sunday, July 22, 2018 with provisions outlined in agreement submitted by the City Attorney’s Office between City of North Tonawanda and Canal Fest of the Tonawandas, Inc.

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

Nays: None (0)

CARRIED.

AUDIENCE PARTICIPATION

Alex Domaradzki 1383 Sherwood – I would like to thank Katie Harrington from the School District and the City Officials for making this day possible.

Peter Chenier 1666 Eddy Drive – I would like to thank the Council and the City for supporting the Canal Fest this year.

Richard Madej 499 Witmer Road – I would like to thank the DPW for the work they did during the wind storm. Drainage on Witmer has been an issue. Can anything be done along the terrace? Some of the drainage pipe is a foot, some is smaller. Much of it has been done by the residents. Can the City exam the existing drainage pipes to see if anything can be done to improve?

Kristen O'Sullivan 192 Walter Drive – I should not have found out on Facebook about the Dog Control Officer being let go.

Zack Niemiec 384 Robinson Street – On behalf of the School District I would like to thank the City. I was part of it for all four years of my high school time and I hope all the students enjoyed the time spent today.

Sonia Dusza 123 Miller Street – It reminded me of the 80's with that last exchange. This is how the Common Council used to be with a lot of back and forth. We are not here to be adversarial, we care about our City. I did see the agenda and felt it was important to be here. Mr. Tylec I read in the extra you said Sommer Street was high density. Sommer Street is not high density. North Tonawanda is still a bedroom community. We have things in our community that other larger community's do not have. If we do not clean up our City we are going to continue having neighborhoods that our down, because of selective enforcement. One of the reasons is the deliberate indifference of the Building Inspector. I want to put you on notice again in regards to Sommer, Carruthers, Miller and Oliver Streets we have violations that are ignored. CSX has dumped a pile of dirt that has been sitting in the same location since Mayor Ortt. If you care, take an interest in your neighborhood.

John Lukasik 454 Schenck Street – I would like to congratulate the students on doing a great job. We need to push out the older people.

ADJOURNMENT

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

Time of Adjournment: 7:18 P.M.

Respectfully submitted,



Daniel R. Quinn
City Clerk-Treasurer