

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, June 5, 2018
6:36 P.M.**

REGULAR SESSION CALLED TO ORDER BY PRESIDENT ZADZILKA

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: None

**Also Present: Mayor Arthur G. Pappas
Assistant City Attorney Nick Robinson**

AUDIENCE PARTICIPATION

Sonia Dusza 123 Miller Street – On the agenda, I have several items. When the Auditor was speaking and was asking the Alderman to turn to page so an so, it would have been nice if we could of seen the same thing. Regarding the Wastewater Superintendent pay increase we, like other communities, are distressed. We are one of the highest taxed communities in the Nations. I have been a big proponent of community planning. What has changed with the Section 3 HUD that we have to adopt it again? I would like to see public hearings advertised better. We want to see people engaged.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION MAY 15, 2018

**MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
That the minutes of the regular session meeting held May 15, 2018 be approved as circulated
and filed in the Office of the City Clerk.
CARRIED.**

PROOF OF PUBLICATION PUBLISHED 5/16/2018

- 1) Legal Notice – Public Hearing to discuss the City’s Economic Development Programs,
and potential submission of an application for Community Development Block Grant
Funding – Community Development**

PROOF OF PUBLICATION PUBLISHED 5/25/2018

- 1) Annual Drinking Water Quality Report for 2017 for the City of North Tonawanda –
Superintendent Wastewater/Water**

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

COMMUNICATIONS FROM CITY OFFICIALS

I. Mayor

May 29, 2018

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

Dear Honorable Body:

Please be advised that William M. Davignon, Superintendent of Wastewater/Water, salary will increase from Step 4 \$89,894 to \$99,052 because the added responsibility of Water Distribution.

If you have any questions, please don't hesitate to contact my office. Thank you.

Sincerely,
Arthur G. Pappas
Mayor

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
That the Common Council hereby tables the salary increase for William M. Davignon
Superintendent of Wastewater/Water for further review.

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

Nays: None (0)

CARRIED.

V.1 Supt. Wastewater/Water

May 24, 2018

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

Re: Award of Bid for S.W. Primary Digester Cleaning at the Wastewater
Treatment Plant

Honorable Body:

On May 3, 2018 bids were received and opened for S.W. Primary Digester Cleaning services at the Wastewater Treatment Plant.

Based upon these bids, I recommend that National Vacuum Environmental Services Corp., 408 47th St., Niagara Falls, NY 14304 be awarded the contract at their low bid price of \$235,300. The award of this contract has been approved by the City Attorney.

I respectfully request that you review and approve this contract at your next available City Council meeting. Please contact me if you have any questions or concerns regarding this Bid Award.

Thank you for your time and consideration of my request.

Sincerely,
William M. Davignon
Superintendent of Wastewater/Water

MOVED by Alderman Zadzilka SECONDED by Alderman Braun
That the Common Council hereby awards the contract for the S.W. Primary Digester
Cleaning at the Wastewater Treatment Plant, to National Vacuum Environmental Services

Corp., 408 47th St., Niagara Falls, NY 14304, at their low bid amount of \$235,300. Subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

V.2 Supt. Wastewater/Water

May 29, 2018

Hon. Mayor and Common Council

216 Payne Avenue / City Hall

North Tonawanda, NY 14120

Re: Renewal of Agreement with Enerscope

Honorable Mayor and Common Council Members:

Our annual agreement with Enerscope will expire as of June 30, 2018. Enerscope provides consulting services for the procurement of Natural Gas for the Wastewater & Water Treatment Plants.

The renewal fee for the July 1, 2018 – June 30, 2019 contract year will be \$3,600.00 (\$300.00 per month) inclusive for the Wastewater account. Continued inclusion of the Water Filtration Plant account for this contract will be an additional \$600.00 (\$50.00 per month). In addition, the annual fee for bidding will be \$750.00. Total annual cost of this contract will be \$4,950.00 which is the same as last year.

We have used Enerscope for many years and have realized significant savings in our Natural Gas cost. For example, we saved \$27,741.00 for the year starting Sept. 2016 and ending Aug. 2017.

Once the City Attorney has reviewed this agreement, I would appreciate your approval to retain Enerscope's services for the next year.

Thank you in advance for your time and consideration of my request.

Sincerely,
William M. Davignon
Superintendent of Wastewater/Water

MOVED by Alderman Tylec

SECONDED by Alderman Zadzilka

That the Common Council hereby approves the renewal agreement with Enerscope 187 Mill Landing, Rochester, NY 14626 to provide consulting services for the procurement of Natural Gas for the Wastewater & Water Treatment Plants for July 1, 2018 – June 30, 2019. The renewal fee will be \$3,600.00 (\$300.00 per month) inclusive for the Wastewater account. Continued inclusion of the Water Filtration Plant account for this contract will be an additional \$600.00 (\$50.00 per month) with an additional annual fee for bidding will be \$750.00. Total annual contract cost will be \$4,950.00, subject to further review by the City Attorney.

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

Nays: None (0)

CARRIED.

VII.1 Accountant

May 8, 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 June 5, 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 Pecoraro SECONDED by Alderman Braun
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated June 5, 2018 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$334,114.18
02	Water Fund	23,487.18
04	Sewer Fund	78,715.53
06	Capital Project Fund	196,465.62
07	Trust & Agency Fund	<u>517.26</u>
00	Final Total	<u>\$633,299.77</u>

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

VII.2 Accountant

May 8, 2018

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

Dear Honorable Body:

Mr. Rich Ertel, Partner, from Amato Fox and Company will be at the June 5, 2018 Common Council meeting to present to you the City's Audited Financial Statements for the Fiscal Year Ended December 31, 2017.

Please pass the attached resolution, subsequent to Mr. Ertel's presentation, to acknowledge presentation and receipt of the attached 12.31.2017 Financial Statements.

Resolution to accept the 12.31.2017 Financial Statements as presented by Amato Fox & Co., PC

Whereas, Amato Fox & Company, PC has audited and prepared the City of North Tonawanda's Financial Statements for the fiscal year ended December 31, 2017; and

Whereas, a representative of Amato Fox & Company, PC presented the 12.31.2017 Financial Statements to the Common Council at a meeting held June 5, 2018 to consider, accept and file the 12.31.17 City of North Tonawanda Audited Financial Statements.

Now, therefore, be it resolved, that the Common Council of the City of North Tonawanda, Niagara County, New York, acknowledges receipts if the 12.31.2017 City of North Tonawanda Audited Financial Statements and that a copy of said statements be placed on file in the Office of the City Clerk-Treasurer.

Regards,
Amanda Reimer
City Accountant

MOVED by Alderman Zadzilka **SECONDED** by Alderman Berube
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 June 5, 2018 the following resolution was passed:

**RESOLUTION TO ACCEPT THE 12.31.2017 FINANCIAL STATEMENTS AS
PRESENTED BY AMATO FOX & CO., PC**

WHEREAS, Amato Fox & Company, PC has audited and prepared the City of North
Tonawanda's Financial Statements for the fiscal year ended December 31, 2017;and

WHEREAS, a representative of Amato Fox & Company, PC presented the 12.31.2017
Financial Statements to the Common Council at a meeting held June 5, 2018 to consider, accept
and file the 12.31.17 City of North Tonawanda Audited Financial Statements.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of North
Tonawanda, Niagara County, New York, acknowledges receipts if the 12.31.2017 City of North
Tonawanda Audited Financial Statements and that a copy of said statements be placed on file in
the Office of the City Clerk-Treasurer.

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

VII.3 Accountant

May 30, 2018

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

Dear Honorable Body:

In March 2018, the City received notice that it would be the recipient of \$2.5 million in funding from the State of New York's Smart Growth Fund. My office was notified by the Director of Community Development, that by accepting these funds, the City would need to issue Serial Bonds to cover the City's share of funding towards these projects. Accordingly, a bond resolution is attached designating \$375,000 towards the estimated cost of improvements at Gateway Harbor Park and \$253,000 which represents the City's portion of the cost of the Main Street Green Infrastructure Improvement Project.

Furthermore, on June 28, 2017, the City contracted with Wendel Engineers to perform a long-term Capital Improvement Plan for its Wastewater Treatment Facilities. The City anticipates applying for grants in July 2018 to offset the costs associated with this plan. As a prerequisite to the grant application, the City must adopt a bond resolution for the maximum cost of the Capital Improvement Plan. The amount of the adopted bond resolution does not imply that the City has approved a Capital Plan in the same amount. A final Capital Improvement Plan will be presented to the Common Council for approval subsequent to notification of grant awards. The maximum amount to be authorized for issuance in regards to the WWTP Capital Improvement Plan is \$12,046,000.

Accordingly, please have this resolution authorizing the issuance of \$12,674,000 in Serial Bonds adopted by at least a two-thirds vote of the body and have it published in the official newspaper of the City, together with a legal notice of estoppel.

Regards,
Amanda Reimer
City Accountant

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
At a regular meeting of the Common Council of the City of North Tonawanda, in the County of Niagara, New York, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 p.m. on June 5, 2018.

PRESENT: Eric M. Zadzilka, President
 Donna Braun, Alderman
 Mark Berube, Alderman
 Robert E. Pecoraro, Alderman-at-Large
 Austin Tylec, Alderman-at-Large

ABSENT: None

The following resolution was offered by Alderman Zadzilka who moved its adoption, seconded by Alderman Pecoraro; to-wit:

BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE "CITY") AUTHORIZING THE ISSUANCE OF \$12,674,000 IN SERIAL BONDS OF THE CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS

WHEREAS, the Common Council of the City of North Tonawanda (the "City") proposes to authorize the issuance of \$12,674,000 in serial bonds of the City to finance various public improvements and purposes, as described herein, appropriate funds for such purposes and to make certain determinations in connection with such purposes; and

WHEREAS, all conditions precedent to the financing of each of the objects or purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act (collectively, "SEQRA"), have been performed and therefore no further action need be taken by the Common Council under SEQRA as a pre-condition to the adoption of this resolution; and

WHEREAS, the Common Council now wishes to appropriate funds for the various public improvements and purposes and to authorize the issuance of the City's bonds and bond anticipation notes to be issued to finance said appropriation.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), **AS FOLLOWS:**

SECTION 1. The City is hereby authorized to issue \$375,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the estimated cost of improvements to Gateway Harbor Park consisting of (i) the construction of an approximately 840 square-foot ADA-compliant facility with handicap accessible facilities for multiple use with showers, a storage room, and an office for the harbor master, (ii) the construction of new retaining walls with railings, (iii) the acquisition and installation of picnic tables and benches, (iv) renovations and improvements to the retaining walls, pavilion, picnic areas, lighting and railings, (v) the construction and extension of approximately 450 feet of docks to link Sweeney Docks with Gateway Harbor Park including upgraded book utility hookups, and (vi) and all related equipment, machinery, apparatus, appurtenances and incidental improvements related to each of the foregoing. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$1,575,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$375,500 in serial bonds of the City, or bond anticipation notes issued in anticipation of such serial bonds, (ii) the application of \$325,000 in grant monies expected to be received by the City from the New York State Environmental Facilities Corporation (Smart Growth Fund), (iii) the application of \$100,000 in grant monies expected to be received by the City from the New York State Canal Corporation, (iv) the application of \$700,000 in grant monies expected to be received by the City from the New York State Department of State (Local Waterfront Revitalization Program), (v) the expenditure of \$75,000 in current funds of the City, and (vi) to the extent necessary, the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds or bond anticipation notes and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is fifteen (15) years, pursuant to subdivisions 7., 12-a, 19(c) and 91. of paragraph a. of Section 11.00 of the Law.

SECTION 2. The City is hereby authorized to issue \$253,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of portions of the Main Street Green Infrastructure Improvement Project consisting of (i) the design and construction of bioretention facilities along Main Street from Island Street to Thompson Street to collect and remove contaminants and sediment from stormwater runoff, (ii) the construction of new sidewalks, bike lanes, lighting, and plantings, (iii) crosswalk enhancements, additions of benches and bicycle racks, and implementation of complete streets principles on Main, Webster, and Oliver Streets, (iv) pocket park enhancements to improve safety and increase amenities, (v) signage and landscaping improvements, (vi) pedestrian and bicycle crossing enhancements at intersections on River Road, (vii) the construction of additional green space along Main Street, (viii) the reconfiguration of traffic lanes, and (ix) any appurtenant and incidental costs and expenses to each of the foregoing. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$996,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$253,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the application of \$350,000 in grant monies expected to be received by the City from the New York State Environmental Facilities Corporation (Smart Growth Fund), (iii) the application of \$353,000 in grant monies expected to be received by the City from the New York State Department of Environmental Conservation (Water Quality Improvement Program), (iv) the expenditure of \$40,000 in current funds of the City, and (v) to the extent necessary, the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds or bond anticipation notes and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is five (5) years, pursuant to subdivision 89. of paragraph a. of Section 11.00 of the Law.

SECTION 3. The City is hereby authorized to issue \$6,008,000 principal amount of serial bonds pursuant to the Law to finance the estimated cost of acquiring, constructing and installing upgrades and replacements to existing equipment at the City's wastewater treatment plant, including the replacement of the grit removal system and critical pumping systems, upgrades to the chlorination system, lighting systems, electrical systems, and all incidental and appurtenant improvements and expenses. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$6,008,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$6,008,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the application of any federal or state grant monies received by the City with respect to such project to either directly pay or reimburse the costs thereof, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivision 4. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The City is hereby authorized to issue \$6,038,000 principal amount of serial bonds pursuant to the Law to finance the estimated cost of replacing approximately 11,000 water meters and associated equipment in residential and commercial buildings located throughout the City, including all incidental and appurtenant improvements and expenses. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$6,038,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$6,038,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the application of any federal or state grant monies received by the City with respect to such project to either directly pay or reimburse the costs thereof, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is twenty (20) years, pursuant to subdivision 30. of paragraph a. of Section 11.00 of the Law.

SECTION 5. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures as part of the projects described herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations, and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00, Section 62.10 and Section 63.00 of the Law, the powers and duties of the Common Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the City Treasurer, the chief fiscal officer of the City. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for any of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more other objects or purposes authorized by this resolution or other resolutions of the Common Council, then the power of the Common Council to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the City Treasurer, as the chief fiscal officer of the City.

SECTION 8. The City Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The City Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of any of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the City Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Common Council.

SECTION 11. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 12. This resolution shall take effect immediately and the City Clerk is hereby authorized and directed to publish the foregoing resolution in full, or a summary thereof, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the

official newspaper(s) of the City (a) for such publication, and (b) for the publication of the notice of sale in connection with any bonds issued pursuant to this resolution.

The following vote was taken and recorded in the public or open session of said meeting:

AYES: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka (5)
NAYS: None (0)

This resolution shall take effect immediately.

STATE OF NEW YORK)
COUNTY OF NIAGARA) S.S.:

I, the undersigned City Clerk of the City of North Tonawanda, DO HEREBY CERTIFY as follows:

1. I am the duly qualified and acting City Clerk of the City of North Tonawanda, Niagara County, New York (the "City") and the custodian of the records of the City, including the minutes of the proceedings of the Common Council of the City, and am duly authorized to execute this certificate.

2. A regular meeting of the Common Council of the City of North Tonawanda, Niagara County, State of New York (the "Common Council"), was held on June 5, 2018, and attached hereto is a true and correct copy of a resolution duly adopted at such meeting and entitled:

**BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
 NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE "CITY")
 AUTHORIZING THE ISSUANCE OF \$12,674,000 IN SERIAL BONDS OF
 THE CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS**

3. That said meeting was duly convened and held and that said resolution was duly adopted in all respects in accordance with the law and regulations of the City. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (2/3's of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under the law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including the publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

4. The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the City of North Tonawanda this 5th day of June 2018.

Daniel R. Quinn
City Clerk-Treasurer

ESTOPPEL NOTICE

The resolution, a summary of which is published herewith, has been adopted by the Common Council of the City of North Tonawanda on June 5, 2018, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of North Tonawanda, Niagara County, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Daniel R. Quinn, City Clerk
City of North Tonawanda

SUMMARY OF BOND RESOLUTION

Set forth below is a summary of said resolution adopted by the Common Council of the City of North Tonawanda on June 5, 2018.

1. The resolution is entitled **“BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE “CITY”) AUTHORIZING THE ISSUANCE OF \$12,674,000 IN SERIAL BONDS OF THE CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS”**.

2. The resolution authorized serial bonds of the City for the following respective specific objects or purposes, including all the respective principal amounts, and the respective periods of probable usefulness (“PPU”), as indicated below:

(1) Bonds in the principal amount of \$375,000 to finance the cost of improvements to Gateway Harbor Park consisting of (i) the construction of an approximately 840 square-foot ADA-compliant facility with handicap accessible facilities for multiple use with showers, a storage room, and an office for the harbor master, (ii) the construction of new retaining walls with railings, (iii) the acquisition and installation of picnic tables and benches, (iv) renovations and improvements to the retaining walls, pavilion, picnic areas, lighting and railings, (v) the construction and extension of approximately 450 feet of docks to link Sweeney Docks with Gateway Harbor Park including upgraded book utility hookups, and (vi) and all related equipment, machinery, apparatus, appurtenances and incidental improvements related to each of the foregoing; PPU of 15 years;

(2) Bonds in the principal amount of \$253,000 to finance a portion of the cost of the Main Street Green Infrastructure Improvement Project consisting of (i) the design and construction of bioretention facilities along Main Street from Island Street to Thompson Street to collect and remove contaminants and sediment from stormwater runoff, (ii) the construction of new sidewalks, bike lanes, lighting, and plantings, (iii) crosswalk enhancements, additions of benches and bicycle racks, and implementation of complete streets principles on Main, Webster, and Oliver Streets, (iv) pocket park enhancements to improve safety and increase amenities, (v) signage and landscaping improvements, (vi) pedestrian and bicycle crossing enhancements at intersections on River Road, (vii) the construction of additional green space along Main Street, (viii) the reconfiguration of traffic lanes, and (ix) any appurtenant and incidental costs and expenses to each of the foregoing; PPU of 5 years;

(3) Bonds in the principal amount of \$6,008,000 to finance the cost of acquiring, constructing and installing upgrades and replacements to existing equipment at the City’s wastewater treatment plant, including the replacement of the grit removal system and critical pumping systems, upgrades to the chlorination system, lighting systems, electrical systems, and all incidental and appurtenant improvements and expenses; PPU of 40 years; and

(4) Bonds in the principal amount of \$6,038,000 to finance the cost of replacing approximately 11,000 water meters and associated equipment in residential and commercial buildings located throughout the City, including all incidental and appurtenant improvements and expenses; PPU of 40 years.

3. Aggregate amount of Debt Obligations Authorized: up to \$12,674,000.

The resolution summarized herein shall be available for public inspection during normal business hours at the offices of the City Clerk/Treasurer, City of North Tonawanda, City Hall, 216 Payne Avenue, North Tonawanda, New York 14120.

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

X. Police Chief

May 21, 2018

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

Dear Honorable Body:

Would you please reappoint Thomas E. Krantz, 303 Oakdale Drive, North Tonawanda, NY 14120 as Commission of Deeds for the City of North Tonawanda beginning June 18, 2018 and ending June 17, 2020.

**Roger R. Zgolak
Chief of Police**

MOVED by Alderman Tylec SECONDED by Alderman Braun
 That the Common Council hereby grants the reappointment of Thomas E. Krantz, 303
 Oakdale Drive, North Tonawanda, NY 14120, as a Commissioner of Deeds for the City of
 North Tonawanda, effective June 18, 2018 and expiring June 17, 2020.
 Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka (5)
 Nays: None (0)
 CARRIED.

XI. Fire Chief

February 13, 2018

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

Re: Commission of Deeds

Dear Honorable Body:

I would like to request the following members of the North Tonawanda Fire Department be
 reappointed Commissioner of Deeds:

1. Joseph D. Sikora, 522 Homestead Drive, North Tonawanda, NY 14120
2. Douglas D. Orłowski, 964 Pioneer Drive, North Tonawanda, NY 14120
3. Glenn A. Richau, 455 Evans Street, North Tonawanda, NY 14120

Sincerely,
 Joseph D. Sikora
 Fire Chief

MOVED by Alderman Berube SECONDED by Alderman Pecoraro
 That the Common Council hereby grants the reappointment of Joseph D. Sikora, 522
 Homestead Drive, North Tonawanda, NY 14120, Douglas D. Orłowski, 964 Pioneer Drive,
 North Tonawanda, NY 14120 and Glenn A. Richau, 455 Evans Street, North Tonawanda,
 NY 14120, as a Commissioner of Deeds for the City of North Tonawanda, effective June 22,
 2018 and expiring June 21, 2020.
 Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka (5)
 Nays: None (0)
 CARRIED.

XIV.1 Youth, Recreation & Parks

May 21, 2018

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

Dear Honorable Body:

As you are all aware, the new bandshell at Raymond Klimek Veterans Park is a reality due
 to the Niagara River Greenway Grant. In order to satisfy the grant requirements the City
 is obligated to erect a sign that is in a consistent manner throughout the Greenway in order
 to guide visitors in a systematic fashion. This has the dual advantage of promoting the
 Greenway and the diverse attractions within.

Attached please find a copy of the sign specs that will be made by Cooper Signs. Once you
 agree with the signage, fabrication can begin. This will be the last piece of the grant
 procedure.

If you have any questions please feel free to contact me.

Recreationally yours,
Patricia A. Brosius
Director of Youth, Recreation & Parks.

MOVED by Alderman Berube **SECONDED** by Alderman Zadzilka
That the Common Council hereby approves of the sign specs from Cooper Signs, for the
Greenway at Raymond Klimek Veterans Park, for the new band shell.

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

Nays: None (0)

CARRIED.

XIV.2 Youth, Recreation & Parks

May 22, 2018

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

Dear Honorable Body:

As you are aware, the City of North Tonawanda sent out a request for proposals for the Sweeney Canal Dock Commercial License in May of 2018. We received two proposals from professional businesses. A review committee was convened with representation from the City's Community Development Department and the Department of Youth, Recreation and Parks, to review the proposals and provide a recommendation to the Council.

Upon review the committee is recommending the City select the proposal submitted by Niagara River Cruises, Inc. Niagara River Cruises has established their business in this dock for the past five (5) years and is in good standings with the City. Once the new docks are completed next spring, it is recommended that the proposal from Buffalo Cycleboats LLC also be accepted.

I am hereby requesting this Honorable Body consider selecting Niagara River Cruises, Inc. for the present docking space at Gateway with Buffalo CycleBoats LLC receiving the second docking space when it is available in 2019 for the seasonal rate of \$1800 for each dock.

Please let me know if you have any further questions or concerns. Thank you for your consideration.

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

MOVED by Alderman Pecoraro **SECONDED** by Alderman Zadzilka
That the Common Council hereby approves of Niagara River Cruises, Inc. for the Sweeney
Canal Dock Space Commercial License for the 2018 Season at a rate of \$1800, and tables the
request from Buffalo Cycleboats LLC, subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

XIV.3 Youth, Recreation & Parks

May 30, 2018

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

Dear Honorable Body:

In April of 2018, the City of North Tonawanda sent out a request for proposals for a Memorial Pool Feasibility Study. We received three proposals from professional businesses. A review committee was convened with representation from the City's Engineers Department, the Accounting Department, a Member of the Common Council and the Department of Youth, Recreation & Parks, to review the proposals and provide a recommendation to the Council.

Upon review the committee is recommending the City select the proposal submitted by Brandstetter Carroll, Inc Architects Firm, 2360 Chauvin Drive, Lexington, Kentucky. BCI has over 38 years' experience in municipal aquatics, completing over 125 pools, nearly half of which are renovations.

I am hereby requesting this honorable body consider selecting Brandstetter Carroll, Inc. as the engineer firm to perform a feasibility study on Memorial Pool for a fee of \$24,000.

Please let me know if you have any further questions or concerns. Thank you for your consideration.

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

MOVED by Alderman Pecoraro SECONDED by Alderman Tylec
That the Common Council hereby approves of Brandstetter Carroll, Inc. Architects Firm, 2360 Chauvin Drive, Lexington, Kentucky as the engineering firm to perform a feasibility study on Memorial Pool at their proposal fee of \$24,000, subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

XVII. Traffic Safety

May 21, 2018

Daniel R. Quinn
City Clerk-Treasurer
216 Payne Avenue
North Tonawanda, NY 14120

Traffic Safety Minutes:

The May 2018 meeting of the North Tonawanda Traffic Safety Committee was called to order at 1800 hours. Roll call showed the following members present: R. Frank, J. Sikora, M. Daigler, D. Grinnell. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

1. The daycare signs in front of Sweet Angels Daycare on Erie Avenue have been completed by the Traffic Department.
2. The Ruie Road/Nash Road "School Signs" were completed by the Traffic Department. "No Standing" will be added to the Nash Road signs in the near future.
3. Member Frank had Traffic Officer Cress check the intersection of Payne Avenue and Schenck Street which does not have a traffic problem at this time.
4. Member Daigler spoke with Judy Mittiga of 321 Oliver Street and changed the signs in front of her store to "30 Minute Parking Only".
5. Member Daigler spoke to National Little League member, Todd Skoczlas, about Stephen Sikora Drive. "No Parking" signs have been completed by the Traffic Department. NTNLL have completed some of their own signage also.
6. Member Daigler and Member Sikora checked the parking signs at Hyland Street @ East Robinson Street and do not believe there is a parking problem.

- 7. Member Daigler and Member Sikora spoke to Peter Wozniak who wanted a “No Turn on Red” at Zimmerman St. @ Erie Avenue. Wozniak was informed to wait until he opens his new establishment and we will revisit any problems with the current traffic controls.
- 8. Member Daigler received an email from the Mayor’s Office regarding the traffic not yielding to boaters with trailers at Gratwick Park. Daigler will put up the appropriate signs which read “Vehicle Traffic to Yield to Boat Trailers”. Committee members agree.
- 9. Member Daigler received a call from citizens (no names attached) to remove signs at Payne Avenue @ Goundry street and Payne Avenue @ Tremont Street. The committee will review these intersections and discuss it at the next meeting.
- 10. Member Frank spoke to Bonnie Boskat in regards to the speeding on Sherwood Avenue. The speed sign has been placed at the east end of Sherwood Avenue.
- 11. Member Frank received an email from Jeannie Geartz regarding the stop sign removal at St. Josephs St. @ Wallace Avenue. Geartz believes that cars are speeding more now which is a safety issue. The committee has received numerous compliments on the removal of the sign. Frank will have Traffic Officer Cress run radar to see if there is a problem.
- 12. Member Sikora received an email from Rob Depaolo who spoke to the homeowner at 172 Linwood Avenue. The homeowner would like to relocate the “No Parking” sign that is next to his driveway. Member Daigler will look into the possible movement of the sign to a different pole.
- 13. Member Sikora received an email from Larry Weatherbee who states that the vehicles speeding on Sweeney Street has increased. Weatherbee would like a traffic control device on Sweeney Street. The committee does not believe we need another traffic control device at this time. Member Frank will have Traffic Officer Cress run radar and the speed sign will be placed on Sweeney Street.

Meeting adjourned at 1900 hours.

Travel safely,
Robert J. Frank

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
 That the Common Council hereby approves of Traffic Safety recommendations #2, #4 and #8, and receives and files their May meeting minutes.
 Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka (5)
 Nays: None (0)
 CARRIED.

XXV. Monthly Reports

.1 Clerk-Treasurer .2 Police Department

MOVED by Alderman Berube SECONDED by Alderman Braun
 That the Common Council hereby, approves and receives and files the aforementioned Monthly Reports.
 CARRIED.

XXXII.1 Community Development

May 29, 2018

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

Re: Section 3 Participation Plan

Dear Honorable Body:

In order for the City to continue applying for and receiving Community Development Block Grant (CDBG) funding through the New York State Office of Community Renewal (OCR), the City is required to have an up to date and adopted Section 3 Participation Plan.

Section 3 of the Housing and Urban Development Act of 1968, as amended, (“Section 3”) requires that economic opportunities generated by certain U.S. Department of Housing and Urban Development financial assistance for housing and community development programs be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and business concerns which provide economic opportunities to low- and very low-income persons.

Section 3 is intended to ensure that when employment or contracting opportunities are generated because a covered project or activity necessitates the employment of additional persons or the awarding of contracts for work, preference must be given to low- and very low-income persons or business concerns residing in the community where the project is located. Section 3 “covered assistance” includes public housing development, operating or capital funds; or other housing assistance and community development assistance expended for housing rehabilitation, housing construction or other public construction projects, such as: CDBG, HOME, 202/811, Lead-Based Paint Abatement, etc.

A Section 3 “covered project” involves the construction or rehabilitation of housing (including reduction of lead-based paint hazards), or other public construction such as street repair, sewage line repair or installation, updates to building facades, or other public construction, etc. Section 3 “covered funding” includes Community Development Block Grants (CDBG), Home Investment Partnership Assistance (HOME), Emergency Shelter Grants (ESG), Neighborhood Stabilization Programs (NSP), and certain grants awarded under HUD Notices of Funding Availability. The requirements for Section 3 only apply to the portions of covered funding that were used for project/activities involving housing construction, rehabilitation, demolition, or other public construction.

The City has in the past utilized funding from these sources and is considering applications in the near future for CDBG public infrastructure funding, CDBG housing rehabilitation funding, and HOME investment funding. The adoption of the attached Section 3 Participation Plan is required to facilitate these future applications for funding.

Please let me know if you have any questions or need any further detail. Thank you for your time and consideration.

**Kindest regards,
Michael Zimmerman
Director of Community Development**

**MOVED by Alderman Pecoraro 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 June 5, 2018 the following resolution was passed:**

AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR COMMUNITY DEVELOPMENT

WHEREAS, the City of North Tonawanda intends to apply for future assistance provided by the United States Department of Housing and Urban Development (HUD) and the New York State Office of Community Renewal (OCR); and

WHEREAS, HUD and OCR require potential applicant communities to be in compliance with all applicable Federal and State regulations including the adoption of a Section 3 Participation Plan; and

WHEREAS, the City Community Development Department has prepared the enclosed Section 3 Participation Plan, now, therefore, be it

RESOLVED, that the City of North Tonawanda adopts the enclosed Section 3 Participation Plan.

Subject to further review by the City Attorney.

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

XXXII.2 Community Development

May 29, 2018

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

Re: Ralph C. Wilson, Jr. Foundation Play Everywhere Challenge

Dear Honorable Body:

In March of 2018 the Ralph C. Wilson, Jr. Foundation, in partnership with KaBOOM!, announced the Play Everywhere Challenge grant opportunity. The goal of this grant program is to fund and create innovative play spaces incorporated into everyday life and unexpected places, giving kids more opportunities to play. Grants of up to \$80,000 are available and will fund projects that transform places like sidewalks, bus stops, vacant lots, and more into creative kid-friendly play spaces.

Considering this opportunity, the Community Development Department and Parks & Recreation Department worked closely with students from the North Tonawanda High School Engineering & Architecture Academy to brainstorm and refine concepts for unique play spaces in North Tonawanda. The result is the "Imagine NT Play Trail" concept.

The Imagine NT Play Trail idea focuses this opportunity to six sites in the city which are all within walking distance to each other, located in or near a residential community, and are highly visible and highly trafficked locations. The sites include the North Tonawanda Farmers Market, the Carnegie Art Center, and Sweeney Street along the Erie Canal, Gateway Harbor, Heritage Park, and the Herschell Carrousel Factory Museum. The goal of the project is to install simple, creative play opportunities which are thematically relevant to each site and celebrate numerous aspects of North Tonawanda's cultural heritage.

The deadline for applications is June 15th with awardees announced in August. The Play Everywhere Challenge presents a unique opportunity to improve the quality of life for residents by creating simple, family-friendly play throughout the City.

**Kindest regards,
Michael Zimmerman Patty Brosius
Director of Community Development Director of Youth, Recreation & Parks**

**MOVED by Alderman Braun SECONDED by Alderman Pecoraro
That the Common Council hereby grants permission for Community Development along with the Parks & Recreation Department to submit an application on behalf of the City of North Tonawanda, for a grant opportunity to the Ralph C. Wilson, Jr. Foundation Play Everywhere Challenge.**

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

COMMUNICATIONS FROM OTHERS

A.
Meadow Elementary School

May 11, 2018

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

Mayor Pappas:

On behalf of Meadow Elementary, I would like to request the use of some lawn space from the Public Library. Due to the construction at Meadow both in front of and behind the building, we would respectfully like to ask to use the grass between the library and our driveway. Many classes like to have a picnic in the warmer weather, and the areas to do that this year are extremely limited. We also would like to have some play time on June 15, 2018, when our gym will be utilized for an awards ceremony.

I assure you that our students would be well-supervised by our teachers and other staff members if allowed to use your lawn area.

I look forward to hearing from you.

Janet Matyevich

MOVED by Alderman Zadzilka SECONDED by Alderman Berube
That the Common Council hereby grants permission to Meadow Elementary School to use lawn space at the Public Library from now till the end of the 2018 School year.

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

Nays: None (0)

CARRIED.

B.
Charline O'Neil

May 13, 2018

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

Re: Commissioner of Deeds

Dear Honorable Body:

I, Charline O'Neil residing at 509 Old Falls Blvd, North Tonawanda, NY 14120, am hereby requesting to be appointed as a Commissioner of Deeds for the City of North Tonawanda.

Respectfully submitted,
Charline O'Neil

MOVED by Alderman Tylec SECONDED by Alderman Braun
That the Common Council hereby grants the appointment of Charline O'Neil, 509 Old Falls Blvd, North Tonawanda, NY 14120, as a Commissioner of Deeds for the City of North Tonawanda, effective June 6, 2018 and expiring June 5, 2020.

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

Nays: None (0)

CARRIED.

C.
Project Pride of North Tonawanda

May 7, 2018

Daniel R. Quinn
City Clerk-Treasurer
City of North Tonawanda
216 Payne Avenue
North Tonawanda, NY 14120

Dear Mr. Quinn:

Project Pride over the last two years has been actively soliciting community support with over 50 sponsors of planter, donations, and grant applications. All in support of beautification of our downtown and Oliver Street. Our work in partnership with the City of North Tonawanda has shown not only a sense of increased civic pride, but also significant visual improvements that have enhanced the visitors experience to both of these areas.

With the increase of plantings in these areas, we realize there is necessary maintenance that comes along with this. While the installation comes rather easily for our group, the actual season long maintenance can put a stress on both the volunteers and the City.

Our board is proposing the sponsorship of one Seasonal Temporary Groundskeeper for Webster, Manhattan & Oliver Streets (June – September 2018). This position would be an employee of the City reporting directly to Parks and Recreation. Project Pride would sponsor this position with a maximum of \$3000.00. These funds would directly support the salary of the attached job description and mutually agreed upon work schedule.

Beautifying the NT community with plantings and flowers is a key component to the mission of the organization. By beautifying NT, we are able to take a grassroots approach to improving neighborhoods and increasing neighborhood pride. We are proud to be a partner with the City of North Tonawanda in this goal. Please feel free to contact me with any questions.

Sincerely,
Barbara B. Hughes
President

MOVED by Alderman Braun **SECONDED** by Alderman Pecoraro
That the Common Council hereby approves of the position of 1(one) seasonal temporary laborer sponsored by Project Pride but under the supervision of the Parks & Recreation Department, to maintain the planting areas on Webster, Manhattan & Oliver Streets from June – September 2018 with a maximum salary of \$3,000.

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

Nays: None (0)

CARRIED.

D.
Mental Health Peer Connection

May 29, 2018

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

Dear Friends of North Tonawanda:

On behalf of Mental Health Peer Connection (MHPC), we are writing to request to use Gratwick Park for our upcoming Kite Flying Event on September 15, 2018. The event will begin at 11:00 AM on the 15th of September, and conclude at 3:00 PM. We anticipate a group of about 100+ families to come and support Mental Health Peer Connection by flying their

kites, and purchasing hot dogs and hamburgers that will be grilled by our volunteers. In order to hold the function at Gratwick Park, we are more than willing to pay the \$300 that is needed to ensure the space.

Thank you for your time and consideration, and I look forward to hearing from your council soon. Please let me know if you need any more information or documentation from me in order to make your decision easier.

Sincerely,
Maura Kelley, CPRP
Director

MOVED by Alderman Zadzilka SECONDED by Alderman Berube
That the Common Council hereby grants permission to Mental Health Peer Connection (MHPC), the use of Gratwick Park for their upcoming Kite Flying Event on September 15, 2018, from 11AM to 3PM. Cost of said event is \$300 and a Certificate of Liability naming the City of North Tonawanda as the Certificate Holder will have to be submitted to the Attorney's Office prior to event.

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

Nays: None (0)

CARRIED.

E.
Carnegie Art Center

May 8, 2018

Luke Brown
City Attorney
City of North Tonawanda
216 Payne Avenue
North Tonawanda, NY 14120

Dear Mr. Brown,

We are requesting permission for a street closure on Webster Street between Goundry and the intersection of Main Street along Charles Fleishman Park. The purpose of the street closure is to host the opening night event of the Music & Arts Festival of the Tonawandas. The street addresses the closure would impact are 102-110 Webster Street. The event, "Farm to Table Artisans Block Party", is scheduled for Tuesday, July 31, 2018 between the hours of 5:00 PM and 10:00 PM. We would ask that the street be closed by 12 PM that day in order to prepare for the event. The campus for the event will contain plein air painters, musicians, and a tented area that will host the Farm to Table dinner seating for up to 200 guest.

This request is a follow-up to the initial presentation made to council. Please advise if your office requires any additional information or documentation to confirm.

Sincerely,
Barbara B. Hughes

MOVED by Alderman Tylec SECONDED by Alderman Braun
That the Common Council hereby approves of the closure of Webster Street between Goundry and the intersection of Main Street along Charles Fleishman Park. For the Music & Arts Festival of the Tonawandas, on Tuesday, July 31, 2018 from 5:00PM to 10:00PM, and directs the DPW to provide barricades for said event.

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

Nays: None (0)

CARRIED.

F.
WNY PRISM

May 30, 2018

Common Council
216 Payne Avenue
North Tonawanda, NY 14120

To whom it may concern:

I am writing this letter to request permission to conduct educational activities, including voluntary watercraft inspections for boaters, at the Botanical Gardens Boat Ramp and Service Drive Boat Ramp and to provide you with the details of the WNY PRISM (Partnership for Regional Invasive Species Management) watercraft inspection steward program.

In an effort to slow and/or prevent the spread of aquatic invasive species (AIS), boat launch stewards would work with you as site manager to select an inspection location for conducting educational and voluntary watercraft inspections from Thursday, June 7 to Friday, August 24. Days and times of duty at each site will change throughout the season but be limited to daylight hours on a Thursday through Sunday basis. This effort is part of a statewide boat/launch steward program and one of the NYS Department of Environmental Conservation's Aquatic Nuisance Species priorities. The proposed dates for each site are as follows:

<u>Botanical Gardens Boat Ramp</u>	<u>Service Drive Boat Ramp</u>
July 5 - July 7	June 21 - June 23
August 16 - August 19	July 28 - July 29
	August 23 - August 24

The inspection process would not impede launch access/exit. Boater participation in this initiative is voluntary; these are not regulatory inspections. The goal of the program is for the stewards to teach boaters how to look for and remove aquatic invasive species from their boats and to empower boaters with information, so they can inspect their watercraft in the absence of stewards. Launch stewards will:

- Walk through inspection checkpoints with boaters using a standardized protocol;
- Engage boaters in dialogue about AIS, their impacts, and the importance of taking measures to prevent their spread;
- Provide AIS educational materials; and
- Collect boater usage and aquatic invasive species data.

Launch stewards will have field supplies with them at the launch. These supplies may include: a folding table, chair, sandwich bags for retrieved specimen, a tablet, and educational materials. Stewards will bring supplies to the launch each day and remove them from the launch at the end of each shift.

Please contact me as soon as you are able with your decision about allowing these inspections at your location, or if you would like additional information. I look forward to working with the Town of North Tonawanda to minimize the spread of aquatic invasive species in New York's waters.

Sincerely,
Morgan Leigh Beatey,
Lead Watercraft Inspection Steward

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
That the Common Council hereby grants permission to WNY PRISM to conduct their educational activities at the following boat docks and dates:

Botanical Gardens Boat Ramp

July 5 - July 7

August 16 - August 19

Service Drive Boat Ramp

June 21 - June 23

July 28 - July 29

August 23 - August 24

WNY PRISM will have to provide a Certificate of Liability naming the City of North Tonawanda as the Certificate Holder to the Attorney's Office prior to dates.

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

(5)

Nays: None

(0)

CARRIED.

LATE COMMUNICATION

MOVED by Alderman Berube

SECONDED by Alderman Pecoraro

To bring the following communication to the floor

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

(5)

Nays: None

(0)

CARRIED.

#1.

Attorney

June 5, 2018

Hon. Mayor and Common Council

City Hall, 216 Payne Avenue

North Tonawanda, NY 14120

Re: Proposed Brews and Wines on the Water Lease

Dear Honorable Body:

Attached is a proposed lease between the City of North Tonawanda and Entercom Buffalo, LLC for the event commonly known as "Brews and Wines on the Water", to be held at Gratwick Park.

Should your Honorable Body concur, please pass a resolution to adopt this new lease and approve for the Mayor's signature. If you have any questions, please do not hesitate to contact me.

Sincerely,
 Luke A. Brown, Esq.
 City Attorney

MOVED by Alderman Berube

SECONDED by Alderman Pecoraro

That the Common Council hereby approves of the Lease Agreement between the City of North Tonawanda and Entercom Buffalo, LLC to hold their "Brews and Wines on the Water" at Gratwick Park, Saturday, July 28, 2018 from 8:00 AM to 10:00 PM, and directs the Mayor to sign said agreement, subject to further review by the City Attorney.

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

(5)

Nays: None

(0)

CARRIED.

AUDIENCE PARTICIPATION

Bernadette Howard 1106 Sweeney Street – My neighbors and I have filed a law suit against the City regarding 1100 Sweeney Street. I would like to ask each member of the Council how they stand regarding an independent ethics committee.

Dennis Garland 238 Tremont Street – Every time I have had an issue it has been addressed. To call for a group when it is not needed seems unnecessary. It is discouraging to see the quibbling between the Board Members. It is discouraging and unsettling. You are supposed to work together for the betterment of the City.

Paul Wolf 9 Guinevere Ct, Town of Amherst – I am an Attorney and the President of Open Government. I give you credit for allowing residents the opportunity to speak before and after the agenda. You also engage residents and I applaud you. Every year we rate websites and last year your website was rated 59 this year you were rated 72. So good job. I would like to see a “notify me link” and financial disclosure reports posted on the website. We think it is important for elected officials to disclose this information.

Amanda Reimer – I want to thank Alderman Pecoraro for being on all the Committees. I am really excited about the future of Payne Memorial Pool.

Lou Szymanski 695 East Goundry – I am part of this 1100 Sweeney project lawsuit. I would like to know what is going on with this lawsuit. How did he get this permit to build this driveway? I live at the other end of this project and the Fire Department cannot get a truck into this area. Whomever approved this project should be fired.

John Lukasik 454 Schenck Street – I would like to congratulate the Council, because the Superintendent of Wastewaters projects came in under budget. There is a house at 20 Felton Street that looks bad. I don't know if it is a zombie house, but it is not a selling point for the City.

Sonia Dusza 123 Miller Street – I was looking at the Audit and it says December 31, 2017, is that when you received it. Regarding the disclosure, the ethics, I read our ethics code and they are prehistoric. It is not so much that we have an ethics code, they need to be enforced. We need a financial disclosure report for all our Elected Officials. There are “golden” people out in the community that could sit on an ethics committee.

ADJOURNMENT

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

Time of Adjournment: 8:17 P.M.

Respectfully submitted,



Daniel R. Quinn
City Clerk-Treasurer