

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, September 18, 2018
6:30 P.M.

REGULAR SESSION CALLED TO ORDER BY ALDERMAN PECORARO

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Alderman Braun, Berube, Pecoraro, Tylec

Absent: President Zadzilka

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

AUDIENCE PARTICIPATION

Sonia Dusza 123 Miller Street – Good things are happening with the grant money. Is the City stock piling the other 50% of grant money? We need to see the street sweeper throughout the City. I would like to see the equipment used.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION SEPTEMBER 4, 2018

MOVED by Alderman Pecoraro SECONDED by Alderman Berube
That the minutes of the regular session meeting held September 4, 2018 be approved as
circulated and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED 8/23/2018

- 1) Legal Notice – Invitation for Bids for the Sweeney Canal Boat Dock Extension – City Engineer

PROOF OF PUBLICATION PUBLISHED 9/3/2018 & 9/10/2018

- 1) Legal Notice – Collector’s Notice of Payment of the 2018-19 School Taxes – City Clerk-Treasurer

PROOF OF PUBLICATION PUBLISHED 9/8/2018

- 1) Legal Notice – Public Design Workshop for the Memorial Pool Feasibility Study - City Engineer

PROOF OF PUBLICATION PUBLISHED 9/10/2018

- 1) Legal Notice – Invitation for Bids for Ferric Chloride System Replacement at the Wastewater Treatment Plant – Supt. of Wastewater/Water

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

COMMUNICATIONS FROM CITY OFFICIALS

III. Clerk-Treasurer

August 29, 2018

Honorable Mayor and
Common Council
216 Payne Avenue
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:

176.16-3-37 858 Fairmont Avenue David Garner

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 Pecoraro **SECONDED** by Alderman Braun
That the Common Council hereby approves the removal of the following parcel:

176.16-3-37 858 Fairmont Avenue David Garner

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 Braun, Berube, Pecoraro, Tylec (4)

Nays: None (0)

CARRIED.

V. Supt. Wastewater/Water

September 5, 2018

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

Honorable Body:

As Superintendent of Wastewater, Water & Water Distribution I am responsible for providing safety programs and training for our employees.

Confined Space Entry is one of our most important safety trainings that we must provide. My responsibilities under this program are described as follows:

“This Permit-Required Confined Space Entry Program” defines the practices and procedures to protect North Tonawanda WWTP employees, contractors and vendors from hazards associated with permit-required confined space entry.

This program is written to meet or exceed the requirements of Occupational Safety and Health Administration (OSHA) regulation 29 CFR 1910.146, “Permit-Required Confined Spaces.”

The provisions of this program require North Tonawanda WWTP to provide the procedures,

training and equipment to mitigate all recognized hazards and verify compliance through the use of a written permit form.

This Permit-Required Confined Space Entry Program is available from the WWTP Superintendent to all employees and their representatives for review upon request. Both the program and inventory of spaces will be maintained in the Main Building.

The CSEA Union is offering a Confined Space Entry "Train-the-Trainer" course in Syracuse, NY October 29, 2018 – November 2, 2018. This 40 hour course is the most comprehensive and hands-on training that a person can receive (see attached flyer).

As per the Memorandum of Agreement between CSEA and the City of North Tonawanda regarding the requirements of the CSEA Peer Trainer Program I am sending four employees to this training at no cost to the City. Due to the fact that I am responsible for providing safety training to our Wastewater, Water Treatment & Water Distribution employees I feel it is important for me to also receive this training.

I would like your permission to attend the CSEA Confined Space Entry "Train-the-Trainer" course. CSEA has offered to pay for my cost to attend the course, but I will require your approval for reimbursement of my travel, lodging and meal expenses as per the City's Travel Policy. I have attached an estimated total cost of \$1,067.40 for me to attend this week long training program for your review.

I respectfully request your permission to attend this very important confined Space Entry safety training program. Thank you for your time and consideration of my request.

Sincerely,
William M. Davignon
Supt. Wastewater/Water

MOVED by Alderman Pecoraro SECONDED by Alderman Braun
That the Common Council hereby tables the aforementioned request from Supt. William Davignon for further review.

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

Nays: None (0)

CARRIED.

VII. Accountant

August 23, 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 September 18, 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 September 18, 2018 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$637,560.57
02	Water Fund	28,702.44
04	Sewer Fund	94,778.29
06	Capital Project Fund	<u>105,115.71</u>
00	Final Total	<u>\$866,157.01</u>

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

IX.1 Supt. Public Works

September 13, 2018

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

**Re: For Dormitory Authority of the State of New York Program for the Purchase
 of a Mini Paver Project ID: #14330**

Dear Honorable Body:

The Department of Public Works is working on several grants that will help to save the City money. Attached please find the resolution specific for a mini paver, and appropriate wordage for the state to accept the application and grant to appropriate funds to the City. The explanation of the grant is outlined below.

With the purchase of a new mini paver the City will be able to redo and continue extending the current bicycle paths, and redo and continue extending the golf cart paths. This will help to increase business and the amount of players attending the golf course each year this bringing additional revenue into the City. The paver will be used to maintain the alleyways in the City as well. Public Works would like this to be a joint machine that they will share with the Department of Parks and Recreation. The grant for this machine will cover more than half of the purchase price, with the City being responsible for approximately \$40,000.

The Department of Public Works would like to respectfully request that this item be added to the next Common Council agenda to be approved so that this process can move forward.

Very truly yours,
 Mark A. Zellner
 Supt. of Public Works

MOVED by Alderman Berube SECONDED by Alderman Tylec
That the Common Council at a regular session meeting, held at City Hall, 216 Payne Avenue,
North Tonawanda, New York at 6:30PM on September 18, 2018 the following resolution was
passed:

**DORMITORY AUTHORITY OF THE STATE OF NEW YORK PROGRAM FOR
 THE PURCHASE OF A MINI PAVER (PROJECT ID: #14330)**

I, Daniel R. Quinn, City Clerk of the City of North Tonawanda located at 216 Payne Avenue North Tonawanda, NY 14120, do hereby certify that the following resolution was adopted at a regular City Council meeting of the City of North Tonawanda held on *September 18, 2018*, and is incorporated in the original minutes of the said meeting and that the said resolution has not been altered, amended or revoked and is in full force and effect.

WHEREAS, the City Council desires to continue the process of acquiring the funds to purchase a Mini Paver for the Department of Public Works;

WHEREAS, Appropriation of funds will be available as part of the City's Department of Public Works 2019 Budget,

WHEREAS, the City Council desires to apply for financial assistance from the Dormitory Authority of the State of New York Program, and

THEREFORE BE IT RESOLVED, that the City Council authorizes and submits an application for the Dormitory Authority of the State of New York Program for the *City of North Tonawanda's Purchase of a Mini Paver (Project ID: #14330)* requesting \$100,000 in grant funding and

BE IT FURTHER RESOLVED, that the City Council authorizes the Mayor to sign all documents and agreements related to the Dormitory Authority of the State of New York Program application

RESOLVED, That Arthur G. Pappas, as Mayor of the City of North Tonawanda, is hereby authorized and directed to file an application for grant funds from the Dormitory Authority of the State of New York Program, in an amount of \$100,000 of the approved funding and upon approval of said request to enter into and execute a project agreement with the Dormitory Authority of the State of New York Program for such financial assistance to the *City of North Tonawanda's Purchase of a Mini Paver (Project ID: #14330)*.

Subject to further review by the City Attorney.

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

IX.2 Supt. Public Works

September 13, 2018

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

Re: DEC Municipal Waste Reduction Recycling Program for the City of North Tonawanda 2018 Morbark Beaver Chipper with Loader Arm Project

Dear Honorable Body:

The Department of Public Works is working on several grants that will help to save the City money. Attached please find the resolution specific for a chipper, and appropriate wordage for the state to accept the application and grant to appropriate funds to the City. The explanation of the grant is outlined below.

The purchase of a new 2018 Morbark Beaver Chipper will not only help increase the rate at which residential brush and brush at the composite are broken down, it will provide mulch to the residents of North Tonawanda. By taking the mulch left from breaking down the brush, Public Works will then turn around and recycle this by offering it to the residents free of charge to be used in their landscaping. This grant will cover half of the price of this new machine with the City being responsible for the remaining half, approximately \$80,000.

The Department of Public Works would like to respectfully request that this item be added to the next Common Council agenda to be approved so that this process can move forward.

**Very truly yours,
 Mark A. Zellner
 Supt. of Public Works**

MOVED by Alderman Pecoraro SECONDED by Alderman Braun
That the Common Council at a regular session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30PM on September 18, 2018 the following resolution was passed:

**DEC MUNICIPAL WASTE REDUCTION AND RECYCLING PROGRAM FOR THE
CITY OF NORTH TONAWANDA 2018 MORBARK BEEVER CHIPPER WITH
LOADER ARM PROJECT**

I, Daniel R. Quinn, City Clerk of the City of North Tonawanda located at 216 Payne Avenue North Tonawanda, NY 14120, do hereby certify that the following resolution was adopted at a regular City Council meeting of the City of North Tonawanda held on *September 18, 2018*, and is incorporated in the original minutes of the said meeting and that the said resolution has not been altered, amended or revoked and is in full force and effect.

WHEREAS, the City of North Tonawanda calls for the purchase of a Morbark Beaver Chipper with Loader Arm for the City's Department of Public Works; and

WHEREAS, the NYSDEC currently has funding available for the purchase of such equipment;

THEREFORE BE IT RESOLVED, that the City Council authorizes the submission to the DEC Municipal Waste Reduction and Recycling Program to request funding for the purchase of a Morbark Beaver Chipper with Loader Arm for the total project amount of \$165,140; and

BE IT FURTHER RESOLVED, and the City Council acknowledges that it is responsible for at least 50% of the above total project cost (\$82,570).

RESOLVED, That Arthur G. Pappas, as Mayor of the City of North Tonawanda, is hereby authorized and directed to file an application for funding from the DEC Municipal Waste Reduction and Recycling Program to purchase the Morbark Beaver Chipper with Loader Arm.

Subject to further review by the City Attorney.

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

Nays: None (0)

CARRIED.

IX.3 Supt. Public Works

September 13, 2018

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

**Re: DEC Municipal Waste Reduction and Recycling Program for the City of North
Tonawanda 2018 Recycling Container Project**

Dear Honorable Body:

The Department of Public Works is working on several grants that will help to save the City money. Attached please find the resolution specific for a mini paver, and appropriate wordage for the state to accept the application and grant to appropriate funds to the City. The explanation of the grant is outlined below.

The final grant is for providing the remaining residents with a 65 gallon recycle tote. Providing the remaining residents of this city with these larger totes will be the final step in completing the recycling program started by the City some time ago. It also helps reduce waste and will help cut down on the litter around the City as the lids will help keep the recycling inside, as opposed to using the small blue bins which are open. For this grant the city will be responsible for half of the cost, approximately \$38,000.

The Department of Public Works would like to respectfully request that this item be added to the next Common Council agenda to be approved so that this process can move forward.

Very truly yours,
Mark A. Zellner
Supt. of Public Works

09-18-2018

I am writing to request permission to block off Sweeney Court at Sweeney Street on September 23, 2018 from 2:00PM to 7:00PM to host a block party on Sweeney Court.

Thank you,
Karen Smith

MOVED by Alderman Braun **SECONDED** by Alderman Pecoraro
That the Common Council hereby grants approval to Karen Smith, 60 Sweeney Court, to have a block party on Sweeney Court September 23, 2018 from 2 PM – 7 PM and directs the Department of Public Works to provide barricades for said event.

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

Nays: None (0)

CARRIED.

B.
Bill Cowell

September 13, 2018

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

Common Council,

What we would like to do is put a sign (Buffalo Sign Rentals) on the park side of the signal at Witmer Rd and River Rd (like they do for the music festival there) (and any other high traffic area that we may be able to do the same at) for the next two weeks until our charity fundraiser event for firemen and first responders ends at the Riviera theatre on Sept 29th.

Your prompt attention to this matter is well appreciated.

Bill Cowell
Founder / President

MOVED by Alderman Pecoraro **SECONDED** by Alderman Braun
That the Common Council hereby grants approval to Bill Cowell to place a sign on the lawn at the intersection of Witmer Road and the entrance to Gratwick Park, to advertise their event at the Riviera Theatre.

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

Nays: None (0)

CARRIED.

AUDIENCE PARTICIPATION

Cathy Kern 1248 Greenbrier Lane – In the Niagara Gazette they published delinquent water bills, taxes, and foreclosures, North Tonawanda is never listed. It must be published somewhere, it is public record. Also no real estate transactions are published anywhere, why are we not part of the publication listings?

Sonia Dusza 123 Miller Street – It's the third Tuesday, the agenda is not on the website. I was also looking for the video from September 4, 2018. I looked up Lumber City Development Corp. they were from 2015. We don't hear about everything that's happening with them.

Carl Bauer 1066 East Robinson Street – Why are we not using the clock to keep track of people talking.

Barbara Barrett 780 Castlebar Drive – I always clean the street in front of my house. I think the Sommer Street garden is a fantastic idea. We've done a good job patching the streets.

Zack Niemiec 384 Robinson Street – I help out with Project Pride, can the DPW help out with cleaning the dog waste containers?

Al Moser 240 East Avenue – the City used to have ice rinks, what happened to them, and why are the signs still up? The kids can't play hockey in the streets or parking lots. Why do we not have street hockey courts?

ADJOURNMENT

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

Time of Adjournment: 7:09 P.M.

Respectfully submitted,



Daniel R. Quinn
City Clerk-Treasurer