

**THE HONORABLE BODY**  
**Council Chambers**  
**Municipal Building**  
**North Tonawanda, New York 14120**  
**Tuesday, August 6, 2019**  
**6:34 P.M.**

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**REGULAR SESSION CALLED TO ORDER BY PRESIDENT ZADZILKA**

**PLEDGE OF ALLEGIANCE**

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**ROLL CALL**

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

**Absent: None**

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

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**AUDIENCE PARTICIPATION**

**Sonia Dusza 123 Miller Street** – Would like a microphone to pass around for audience participation, and would like to know what was negotiated with Paramount Pictures by next meeting.

**Darlene Bolsover 1337 Sweeney Street** – Wanted to see an itemized detail of the compensation audit, and where loses came from and went to.

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION JULY 16, 2019**

**MOVED by Alderman Zadzilka                      SECONDED by Alderman Braun**  
**That the minutes of the regular session meeting held July 16, 2019 be approved as circulated and filed in the Office of the City Clerk.**  
**CARRIED.**

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**APPROVAL OF THE MINUTES OF THE SPECIAL SESSION JULY 23, 2019**

**MOVED by Alderman Pecoraro                      SECONDED by Alderman Berube**  
**That the minutes of the special session meeting held July 23, 2019 be approved as circulated and filed in the Office of the City Clerk.**  
**CARRIED.**

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## VII.1 Accountant

July 30, 2019

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 August 6, 2019 and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Regards,  
Amanda Reimer  
City Accountant

MOVED by Alderman Berube                      SECONDED by Alderman Braun  
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated August 6, 2019 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$947,268.93
02	Water Fund	68,457.10
04	Sewer Fund	286,455.28
06	Capital Project Fund	1,002,175.77
07	Trust & Agency Fund	<u>26,369.98</u>
00	Final Total	<u>\$2,330,727.06</u>

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

## VII.2 Accountant

July 30, 2019

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

Dear Honorable Body:

In accordance with Article V, Division 2, Section 5.023 and Section 2.2 of the Budgetary Transfer Policy, please authorize the City Accountant to make the following amendment of fiscal year 2019 appropriations, based on the request of the Department Heads, copy attached.

Control Number	Dollar Amount	<u>Decrease Appropriation Account</u>	<u>Increase Appropriation Account</u>
24	\$34,936.74 \$86,000.00	004.0882.0000 Reserve for Repairs 004.0882.0000 Reserve for Repairs	004.8130.0253, Maintenance Equipment 004.8130.0420, Repair and Maintenance
25	\$1,817.00	001.7110.0100, Parks Personal Svcs	001.7110.0480, Parks Operations



**WHEREAS**, Amato Fox & Company, PC has audited and prepared the City of North Tonawanda's Financial Statements and Single Audit, NYSDoT Single Audit Report, and Deferred compensation Plan Financial Statements for the fiscal year ended December 31, 2018;and

**WHEREAS**, a representative of Amato Fox & Company, PC presented the 12.31.2018 Financial Statements to the City on June 29, 2019 to consider, accept and file the 12.31.18 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 receipt of the 12.31.2018 City of North Tonawanda Audited Financial Statements and Single Audit, NYSDoT Single Audit Report, and Deferred Compensation Plan 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.**

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**XX. Code Enforcement**

July 31, 2019

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

**Re: Code Change to City Code Chapter 69 Plumbing. §69-36 Area and Yard  
 Drainage; Downspouts and Sump Pumps**

**Dear Honorable Body:**

I would like to submit the potential addition to the Code of the City of North Tonawanda, Chapter 69 Plumbing. The requested addition is listed below.

**§69-36 Area and yard drainage; downspouts and sump pumps.**

**A.**

All paved areas, yards, courts and courtyards shall be drained into the stormwater sewer system and not into sewers intended for sewage only. Where there is no stormwater sewer accessible, such connections shall be discharged into the public gutter, unless otherwise permitted by the proper authorities, and, when connected to the storm sewer, need not be trapped.

**B.**

No downspouts or sump pumps from any buildings shall be discharged in such a manner as to drain to adjoining properties.

**C.**

Materials used for stormwater piping and back yard drains shall conform to ASTM 3034 SDR 35 (slip joint) or equal. All work performed on property owned by the City shall be completed under the supervision of a licensed plumber

**D.**

*Excess yard water, basement flood water, swimming pool, fountain, pond water or any water drained from private property must be drained directly into the public storm water sewer system. Where no storm water sewer is present, the water must be drained directly into the public gutter.*

Thank you for your consideration in this matter.

Respectfully,  
 Robert C. Depaolo  
 Code Enforcement



Sincerely,  
 John DiGuiseppe  
 VP of Business Development

**MOVED** by Alderman Zadzilka                      **SECONDED** by Alderman Tylec  
 That the Common Council hereby grants permission to Platter's Chocolate Factory to hold their annual Platter's Chocolates SpongeFest 5K Race event Saturday, September 21, 2019 and directs the Police Department and the DPW to assist with necessary accommodations for said event.

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

Nays: None (0)

**CARRIED.**

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**B.**  
**Carnegie Art Center**

July 29, 2019

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

Dear Council Members,

I am writing you today to inform you of a fundraiser we are planning for the Carnegie Art Center, titled "Uncork your Creativity." This event will occur on September 14, 2019 at 4PM. This will be a fall-fest style event, where we would like to host food and beer vendors, with the main focus on wine vendors. Leading up to this event, we will be hosting an art contest, where artists can submit their work to be on a promotional poster for a champagne company based in Italy. This poster will be displayed in distribution stores across the Northeast.

We would like to request permission to host this event on the adjoining lawn of the Carnegie. We would be happy to update and provide more details as we continue to plan. Please reach out to Natalie Brown, our Program Coordinator, or myself if you have further questions.

Thank you,  
 Kimberly Renda  
 President, CAC Board of Directors

**MOVED** by Alderman Braun                      **SECONDED** by Alderman Pecoraro  
 That the Common Council hereby grants permission to the Carnegie Art Center to host their "Uncork your Creativity" event on September 14, 2019 at 4 PM on the adjoining lawn of the Carnegie Center.

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

Nays: None (0)

**CARRIED.**

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**C.**  
**Nor-Ton Red Jackets**

July 26, 2019

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

Re: Building Permit Fee

Dear Honorable Body:

Gentlemen, my name is Alan Mazzuchelli and I am a member of the Nor-Ton Red Jackets.

We are having a backup generator installed at Don Miller Park on Sweeney Street. We maintain the park for the benefit of youth to experience the outdoors. The Boys and Girls Club of the Tonawandas holds Camp Spirit at the location during the summer.

We have run into a small financial dilemma which the council may be able to help with. We were able to get the funds for the generator through a grant but unfortunately it took a year to receive. In that time the price has risen \$600. If the council could have the permit fees waived, which are about \$200 that would help our bottom line. Thank you for your time.

Alan Mazzuchelli

MOVED by Alderman Zadzilka                      SECONDED by Alderman Berube  
That the Common Council hereby grants permission to Nor-Ton Red Jackets have the permit fees waived for the installation of their backup generator from the Building Inspector's Office.  
Ayes: Alderman Braun, Berube, Pecoraro, Tylec, Zadzilka                      (5)  
Nays: None                      (0)  
CARRIED.

#### AUDIENCE PARTICIPATION

Darlene Bolsover 1337 Sweeney Street – Was asking about the Sweeney Street bike path, is concerned for the people and kids walking along the path for their safety.

Sue Wilke 329 Miller Street – Asked about the development on Sweeney Street, said that it will disrupt the wet lands.

Sonia Dusza 123 Miller Street – Was questioning all the development in the City, and wants a better planning department.

Mark Swogier – Would like to have a Porch Fest in North Tonawanda.

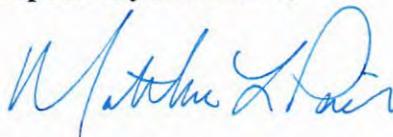
Tom Meyer 132 Greenwood Cir. – Is concerned about his neighbor that has over 10 dogs, and would like the City to enforce a dog limit within the City and to enforce Kennel Permits.

#### ADJOURNMENT

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

Time of Adjournment: 7:40 P.M.

Respectfully submitted,



Matthew L. Parish  
City Clerk-Treasurer