

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, March 16, 1999
7:00 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT REIDENOUE

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: President Reidenouer
Aldermen Schwandt, Wudyka, Barberio, Kiedrowski

Absent: None

Also Present: Mayor Ronald R. Dawson
City Attorney Henry F. Wojtaszek

T O D A Y I S S T U D E N T G O V E R N M E N T D A Y

Common Council President Paul Reidenouer introduced the students from the North Tonawanda Senior High School who were elected and appointed to various positions within City government for Student Government Day, March 16, 1999.

Wade Green	Mayor
Carmen Brick	Alderman - First Ward
Traci Simmons	Alderman - Second Ward
Rachel Ruggirello	Alderman - Third Ward
Amanda Colegrove	Alderman - Fourth Ward, CC President
Sarah Rusin	Alderman - Fifth Ward
Katie Smith	City Attorney
Rob Boccaccio	City Judge
Bethany Lipa	City Treasurer
Thomas Jakubaszek	City Accountant
Lauren Rabczak	City Assessor
Becky Goodrich	Assistant City Attorney
Jerid Williams	Building Inspector
Jeanette Cox	City Clerk
Jeffrey Brennan	City Engineer
Michelle Hogan	Civil Defense Director

Julie Needler	Code Enforcement Officer
Katie Stange	Director of Community Development
Sara Yeomans	Fire Chief
Christian Berg	Appointed City Judge
Kelley Weaver	Police Chief
Melissa Tussing	Superintendent of Public Works
Stephanie Michlin	Coordinator of Senior Citizens
Jennifer Kocsis	Registrar of Vital Statistics
Brett Green	Supt. Wastewater Treatment Plant
Julie LoBuglio	Superintendent of Water
Olivia Rozycki	Youth Board Chairperson
Sarah Alexander	Director of Youth, Recreation & Parks

APPROVAL OF THE MINUTES OF THE REGULAR SESSION MARCH 2,1999

MOVED by Alderman Schwandt SECONDED by Alderman Reidenouer
That the minutes of the regular session held March 2, 1999 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

APPROVAL OF THE MINUTES OF THE SPECIAL SESSIONS FEBRUARY 23, 1999

MOVED by Alderman Barberio SECONDED by Alderman Wudyka
That the minutes of the special sessions held February 23, 1999 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED FEBRUARY 22 & 24, 1999

- 1) Bid - Rapid Dry Traffic Paint - DPW
- 2) Bid - Regular Dry Traffic Paint - DPW
- 3) Bid - Road Building Materials - DPW
- 4) Bid - Vibratory Roller Rental - DPW

PROOF OF PUBLICATION PUBLISHED FEBRUARY 23 & 25, 1999

- 1) Bid - Concrete Sidewalk and Curbing Repairs - DPW
- 2) Bid - Bituminous Materials - DPW

MOVED by Alderman Wudyka SECONDED by Alderman Barberio
That the aforementioned proofs of publication be received and filed.
CARRIED.

AUDIENCE PARTICIPATION

Larry Sanford, 401 Roncroff Dr., inquired as to what items are being held from the agenda.

COMMUNICATIONS FROM CITY OFFICIALS

The following two items from the City Attorney's Office are being held for further consideration:

**I.1
Attorney**

March 11, 1999

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

Re: Civil Service Positions in City Hall

Dear Honorable Body:

At a recent workshop session the various job titles and actual work performed within city hall were discussed. It was a consensus that certain job titles should be amended. If you concur, please pass the following resolutions:

- 1. Be it resolved that the Common Council hereby creates the position of Building Maintenance Worker at job group H-4 in city hall.**
- 2. Be it further resolved that the Common Council hereby creates the position of Laborer at job group H-3 in city hall.**

These titles would better reflect the job duties performed within city hall. The City Clerk should forward copies of these resolution to the Niagara County Civil Service Commission.

**Very truly yours,
Robert Sondel
Assistant City Attorney**

**II.2
Attorney**

March 11, 1999

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

**Re: Collective Bargaining Agreement Between
the City and North Tonawanda Professional
Firefighters Association, Local 1333**

Dear Honorable Body:

The North Tonawanda Professional Firefighters Association, Local 1333 has voted to accept the most recent contract proposal discussed between the two parties.

The following are the significant changes to the agreement:

1. A three-year agreement, from January 1, 1999 through December 31, 2001.
2. A 3% wage increase effective January 1 of each year.
3. New employees will be paid 80% of the starting salary while attending the fire academy.
4. The Blue Cross/Blue Shield major medical plan will be increased to a \$500.00 deductible from a \$100.00 deductible. The city will self-fund the difference between these two amounts.
5. An increase of \$3,500.00 to the dental plan.
6. An increase of \$1,500.00 to the optical plan.
7. On termination, an employee will be paid 35% of his accumulated sick leave.
8. The city will grant paid leave of absence to an employee who must serve on jury duty.
9. The city will offer the union the city's deferred compensation plan.
10. The city will offer the union a "Cafeteria Plan" pursuant to Section 125 of the Internal Revenue Code.
11. The city will not discipline an employee more than 18 months after the occurrence of an alleged misconduct unless the misconduct, if proved, would constitute a crime. (This is consistent with Civil Service Law Section 75.4.)
12. There will not be any carryover of fire time (now called "deferred overtime") to the next calendar year.

These are the terms that have been discussed at recent workshop sessions. The Union ratified the agreement at their meeting held on Tuesday, March 4, 1999. If you concur with these provisions, please authorize the Mayor to sign the Collective Bargaining agreement encompassing these terms.

Thank you very much for your attention to this matter and, if you have any questions, please do not hesitate to call.

Very truly yours,
Robert Sondel
Assistant City Attorney

III.
Treasurer

March 11, 1999

Honorable Mayor and Common Council
216 Payne Avenue, City Hall
North Tonawanda, New York 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 agreements with the City, for the following parcels:

182.29-2-2	141 Fifteenth Avenue	Howard & Emily Hanes
182.57-1-40	192 Mead Street	Brook Acquisitions
182.69-2-18	141 Oelkers Alley	Judy Armagost
185.11-1-65	156 Robert Drive	Brook Acquisitions
185.07-3-2	499 Orchard Place	Genevieve Gane

Therefore, please pass the necessary resolution withdrawing these parcels from the appropriate In Rem proceeding.

Thank you for your cooperation.

Very truly yours,
Leslie J. Stolzenfels
City Treasurer

MOVED by Alderman Schwandt SECONDED by Alderman Barberio
That the Common Council hereby withdraws the following parcels from the appropriate
In Rem Proceeding:

182.29-2-2	141 Fifteenth Avenue	Howard & Emily Hanes
182.57-1-40	192 Mead Street	Brook Acquisitions
182.69-2-18	141 Oelkers Alley	Judy Armagost
185.11-1-65	156 Robert Drive	Brook Acquisitions
185.07-3-2	499 Orchard Place	Genevieve Gane

CARRIED.

V.
Water Dept.

March 10, 1999

Honorable Mayor Ronald R. Dawson
and Common Council
City Hall
216 Payne Avenue
North Tonawanda, New York 14120

Dear Mayor and Common Council:

Charles J. Streck, 1238 E. Robinson Street, North Tonawanda, N.Y. has successfully completed his probation period as Chief Water Treatment Plant Operator in the Water Department.

Therefore, based upon his satisfactory performance, I request he be appointed permanently as Chief Water Treatment Plant Operator, effective March 15, 1999.

Sincerely,
Paul F. McDonough,
Water Superintendent

Regular Dry Traffic Paint

Dear Honorable Body:

On Monday, March 8, 1999 bids were received and publicly opened in the City Clerk's office for coning regular dry traffic paint. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDERS</u>	<u>AMOUNT</u>
Glidden Company	\$5.18/gal.
Sherwin Williams	5.35/gal.
Ray Dinno Supply	5.37/gal.

I recommend that the Council award the bid for coning regular dry traffic paint to Glidden Company, 4917 Transit Road, Williamsville, New York 14221 at their low bid of \$5.18/gallon, subject to the approval of the City Attorney.

Very truly yours,
Gary J. Franklin
Superintendent

MOVED by Alderman Wudyka

SECONDED by Alderman Barberio

That the Common Council hereby awards the bid for Coning Regular Dry Traffic Paint to Glidden Company, 4917 Transit Road, Williamsville, New York 14221 at their low bid of \$5.18/gallon, subject to the approval of the City Attorney.

CARRIED.

IX.2

Public Works

March 11, 1999

Honorable Mayor & Common Council
City Hall, 216 Payne Avenue
No. Tonawanda, NY 14120

Re: Award of Bid for
Traffic Zone Paint
Ready Mix Rapid Dry

Dear Honorable Body:

On Monday, March 8, 1999 bids were received and publicly opened in the City Clerk's office for traffic zone paint ready mix rapid dry. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDERS</u>	<u>AMOUNT</u>
Ray Dinno Supply	\$4.90/gal.
Sherwin Williams	5.10/gal.
Glidden Company	5.15/gal.

I recommend that the Council award the bid for traffic zone paint ready mix rapid dry to Ray Dinno Supply, 728 Shad Street, North Tonawanda, New York 14120 at their low bid of \$4.90/gallon, subject to the approval of the City Attorney.

Very truly yours,
Gary J. Franklin

3-16-99

Superintendent

MOVED by Alderman Schwandt SECONDED by Alderman Kiedrowski
That the Common Council hereby awards the bid for Traffic Zone Paint Ready Mix Rapid Dry to Ray Dinno Supply, 728 Shad Street, North Tonawanda, New York 14120 at their low bid of \$4.90/gallon, subject to the approval of the City Attorney.
CARRIED.

IX.3
Public Works

March 11, 1999

Honorable Mayor & Common Council
City Hall, 216 Payne Avenue
No. Tonawanda, NY 14120

Re: Award of Bid for
Bituminous Materials

Dear Honorable Body:

On Monday, March 8, 1999 bids were received and publicly opened in the City Clerk's office for bituminous materials. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDERS</u>	<u>AMOUNT</u>
Midland Asphalt Corp.	\$13,925.00

I recommend that the Council award the bid for bituminous materials to Midland Asphalt, 640 Young Street, P.O. Box 388, Tonawanda, New York 14151-0388 at their low bid of \$13,925.00, subject to the approval of the City Attorney.

Very truly yours,
Gary J. Franklin
Superintendent

MOVED by Alderman Schwandt SECONDED by Alderman Wudyka
That the Common Council hereby awards the bid for Bituminous Materials to Midland Asphalt, 640 Young Street, P.O. Box 388, Tonawanda, New York 14151-0388 at their low bid of \$13,925.00, subject to the approval of the City Attorney.
CARRIED.

IX.4
Public Works

March 11, 1999

Honorable Mayor & Common Council
City Hall, 216 Payne Avenue
No. Tonawanda, NY 14120

Re: Award of Bid for
Road Building Materials

Dear Honorable Body:

On Monday, March 8, 1999 bids were received and publicly opened in the City Clerk's office for road building materials. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDERS</u>	<u>AMOUNT</u>
Redland Quarries Inc.	\$216,500

I recommend that the Council award the bid for road building materials to Redland Quarries Inc., 400 Hinman Road, P.O. Box 510, Lockport, New York 14095 at their low bid of \$216,500.00, subject to the approval of the City Attorney.

Very truly yours,
Gary J. Franklin
Superintendent

MOVED by Alderman Schwandt SECONDED by Alderman Kiedrowski
That the Common Council hereby awards the bid for Road Building Materials to Redland Quarries Inc., 400 Hinman Road, P.O. Box 510, Lockport, New York 14095 at their low bid of \$216,500.00, subject to the approval of the City Attorney.
CARRIED.

IX.5
Public Works

March 11, 1999

Honorable Mayor & Common Council
City Hall, 216 Payne Avenue
No. Tonawanda, NY 14120

Re: Award of Bid for
 Vibratory Roller Rental

Dear Honorable Body:

On Monday, March 8, 1999 bids were received and publicly opened in the City Clerk's office for vibratory roller rental. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDERS</u>	<u>AMOUNT</u>
Monroe Tractor	\$2,950.00/month
George & Swede Sales	3,350.00/month

I recommend that the Council award the bid for vibratory roller rental to Monroe Tractor & Implement Co., Inc., 5035 Genesee Street, Buffalo, New York 14225 at their low bid of \$2,950.00/month, subject to the approval of the City Attorney.

Very truly yours,
Gary J. Franklin
Superintendent

MOVED by Alderman Barberio SECONDED by Alderman Schwandt
That the Common Council hereby awards the bid for Vibratory Roller Rental to Monroe Tractor & Implement Co., Inc., 5035 Genesee Street, Buffalo, New York 14225 at their low bid of \$2,950.00/month, subject to the approval of the City Attorney.

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CARRIED.

**XIV.
Youth & Recreation**

March 9, 1999

**The Honorable Ronald R. Dawson and Common Council
City Hall
216 Payne Avenue
North Tonawanda, New York 14120**

Dear Mayor Dawson and Common Council Members:

Please find attached a renewal agreement between the City and Diane Sheehan, 142 Vine Street, Lockport, New York as a consultant for the provision of the expanded Youth Court Program.

This program is 100% funded by a DCJS grant. The grant will extend the program for another six months.

I have requested the City Attorney to review and approve this agreement.

At this time, I request that Your Honorable Body authorize to execute this agreement on behalf of the City.

Thank you for your cooperation.

**Sincerely,
John P. Silsby
Director of Youth, Recreation & Parks**

**MOVED by Alderman Schwandt SECONDED by Alderman Wudyka
That the Common Council hereby approves the renewal agreement between the City and Diane Sheehan, 142 Vine Street, Lockport, New York as a consultant for the provision of the expanded Youth Court Program.
CARRIED.**

**XXV.
Monthly Reports**

.1 Treasurer	.5 Building Inspector
.2 Treasurer (Investments)	.6 Senior Citizens
.3 City Clerk	.7 Vital Statistics
.4 Police	.8 NT Housing Authority

**MOVED by Alderman Kiedrowski SECONDED by Alderman Wudyka
That the aforementioned reports be received and filed.
CARRIED.**

COMMUNICATIONS FROM OTHERS

**A.
Live Hose Co. - Re: Exemption Petitions:**

John W. Rothrock - 5 years

**MOVED by Alderman Kiedrowski SECONDED by Alderman Barberio
That the proper exemption certificate be issued to John W. Rothrock.
CARRIED.**

B.
Christine L. Heine

March 10, 1999

To the Honorable Common Council,

I am requesting that permanent signs be put up directing people to the North Tonawanda City Market. Several vendors have brought it to my attention that a lot of people do not know that we have a city market. People that live within the city know but people outside the city don't realize that we have a market or where it is located. It needs to be advertised as to where the market is located and I feel that a few signs on the outskirts of town will help direct people to the market.

A few suggestions of location would be:

- a) at the intersection of Nash and Ruie Roads
- b) near the 290 exit and the Twin City Memorial Highway area
- c) at the intersection of Robinson and Division Streets pointing down to the market

The signs could say "City Market" with an arrow pointing in the direction of the market.

(Example: like the Niagara Clipper sign at the intersection of Robinson and Division Streets.)

Thank you for your consideration in this matter.

Respectfully submitted,
Christine L. Heine
Market Clerk

MOVED by Alderman Barberio SECONDED by Alderman Schwandt
That the Common Council hereby directs the Department of Public Works to install "City Market" signs with an arrow pointing in the direction of the market at various locations throughout the City.
CARRIED.

MOVED by Alderman Schwandt SECONDED by Alderman Wudyka
That the Common Council hereby waives the penalties on the utility bill for account #064851 for 1376 Nash Road.
CARRIED.

AUDIENCE PARTICIPATION

Sarah Hansgate, NTHS, thanked everyone involved in the Government Day Program.

ADJOURNMENT

MOVED by Alderman Kiedrowski SECONDED by Alderman Barberio
That this regular session of the Common Council be and hereby is adjourned.
CARRIED.
Time of Adjournment: 7:45 p.m.

Respectfully submitted,

Michael D. Cox
City Clerk