

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, November 16, 1999
7:08 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT REIDENOUE
PLEDGE OF ALLEGIANCE

ROLL CALL

Present: President Reidenouer
Aldermen Schwandt, Wudyka, Kiedrowski

Absent: Alderman Barberio

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

THE CITY CLERK ANNOUNCED THAT ITEM XIV.1 FROM YOUTH AND RECREATION IS BEING HELD.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION NOVEMBER 3, 1999

MOVED by Alderman Schwandt SECONDED by Alderman Wudyka
That the minutes of the regular session held November 3, 1999 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

AUDIENCE PARTICIPATION

Sonia Dusza, 123 Miller St., asked about the Mayor’s appointments to the various boards.

John Silsby, Director of Youth & Recreation, wants to meet with the Council to discuss the Golf Course.

Gordon Fritz, 1727 Eddy Dr., asked about the Mayor’s appointments to the various boards.

Bill Storey, 474 Meadow Dr., spoke about the Golf Course Committee’s work.

COMMUNICATIONS FROM CITY OFFICIALS

I.1
Mayor

November, 1999

Dear Honorable Body:

Please be advised that I am re-appointing the following persons to the following boards:

Thomas M. Jaccarino, 1515 Cambridge – Zoning Board of Appeals
3 year term to expire December of 2001

**Carol A. Steuernagel, 1025 Castlebar Drive – Housing Authority Board
5 year term to expire February of 2004**

**Dennis Pasiak, 468 Oliver Street – Planning Commission
3 year term to expire December of 2001**

**Ronald R. Dawson
Mayor, City of North Tonawanda**

**MOVED by Alderman Schwandt SECONDED by Alderman Reidenouer
That the aforementioned communication be received and filed.
CARRIED.**

**I.2
Mayor**

November 8, 1999

Memo to Ronald R. Dawson, Mayor:

Re: Renewal Appointments to NT Youth Board

At the October 6th Meeting of the NT Youth Board, the below list of members were approved for another term on the Youth Board:

3 Year Adult Term

- Annette Oberjosh, 41 – 14th Avenue**
- Arthur Pappas, 1417 Forbes Street**
- Paul Schultz, 909 Thomas Fox Drive**
- Sharon Sikora, 1696 Eddy Drive**
- Steve Sabo, 309 Oakdale Drive**
- Diane Stuff, 1300 Doebler Drive**

1 Year Youth Term

- Chelsea Wiechec, 51 Brundage Avenue**
- Adam Sepulveda, 230 Fredericka Street**

The Youth Board also approved one new member for a 3 year term:

Officer Thomas Krantz, 303 Oakdale Drive

Please concur with the recommendation of the Youth Board and approve these appointments.

Thank you for your attention in this matter.

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

**MOVED by Alderman Schwandt SECONDED by Alderman Reidenouer
That the aforementioned communication be received and filed.
CARRIED.**

II.
Attorney

November 5, 1999

**Hon. Mayor and Common Council
 City Hall~ 216 Payne Avenue
 North Tonawanda, New York 14120**

**RE: Renewal of Agreement, Effective April 1, 1999 to March 31, 2004
 Unified Court System - Court Security Services**

Dear Honorable Body:

I have reviewed the attached copy of the renewal agreement to extend the term of our current security services contract with the Unified Court System of the State of New York to cover fiscal years 1999/2000 to 2003/2004. This is a 5-year agreement which will provide for reimbursement to the City up to the maximum amount of \$55,000 for each of the five years involved.

The Common Council must approve this agreement and authorize the Police Chief and the Mayor to execute same. Additionally, the City Clerk's office shall provide the Police Chief with a certified copy of this resolution with Seal affixed, as he must send it along with the renewal agreement.

Please pass a resolution at this time authorizing us to proceed with renewing the court services agreement and authorizing the Mayor and Police Chief to execute the 5-year agreement.

**Very truly yours,
 Edward A. Zebulske, III
 Assistant City Attorney**

**MOVED by Alderman Kiedrowski SECONDED by Alderman Schwandt
 That the Common Council hereby approves the renewal agreement for security services with the Unified Court System of the State of New York to cover fiscal years 1999/2000 to 2003/2004, with reimbursement to the City of \$55,000 for each of the five years involved, and further authorizes the Police Chief and Mayor to execute same, and the City Clerk's office to provide the Police Chief with a certified copy of this resolution with Seal affixed.
 CARRIED.**

IV.
Engineer

November 9, 1999

**Honorable Ronald Dawson, Mayor
 and Common Council
 North Tonawanda, New York 14120**

**Re: 522 Homestead Drive
 Sidewalk Reimbursement**

Honorable Body:

Please authorize the City Treasurer to draw a check in the amount of \$1,248.90, made payable to G.T. Custom Built Homes, Inc., 3200 Niagara Falls Blvd., North Tonawanda, New York 14120, from the proper account for reimbursement due for sideyard sidewalk installed at 522 Homestead Drive.

2/3 REIMBURSEMENT

528 Sq. Ft.	4" Sideyard sidewalk (132' x 4')
x \$3.09	Cost/Sq. Ft. (D.P.W. 1999 bid price for 4" Sidewalk)
<u>\$1,631.52</u>	
x .667	
<u>\$1,088.22</u>	2/3 of the cost for reimbursed to G.T. Custom Built Homes

FULL REIMBURSEMENT – CONJOINING & HANDICAP RAMP

16 Sq. Ft.	4" conjoining sidewalk (4' x 4')
x \$3.09	Cost/Sq. Ft. (D.P.W. 1999 bid price for 4" Sidewalk)
<u>\$ 49.44</u>	Full reimbursed to the G.T. Custom Built Homes

36 Sq. Ft.	4" handicap ramp sidewalk (6' x 6')
x \$3.09	Cost/Sq. Ft. (D.P.W. 1999 bid price for 4" Sidewalk)
<u>\$ 111.24</u>	Full reimbursed to G.T. Custom Built Homes

\$1,088.22

\$ 49.44

\$ 111.24

\$1,248.90

Total reimbursed to G.T. Custom Built Homes

Sincerely,
Dale W. Marshall, P.E.
City Engineer

MOVED by Alderman Wudyka

SECONDED by Alderman Schwandt

That the Common Council hereby authorizes the City Treasurer to draw a check in the amount of \$1,248.90, made payable to G.T. Custom Built Homes, Inc., 3200 Niagara Falls Blvd., North Tonawanda, New York 14120, from the proper account for reimbursement due for sideyard sidewalk installed at 522 Homestead Drive.

CARRIED.

VII.1

Accountant

November 10, 1999

Honorable Ronald R. Dawson, Mayor
and Common Council
North Tonawanda, NY 14120

Dear Honorable Body:

In accordance with Title XXIII of the City Charter, an Abstract of Claims has been submitted by this office for your review and approval.

Accordingly, please authorize for payment the current Abstract of Claims for Common Council Audit dated November 16, 1999.

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Kiedrowski

SECONDED by Alderman Schwandt

That the Common Council hereby authorizes the City Accountant to pay the current Abstracts of Claims dated November 16, 1999:

01	General Fund	\$248,518.70
02	Water Fund	13,596.46
04	Sewer Fund	18,242.90

06	Capital Projects Fund	27,331.05
07	Trust & Agency Fund	4,963.33
08	Community Development	9,786.39
11	General Fund Encumbered	<u>9,804.00</u>

FINAL TOTAL		<u>\$332,242.83</u>
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Ayes: Schwandt, Kiedrowski, Reidenouer (3)
 Nays: Wudyka (1)
 CARRIED.

VII.2
Accountant

November 10, 1999

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

Dear Honorable Body:

In accordance with Section 2.2 of the Budgetary Transfer Policy, please authorize the City Accountant to make the following transfers of budgetary appropriations:

Control Number	Dollar Amount	From Appropriation Account	To Appropriation Account
21	\$1,645.21	1-1990.400 Contingent	1-7250.488 R&M Golf Clubhouse
22	319.00	2-8330.220 Office Mach.	2-8330.409 Laboratory Supplies
23	6,500.00	1-1990.400 Contingent	1-1620.450 R&M Buildings

Very truly yours,
 David R. Jakubaszek
 City Accountant

MOVED by Alderman Kiedrowski SECONDED by Alderman Schwandt
 That the Common Council hereby authorizes the City Accountant to make the following budgetary transfers:

Control Number	Dollar Amount	From Appropriation Account	To Appropriation Account
21	\$1,645.21	1-1990.400 Contingent	1-7250.488 R&M Golf Clubhouse
22	319.00	2-8330.220 Office Mach.	2-8330.409 Laboratory Supplies
23	6,500.00	1-1990.400 Contingent	1-1620.450 R&M Buildings

Ayes: Schwandt, Kiedrowski, Reidenouer (3)
 Nays: Wudyka (1)
 CARRIED.

VII.3
Accountant

November 10, 1999

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

Dear Honorable Body:

Please be advised that the union contracts which have been successfully negotiated by the Common Council contain a new section, authorizing employee participation in a Cafeteria Plan, pursuant to Section 125 of the Internal Revenue Code.

A Cafeteria Plan (Flexible Spending Plan) permits participating employees to pay for their share of employer provided insurance premiums as well as certain out-of-pocket expenses on a pretax basis. Both the employee and employer will save 7.65% in FICA taxes. Employees also do not pay Federal or State taxes on these amounts. A presentation was made at the Common Council workshop session on November 9, 1999.

This office initiated a Request for Proposal and received four responses, as follows:

First UNUM	No Charge
AFLAC	No Charge
P&A Administrative Services	\$3.50 per month per person
Qualified Plan Consultants	\$4.15 per month per person

First UNUM will also offer optional coverages, which are designed to enhance existing group benefits. Employees wishing to participate in these voluntary coverages will do so at their expense.

Assistant City Attorney Robert Sondel and I have reviewed the documentation and recommend that First UNUM be the Plan Administrator, contingent on there being no current or future cost to the City.

Accordingly, please authorize the Mayor to sign the Plan Document.

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Kiedrowski SECONDED by Alderman Reidenouer
That the Common Council hereby authorizes the Mayor to sign the Cafeteria Plan (Flexible Spending Plan) documentation with First UNUM as the Plan Administrator for same, contingent upon there being no current or future cost to the City.
CARRIED.

VII.4
Accountant

November 10, 1999

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

Dear Honorable Body

Please be advised that I attended the Greater Niagara Region Energy Summit on May 20, 1999. The primary focus of the summit was to discuss the participation of the City, along with other municipalities in Niagara County, in the purchase of natural gas through a co-operative Purchasing Agreement. We have finally received the documentation from LEPCORP, a Leveraged Energy Purchasing Corporation, to start the process.

It is anticipated that a 9% to 11% savings will be generated in the purchase of natural gas by joining this group. Mr. Dorson Wilson, Commissioner of the Niagara County Department of Public Works has been my point of contact. This

co-operative agreement will focus on the smaller accounts maintained by the City. The Wastewater Treatment Plant and the Col. Payne Community Center, due to the large volume usage of the product, already bid natural gas on the open market.

Accordingly, please authorize the Mayor to sign the Natural Gas Co-operative Purchasing Agreement, pursuant to Article 5-G of the General Municipal Law.

Very truly yours,
David R Jakubaszek
City Accountant

MOVED by Alderman Kiedrowski SECONDED by Alderman Wudyka
That the Common Council hereby authorizes the Mayor to sign the Natural Gas Co-operative Purchasing Agreement, pursuant to Article 5-G of the General Municipal Law.

CARRIED.

IX.
Public Works

November 3, 1999

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

Re: One Day Tire Drop-off

Dear Honorable Body:

We have received notification from the Department of Environmental Conservation that we are eligible for a grant in the amount of \$5,000 to fund a one day tire drop-off at the North Tonawanda Public Works garage to help curb the discarding of old tires along roadways, parking areas and empty lots under the Senate program of member initiatives in the 1999-2000 budget.

Please adopt the attached resolution in order for us to be included in this grant.

Very truly yours,
Gary J. Franklin
Superintendent

MOVED by Alderman Schwandt SECONDED by Alderman Kiedrowski
That the Common Council hereby adopts the following resolution:

RESOLUTION

Resolution Authorizing the signing of a State Contract for an aid to Localities Project, Under the Appropriate Laws of New York State.

WHEREAS, City of North Tonawanda (Legal Name of Municipality) herein called the "Municipality," after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in the State Contract, herein called the "Project" is desirable, in the public interest, and is required in order to study and/or implement the local project or program; and

WHEREAS, under Chapter 55, Section 1 and 2, of the Laws of 1999 relating to the Local Assistance Budget, the Legislature has authorized financial assistance to localities for services and expenses related to local projects, programs and studies by means of a written agreement and

WHEREAS, the Municipality has examined and duly considered Chapter 55, Section 1 and 2, of the Laws of 1999 relating to the Local Assistance Budget and

8

deems it to be in the public interest and benefit under this law to enter into a contract therewith:

NOW, THEREFORE, BE IT RESOLVED BY Common Council (Governing Body of Municipality)

1. That Superintendent Public Works (Title of Designated Authorized Representative) is directed and authorized as the official representative to act in connection with any contracts between the Municipality and the State, and to provide such additional information as may be required.

2. That one (1) certified copy of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York together with the State Contract.

3. That this Resolution take effect immediately.
CARRIED.

XIV.1

Youth & Recreation
(Communication held)

November 10, 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:

As you are aware, the 9 hole expansion of Deerwood Golf Course will open during the 2000 playing season.

To assist with organizing the opening ceremony and operating procedure, the Golf Course Advisory Committee has formed sub-committees to work with my department.

These committees have met and have the following recommendations for your consideration:

The opening ceremony will take place on Monday, May 1st, 2000 at 1:00 PM on the first tee of the new 9. The 9 hole expansion will officially open on Tuesday, May 2nd. When the new 9 opens for public play the 3 - 9 hole golf courses will be named Buck (front 9), Doe (back 9) and Fawn (new 9). At this time, the 3 nines will be rotated on a weekly basis creating different 18 hole and 9 hole configurations. This system will add variety to the play at Deerwood.

My department concurs with all of these suggestions.

Therefore, I am requesting that Your Honorable Body concur with the above mentioned recommendations.

Thank you for your assistance.

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

**XIV.2
Youth & Recreation**

November 10, 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:

The Deerwood Golf Course Advisory Committee has worked with my department to review the fee schedule for the golf course and prepare recommendations for your approval.

The attachment includes recommendations for the fee schedule for the 2000 playing season and utilization of the additional revenue generated.

Since the new 9 holes will be opened in 2000, the fee scheduled has been restructured. This new schedule does include increases in some fees and new 9 hole rates.

The Committee is recommending that the increases be approved for the specific purpose of providing additional budget resources for paying the debt, increasing the amount of supervisory employees, providing a revised scorecard, employee uniforms and additional resources for enhancing the operation of the golf course.

Furthermore, the Committee is recommending that the \$6 per player league fee be appropriated in the budget for physical improvements for the golf course.

Therefore, I am requesting that Your Honorable Body approve the 2000 Fee Schedule with above mentioned recommendations for Deerwood Golf Course.

Thank you for your assistance.

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

**MOVED by Alderman Schwandt SECONDED by Alderman Kiedrowski
That the Common Council hereby approves the 2000 Golf Course Fee Schedule for the Deerwood Golf Course, and further golfers must show their driver's licenses for proof of residency.
CARRIED.**

**XVI.
City Clerk**

November 12, 1999

**Common Council
City Hall
North Tonawanda, NY 14120**

Honorable Body:

Enclosed is a Certification of Eligibles List for the position of Police Chief in the North Tonawanda Police Department.

**Yours truly,
Michael D. Cox
City Clerk**

11-16-99

MOVED by Alderman Schwandt SECONDED by Alderman Kiedrowski
That the Common Council hereby holds the Certification of Eligibles List for
further consideration.
CARRIED.

XXV.
Monthly Reports

- | | |
|---------------------------------|--|
| .1 City Clerk | .4 Police Dept. |
| .2 Senior Citizens | .5 Code Enforcement/Plumbing |
| .3 Vital Statistics | |

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

XXXII.
Community Development

November 10, 1999

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

Re: Award of Bid – Downtown Benches and Litter Receptacles

Dear Honorable Body:

As part of the Small Cities Comprehensive Program, the City received approval to purchase benches and litter receptacles for the downtown area. Representatives from the Downtown Merchants Association of North Tonawanda and Project Pride have worked cooperatively with Gary Franklin and me on this activity. In addition, the Downtown Merchants Association requested and received approval for a \$2,800 matching grant for this initiative under the Niagara County Business/Community Enhancement Program.

The City advertised for bids on October 7 and also sent the bid document to seven vendors. One response was received. Robert Sondel has reviewed the bid from R.E. Woodson, Inc., which included the required certified check for 5 percent of the bid amount, the non-collusion certificate and the corporate resolution.

At this time, I would ask that you award the bid for the Downtown Benches and Litter Receptacles in the amount of \$23,000 to R.E. Woodson, Inc., 3520 Dewey Avenue, Rochester, New York 14616. The benches and receptacles will be paid for with Community Development Block Grant funds, Niagara County Business / Community Enhancement Program resources, and funds from the Downtown Merchants' Association of North Tonawanda. Written confirmation of the resources from Niagara County and the Downtown Merchants Association has been received.

Thank you very much for your cooperation.

**Sincerely,
Michele A. Tow
Community Development Director**

MOVED by Alderman Schwandt SECONDED by Alderman Kiedrowski
That the Common Council hereby awards the bid for the Downtown Benches and Litter Receptacles in the amount of \$23,000 to R.E. Woodson, Inc., 3520 Dewey Avenue, Rochester, New York 14616, the benches and receptacles to be paid for with Community Development Block Grant funds, Niagara County Business/Community Enhancement Program resources, and funds from the Downtown Merchants' Association of North Tonawanda. Written confirmation of the resources from Niagara County and the Downtown Merchants Association has been received.
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
North Tonawanda Football Hall of Fame

November 8, 1999

**Honorable Ronald R Dawson, Mayor
and Common Council
City Hall
North Tonawanda, New York 14120**

Dear Honorable Body

Please be advised that the membership of the Football Hall of Fame has requested me to ask the Common Council to review, authorize and finance a new roof for the building

As you are aware, the building located behind the old Carnegie Library on Goundry Street, is owned by the City. The City has leased the building to the Football Hall of Fame organization since 1976. The Football Hall of Fame is required to repair and maintain the building. Accordingly, our maintenance program has included, but is not limited to, general maintenance, adding insulation, purchasing a new furnace, new doors, security lights and landscaping.

The City Engineer has visited the site and, based on the age and condition, recommended that the old roof be removed and a new roof be installed. The cost of this capital project is projected to be approximately \$7,500.

Accordingly, please approve this project.

**Very truly yours,
Paul Frys
President**

MOVED by Alderman Kiedrowski SECONDED by Alderman Reidenouer
That the Common Council hereby approves the replacement of the roof on the Football Hall of Fame Building, located behind the old Carnegie Library on Goundry Street, at a cost of approximately \$7,500.
CARRIED.

B.
Columbia Hook & Ladder - Re: Statement of Volunteer Fireman:

Michael Landen

MOVED by Alderman Kiedrowski SECONDED by Alderman Wudyka
That the name of Michael Landen be added to the City Fire Rolls.
CARRIED.

12

C.

**Downtown Merchant's Association
of North Tonawanda**

November 9, 1999

**To: Honorable Mayor Ronald Dawson
and North Tonawanda Common Council Members**

From: WinterWalk '99 Committee

The WinterWalk '99 site committee respectfully requests the following services from the City of North Tonawanda:

- 1. Closure of Tremont Street from the YWCA to Webster Street on Saturday, December 4th, from 10:00 am to 6:00 pm and on Sunday, December 5th from 11:00 am to 4:00 pm.**
- 2. Closing of Webster Street from Goundry Street to Sweeney Street on Sunday, December 5th from 11:00am to 4:00pm.**
- 3. Services from the necessary departments to complete the above requests.**

We are also requesting the assistance of the Auxiliary Police to help with the safe exit and entrance of the hay rides and shuttle bus from the HSBC Bank Main Street parking lot during the Saturday and Sunday hours.

It is our understanding that the exhibiting of a Fire Department Truck and Police Department D.A.R.E. vehicle has been requested under a separate letter. However, if that request has not occurred as of this time, please accept this letter as a formal request for those displays at a location in the Webster Street area you may deem appropriate.

Thank you for your kind consideration and cooperation in helping to make the WinterWalk '99 a successful event for the area.

If you have any questions please contact Glenna Sternin, WinterWalk '99 Chair at 692-2141.

**MOVED by Alderman Schwandt SECONDED by Alderman Reidenouer
That the Common Council hereby approves the request of the Downtown Merchant's Association of North Tonawanda as follows:**

- 1. Closure of Tremont Street from the YWCA to Webster Street on Saturday, December 4th, from 10:00 am to 6:00 pm and on Sunday, December 5th from 11:00 am to 4:00 pm.**
- 2. Closing of Webster Street from Goundry Street to Sweeney Street on Sunday, December 5th from 11:00am to 4:00pm.**
- 3. Services from the necessary departments to complete the above requests.**

**And further authorizes the Auxiliary Police to assist with the WinterWalk '99 and the exhibit of a Fire Department Truck and Police Department D.A.R.E. vehicles.
CARRIED.**

AUDIENCE PARTICIPATION

Charlie Neal Jr., 1474 Ruie Rd., stated that traffic is heavy on Ruie Road and would like stop signs on Ruie at Vanderbilt.

Shirley Fiedyn, 225 Spaulding St., regarding tax payments laying in the vault.

Gordon Fritz, 1727 Eddy Dr., spoke against the proposed 61 unit senior housing on River Road and that this project is in the Waterfront District.

Ted Strugala, 520 Locust St., spoke against the People Inc., proposal for senior housing at 624 River Road and thanked the Council for passing the new Golf Fee Schedule.

Sonia Dusza, 123 Miller St., spoke against the senior housing proposal at 624 River Road.

Bill Storey, 474 Meadow Dr., spoke against the senior housing proposal on River Road.

Jean Kroetsch, 465 Witmer Rd., spoke about depositing checks and about the natural gas proposal.

ADJOURNMENT

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

Time of Adjournment: 8:37 P.M.

Respectfully submitted,

**Michael D. Cox
City Clerk**