

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, December 21, 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**

AUDIENCE PARTICIPATION

Dale Rogers, 1745 Ruie Rd.,

Thomas Brick, 52 Homestead Dr.,

Sonia Dusza, 123 Miller St.,

COMMUNICATIONS FROM CITY OFFICIALS

AUDIENCE PARTICIPATION

Dale Rogers, 1745 Ruie Rd., CSEA President, asked about the communication from the Police Dept., and asked about the first resolution from Paul Reidenouer and recommended that this item be held for the new council.

Thomas Brick, 52 Homestead Dr., Chamber of Commerce, thanked the council for all their work and hoped the new council will work with the Chamber of Commerce.

Sonia Dusza, 123 Miller St., asked about the Mayor's appointment to the City Planning Commission.

COMMUNICATIONS FROM CITY OFFICIALS

**1.1
Mayor**

December 16, 1999

Dear Honorable Body:

Please he advised that effective December 6, 1999, William P. Murphy resigned from the Planning Commission. I am appointing Jack Jacobs, of 1323 D'Angelo Drive, to serve the remainder of William Murphy's unexpired term on this board.

The term will expire December of 2000.

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

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

**1.2
Mayor**

December 14, 1999

Dear Honorable Body:

I am requesting that the North Tonawanda Common Council to authorize the Mayor to hire an agency or consultant to conduct a statewide search for an economic development director for the City of North Tonawanda's Community Development Office. Please be advised that all resumes or proposals would be brought back to the Common Council for review and hire.

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

**MOVED by Alderman Barberio SECONDED by Alderman Schwandt
That the Common Council hereby authorizes the Mayor to hire an agency or consultant to conduct a statewide search for an economic development director for the North Tonawanda's Community Development Office.
CARRIED.**

**IV.1
Engineer**

December 16, 1999

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

**Re: Project 98-6, Project Pride, Brick Walk Installation
Webster Street (Sweeney Street to Island Street)
P. & J. Construction Co., Inc.
Change Order No. 1, Release of Retained Percentage
and Final Acceptance**

Honorable Body:

Your approval of Change Order No. 1, release of retained percentage and approval of final payment for Contract 98~6, Project Pride, Brick Walk Installation, Webster Street (Sweeney Street to Island Street), if hereby requested.

I recommend that the Common Council approve Change Order No. 1, which is an adjustment of final quantities in the amount of \$10,884.20, increasing the original contract amount from \$59,180.00 to the final contract amount of \$70,064.20, and that the Mayor be authorized to sign said change order; and further, that the work under Project 98-6 be accepted and release of the retained percentage be authorized, subject to the review and approval of the City Attorney.

Very truly yours, Dale W. Marshall, P.E. City Engineer

MOVED by Alderman Schwandt SECONDED by Alderman Barberio That the Common Council hereby approves Change Order No. 1 to Project 98-6, Project Pride, Brick Walk Installation, Webster Street (Sweeney Street to Island Street), which is an adjustment of final quantities in the amount of \$10,884.20, increasing the original contract amount from \$59,180.00 to the final contract amount of \$70,064.20, and that the Mayor is authorized to sign said change order; and further, that the work under Project 98-6 is accepted and release of the retained percentage is authorized, subject to the review and approval of the City Attorney.

CARRIED.

IV.2

Engineer

December 16, 1999

**Honorable Ronald R. Dawson, Mayor
And Common Council Members
City Hall
North Tonawanda, New York**

Re: Department Head Vehicle Purchases from New York State Contract

Honorable Body:

As you are aware, the City Engineer, City Assessor and the Building Inspector are all without useable vehicles. The high mileage, full size police cars that were transferred to the department heads have proven to be unreliable and expensive to operate and maintain.

As a solution to the problem, we believe that the purchase of new mid-size vehicles from the New York State Contract is the most cost effective alternative when compared to a leasing option.

Accordingly, please authorize the purchase of one Ford Taurus mid-size wagon for the City Engineer, State Contract No. 4117-G, Item 4, for \$15,964.00; one Ford Taurus mid-size Sedan for the City Assessor, State Contract No. 4117-G, Item 3B, for \$14,705.25; and one Ford Taurus mid-size wagon for the Building Inspector, State Contract No. 4117-G, Item 4, for \$15,964.00, and further, authorize the City Accountant to make the necessary budgetary transfers.

Thank you for your cooperation in this matter.

Very truly yours, Dale W. Marshall, P.E. City Engineer

MOVED by Alderman Wudyka SECONDED by Alderman Kiedrowski That the Common Council hereby authorizes the purchase of one Ford Taurus mid-size wagon for the City Engineer, State Contract No. 41 17-G, Item 4, for \$15,964.00; one Ford Taurus mid-size Sedan for the City Assessor, State Contract No. 4117-G, Item 3B, for \$14,705.25; and one Ford Taurus mid-size wagon for the Building Inspector, State Contract No. 4117-G, Item 4, for \$15,964.00, and further, authorize the City Accountant to make the necessary budgetary transfers.

CARRIED.

VII.1

Accountant

December 16, 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 December 21, 1999.

Very truly yours, David R. Jakubaszek City Accountant

MOVED by Alderman Kiedrowski SECONDED by Alderman Barberio That the Common Council hereby authorizes the City Accountant to pay the current Abstracts of Claims dated December 21, 1999:

01General Fund	\$164,359.60
02Water Fund	1,466.3~
04Sewer Fund	28,691.11
06Capital Projects Fund	172,750.05
07Trust & Agency Fund	5,136.76
08Community Development	13,063.78
11General Fund Encumbered	123.00
19Federal Grant Fund	<u>1,000.00</u>
FINAL TOTAL	<u>\$386,590.65</u>

Ayes: Schwandt, Wudyka, Barberlo, Kiedrowski, Reidenouer (5)

Nays: None (0)

CARRIED.

VII.2

Accountant

December 16, 1999

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

Dear Honorable Body:

To properly culminate the financial activities of the municipality for fiscal year 1999, I recommend that the Common Council authorize the City Accountant to make any necessary budgetary transfers, adjustments or amendments for sanctioned expenditures, accrued liabilities, accounts payable and encumbrances, at December 31, 1999. Department Heads are still responsible and accountable for their actions. This motion will insure that no appropriation accounts are over-obligated at year end, providing a favorable financial and management representation for the auditors, State Comptroller, investors and bankers.

This action would be in compliance with the State of New York, Department of Audit and Control's Uniform System of Accounts for Cities and Generally Accepted Accounting Principles (GAAP).

The year end transfer detail will be reflected in the year 2000 Budget work-papers, in the municipality's Audited 1999 Financial Statements and in our Annual Update Document which is sent to the New York State Comptrollers office.

Very truly yours, David R. Jakubaszek City Accountant

MOVED by Alderman Kiedrowski SECONDED by Alderman Barberio That the Commoi~ Council hereby authorizes the City Accountant to make any necessary budgetary transfers, adjustments or amendments for sanctioned expenditures, accrued liabilities, accounts payable and encumbrances, at December 31, 1999.

Ayes: Schwandt, Wudyka, Barberlo, Kiedrowski, Reidenouer (5)

Nays: None (0)

CARRIED.

VII.3

Accountant

December 16, 1999

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

Dear Honorable Body:

Please be advised that on December 15, 1999, formal bids were received by the City Clerk for the consolidated purchase of Central Office Supplies for a one or two year period. The contract period runs from January 1, 2000 through December 31, 2000 or 2001. The referenced aggregate office supplies are to be used by all municipal departments of the City of North Tonawanda. Each Department will receive an Office Supply catalog and requisition forms, which will be completed and returned to the Department of Accounting each week, for central processing.

This Department has reviewed and tabulated the bids as follows:

<u>Bidder</u>	Bid
Service Office Supply Corporation	14,078.76
Eaton Office Supply Company, Inc.	14,486.16
Boise Cascade Office Products	15,822.36

Mad Data Products

18,920.73

5

In accordance with the results of the bid tabulation, I recommend that the contract for office supplies be awarded to Service Office Supply Corporation, at their low bid of \$14,078.76, for fiscal years 2000 and 2001.

Very truly yours, David R. Jakubaszek City Accountant

MOVED by Alderman Barberio **SECONDED** by Alderman Schwandt
That the Common Council hereby awards the bid for office supplies to Service Office Supply Corporation, at their low bid of \$14,078.76, for fiscal years 2000 and 2001.

CARRIED.

IX.

Public Works

December 16, 1999

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

Re: Personnel Traffic Control Division

Dear Honorable Body:

It is my recommendation that the following appointments of current employees be made to the newly created positions of the Traffic Control Division of the Department of Public Works. This reorganization of the Sign Division and Signal Division into one new Traffic Control Division will increase efficiency and improve operations while reducing the number of personnel and reducing costs.

The appointments are as follows:

That Mr. Thomas Tussing be appointed provisionally to the position of Traffic Maintenance Supervisor at an annual salary of \$42,619 as set in Job Group XV, Step 4 of the CSEA contract.

That Mr. David Dzikoski be appointed provisionally to the position of Traffic Maintenance Technician at an annual salary of \$41,323 as set in Job Group XIV, Step 4 of the CSEA contract.

That Mr. Mark Daigler be appointed provisionally to the position of Traffic Maintenance Technician at an annual salary of \$41,323 as set in Job Group XIV, Step 4 of the CSEA contract.

That Mr. George Olmstead be appointed permanently with a probationary period to the position of Traffic Maintenance Worker at a hourly pay rate \$16.19 as set in Job Group 11-5, Step 4 of the CSEA contract.

That Mr. Thomas Limeri be appointed permanently with a probationary period to the position of Traffic Maintenance Worker at a hourly pay rate \$16.19 as set in Job Group H-5, Step 4 of the CSEA contract.

That the above mentioned appointments all be made effective retroactively to August 4, 1999, and that the Niagara County Civil Service Commission be notified and requested to schedule promotional examination for the positions of Traffic Maintenance Supervisor and Traffic Maintenance Technician in the Department of Public Works.

Very truly yours, Gary J. Franklin
Superintendent

MOVED by Alderman Kiedrowski SECONDED by Alderman Wudyka
That the Common Council hereby appoints the following retroactive to August 4, 1999:

- 1) Thomas Tussing of 115 Community Dr., provisionally to the position of Traffic Maintenance Supervisor at an annual salary of \$42,619 as set in Job Group XV, Step 4 of the CSEA contract.
- 2) David Dzikoski of 9743 Lake Rd., Somerset, NY 14012 provisionally to the position of Traffic Maintenance Technician at an annual salary of \$41,323 as set in Job Group XIV, Step 4 of the CSEA contract.
- 3) Mark Daigler of 19 Forbes Terr., provisionally to the position of Traffic Maintenance Technician at an annual salary of \$41,323 as set in Job Group XIV, Step 4 of the CSEA contract.
- 4) George Olmstead of 12 Goundry St., permanently with a probationary period to the position of Traffic Maintenance Worker at a hourly pay rate \$16.19 as set in Job Group H-5, Step 4 of the CSEA contract.
- 5) Thomas Limeri of 239 Zimmerman St., permanently with a probationary period to the position of Traffic Maintenance Worker at a hourly pay rate \$16.19 as set in Job Group H-5, Step 4 of the CSEA contract.
- 6) Notify Niagara County Civil Service Commission of the changes and request the scheduling of promotional examinations for the positions of Traffic Maintenance Supervisor and Traffic Maintenance Technician in the Department of Public Works.

CARRIED.

x.

Police Dept.

December 21, 1999

The Honorable Ronald IL Dawson, Mayor
And Common Council
216 Payne Avenue
North Tonawanda, NY 14120

Re: Account Clerk Typist appointment Dear Honorable Body:

I recommend that Maureen B. Balling be appointed to the position of Account Clerk Typist in the Police Department. I make this recommendation since Section 6.11 of the CSEA Contract states that the vacancy must be filled from among the qualified persons who sign the posting. Priority is to be given to the most senior employee within the Department where the vacancy exists.

Ms. Balling is the most qualified from the promotional list for the position. Furthermore, she has been employed in the Police Department since April 1993 and is familiar with most of the duties. Therefore she is the person that should be appointed in accordance with the CSEA contract, effective Dec. 22, 1999. She should be placed in Group III, Step 5 as per the CSEA contract.

Also, at this time Ms. Balling requests a leave of absence from her current position within the Police Department until her new position becomes permanent.

**Carl W. Stiles
Chief of Police**

MOVED by Alderman Barberio SECONDED by Alderman Schwandt That the Common Council hereby appoints Maureen B. Balling of 267 Shartle P1., to the position of Account Clerk Typist in the Police Department in Group III, Step 5 of the CSEA Contract effective December 22, 1999.

**And further grants Maureen Balling a leave of absence from her position of Data Entry Operator until her position of Account Clerk Typist becomes permanent.
CARRIED.**

**XIV.
Youth & Recreation**

December 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:

Please find attached a renewal agreement between the City and Daniel Fernbacher for services as swim coach of the City's Swim Club.

Mr. Fernbacher does an excellent job coaching the swim club. The club is self-supported through fees.

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

Therefore, I request that Your Honorable Body authorize the Mayor 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 Kiedrowski SECONDED by Alderman Schwandt That the Common Council hereby authorizes the Mayor to execute the renewal agreement between the City and Daniel Fernbacher for services as swim coach of the City's Swim Club.

CARRIED.

**XVI.
City Clerk**

December 17, 1999

Dear Honorable Body:

Please authorize the Mayor to sign a new 5 year 24 hour Animal Control contract with the low bidder, Niagara County Society for the Prevention of Cruelty to Animals, beginning on January 1~, 2000 and ending December 31, 2004 at a cost of \$216,216.00.

**Michael D. Cox
City Clerk**

MOVED by Alderman Kiedrowski SECONDED by Alderman Wudyka

That the Common Council hereby awards the bid for a five year contract for 24 Hour Animal Control with the Niagara County Society for the Prevention of Cruelty to Animals beginning January 1, 2000 and ending December 31, 2004 at a cost of \$216,216.00, and further authorizes the Mayor to sign said contract.

CARRIED.

**XVII.
Traffic Safety Committee**

13 Dec 1999

**Honorable Mayor and
Common Council**

Dear Honorable Body:

The Traffic Safety Committee recommends that “No Parking Anytime” signs be posted on the east side of Kinkead St. from Meadow Dr. north to the end of Kinkead St. The reason for this request is if cars are parked on both sides of the street it narrows the roadway to the extent that there cannot be two-way traffic simultaneously, and this would pose a hazard to any emergency operation. This request originates from the owner of the former medical center at 1089 Kinkead St.

- 1) Doug Mangan, owner of business located at 843 Payne Ave., was present at meeting to request the removal of “15 minute parking” signs in front of his building at 843 Payne Ave. because he has relocated his business to his home and now feels the signs are not necessary any more.**

**Respectfully submitted,
Gerald E. Doucette**

MOVED by Alderman Barberio SECONDED by Alderman Schwandt That the Common Council hereby authorizes the Dept. of Public Works:

- 1) To post “No Parking Anytime” signs on the east side of Kinkead Street from Meadow Drive north to the end of Kinkead Street.**
- 2) To remove the “15 Minute Parking” signs in front of 843 Payne Avenue.**

CARRIED.

**XXV.
Monthly Reports**

- .1 City Clerk**
- .2 Senior Citizens**
- .3 Youth & Recreation**

- .4 Vital Statistics**
- .5 Code Enforcement/Plumbing**

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

COMMUNICATIONS FROM OTHERS

A.

**Live Hose Co. - Re: Statement of Volunteer Fireman:
Schuyler Paul Johnson**

MOVED by Alderman Kiedrowski SECONDED by Alderman Schwandt
That the name of Schuyler Paul Johnson be added to the City Fire Rolls.
CARRIED.

B.

**Rescue Fire Co. - Re: Statement of Volunteer Fireman:
Lorrie Lynne Lewis**

MOVED by Alderman Barberio SECONDED by Alderman Kiedrowski

That the name of Lorrie Lynne Lewis be added to the City Fire Rolls.
CARRIED.

MOVED by Alderman Reidenouer
WHEREAS, The UB/Frank Lloyd Wright Task Force was made up of representatives of this government, members of the Nor-Ton Red Jacket Club and other community leaders, and

WHEREAS, The purpose of the task force was to pursue the possibility of making the property currently known as the Nor-Ton Red Jacket Club in the City of North Tonawanda the permanent home of the University of Buffalo Rowing Team and Frank Lloyd Wright Boathouse, and

WHEREAS, The Task Force and the City recognizes that the Nor-Ton Red Jacket Club, as the leaseholder of said property that sits on~ the historic Erie Canal, plays an integral role in making this project a success, and

WHEREAS, The Task Force has also received an expressed interest from the West Side Rowing Club to row at this specific sight during the spring and fall months and in return they will assist the City of North Tonawanda in establishing

a recreational rowing program for the community and,

WHEREAS, Area High Schools and Universities, through a survey conducted by the Task Force, have expressed an interest in creating a rowing program as a club sport, now

THEREFORE BE IT RESOLVED, that the Common Council and Mayor’s Office of the City of North Tonawanda hereby approves of the proposal drafted by the Task Force and upon approval of the Board of Directors and membership of the Nor-Ton Red Jacket Club wifi be forwarded to the University of Buffalo, and

BE IT FUTHER RESOLVED that the Common Council approves of the funding request in the proposal of up to \$20,000.

MOTION FAILED FOR LACK OF A SECOND.

MOVED by Alderman Reidenouer
The Common Council, in an effort to assure the residents of our city that the plan of the Water and Wastewater Departments has a true potential of long term savings, hereby abolishes the following vacant positions:

**WATER DEPARTMENT
TREATMENT**

Water Treatment Operator (1)

. PUMPING

Pumping Station Operator (1)

Water Plant Mechanic (1)

Water Maintenance Man (1)

WASTE WATER TREATMENT PLANT

Lab Technician (1)

MOTION FAILED FOR LACK OF A SECOND.

AUDIENCE PARTICIPATION

Mark Fisher, 493 Zimmerman St., wanted to thank the Common Council for supporting the Auxiliary Police.

Sonia Dusza, 123 Miller St., spokr about the good news regarding the collection of back taxes.

Mary Kabasakalian, 1554 Nash Rd., spoke about the new council and she wanted to congratulate the old council on a job well done.

Bill Davi~non, 31 Stenzil St., wanted to thank Alderman Reidenouer for pursuing privatization because it proved that the numbers spoke for themselves and also spoke about all the cost saving measures at the Wastewater Treatment Plant.

ADJOURNMENT

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

Time of Adjournment: 8:55 P.M.

Respectfully submitted,

**Michael D. Cox
City Clerk**