

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, February 1, 2011
6:30P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT SCHWANDT

ROLL CALL

Present: President Schwandt
Aldermen Pasiak, Andres, Zadzilka, Donovan

Absent: None

Also Present: Mayor Robert G. Ortt
City Attorney Shawn P. Nickerson

AUDIENCE PARTICIPATION

Ann Finkle, 896 Sun Valley Drive – Inquired as to how individuals are appointed to Standing City Committees.

APPROVAL OF THE MINUTES OF THE REORGANIZATION SESSION JANUARY 3, 2011

MOVED by Alderman Andres **SECONDED by Alderman Zadzilka**
That the minutes of the reorganizational session held January 3, 2011 be approved as circulated and filed in the Office of the City Clerk-Treasurer.
CARRIED.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION JANUARY 3, 2011

MOVED by Alderman Pasiak **SECONDED by Alderman Zadzilka**
That the minutes of the regular session held January 3, 2011 be approved as circulated and filed in the Office of the City Clerk-Treasurer.
CARRIED.

APPROVAL OF THE MINUTES OF THE SPECIAL SESSION JANUARY 11, 2011

MOVED by Alderman Donovan **SECONDED by Alderman Andres**
That the minutes of the special session held January 11, 2011 be approved as circulated and filed in the Office of the City Clerk-Treasurer.
CARRIED.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION JANUARY 18, 2011

MOVED by Alderman Schwandt **SECONDED by Alderman Andres**
That the minutes of the regular session held January 18, 2011 be approved as circulated and filed in the Office of the City Clerk-Treasurer.
CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

I.1 Mayor

January 4, 2011

**City of North Tonawanda Common Council
City Hall, 216 Payne Avenue
North Tonawanda, NY 14120**

Re: Appointment to the Historic Preservation Committee

Dear Honorable Body:

Please be advised that I am appointing Joseph Mantione, 240 Niagara Street, North Tonawanda, NY 14120, to the Historic Preservation Committee, effective January 1, 2011 for a term of two (2) years expiring on December 31, 2012.

Thank you for your attention to this matter.

**Faithfully yours,
Robert G. Ortt
Mayor**

**MOVED by Alderman Andres SECONDED by Alderman Zadzilka
That the Common Council hereby receives and files the aforementioned communication.
CARRIED.**

I.2 Mayor

January 4, 2011

**City of North Tonawanda Common Council
City Hall, 216 Payne Avenue
North Tonawanda, New York 14120**

Re: Appointment to the Historic Preservation Committee

Dear Honorable Body:

Please be advised that I am appointing Joseph Fonzi, 609 Christiana Street, North Tonawanda, NY 14120, to the Historic Preservation Committee, effective January 1, 2011 for a term of two (2) years expiring on December 31, 2012.

Thank you for your attention to this matter.

**Faithfully yours,
Robert G. Ortt
Mayor**

**MOVED by Alderman Andres SECONDED by Alderman Pasiak
That the Common Council hereby receives and files the aforementioned communication.
CARRIED.**

I.3 Mayor

January 17, 2011

**North Tonawanda Common Council
City Hall, 216 Payne Avenue
North Tonawanda, NY 14120**

Re: Appointment to North Tonawanda Housing Authority

Dear Honorable Body:

Please be advised that I am appointing Arthur Pappas, 1417 Forbes Street, North Tonawanda, NY 14120, to the Housing Authority for a three (3) year term effective February 1, 2011 and expiring on January 31, 2014.

Thank you for your attention to this matter.

Sincerely,
Robert G. Ortt
Mayor

MOVED by Alderman Pasiak SECONDED by Alderman Donovan
That the Common Council hereby receives and files the aforementioned communication.
CARRIED.

I.4 Mayor

January 25, 2011

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

Re: Re-appointment to North Tonawanda Environmental Committee

Dear Honorable Body:

Please be advised that I am appointing Paul Lehman, 966 Remington Drive, North Tonawanda, NY 14120, to the Environmental Committee for a three (3) year term effective January 1, 2011 and expiring on December 31, 2013.

Thank you for your attention to this matter.

Faithfully yours,
Robert G. Ortt
Mayor

MOVED by Alderman Schwandt SECONDED by Alderman Zadzilka
That the Common Council hereby receives and files the aforementioned communication.
CARRIED.

I.5 Mayor

January 19, 2011

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

Re: Brauer Park Memorial

Dear Honorable Body:

At a workshop session on January 11, 2011, a representative from the Historical Society of the Tonawanda's presented a plan to refurbish our Brauer Park Memorial by replacing the cement stones with black granite. The bronze plaques that have the names of our warriors from the Great War will be placed on the black granite in commemoration of their noble sacrifice. There is no cost to the City, as the Historical Society has graciously offered to pay for this work. I am respectfully requesting that you place this request as

MOVED by Alderman Pasiak

SECONDED by Alderman Donovan

That the Common Council hereby authorizes the Mayor to sign the renewal agreement for the Food Service Concession for Deerwood Golf Course between the City of North Tonawanda and The Fairways of Deerwood, Inc. for a 5-year term, 2011 through 2015 golf seasons, with a 5-year option to renew beginning in 2015, subject to any further review by the City Attorney.

Ayes: Andres, Pasiak, Zadzilka, Donovan, Schwandt

(5)

Nays: None

(0)

CARRIED.

III.1 Clerk – Treasurer

Date: February 1, 2011

To: Mayor/Common Council

From: Scott P. Kiedrowski

Subject: Standard Work Day and Reporting Resolution

New Regulation 315.4 outlines additional reporting requirements for elected or appointed officials and more clearly defines the process for reporting time worked by those officials.

This regulation became effective August 12, 2009.

I offer the following resolution for your consideration:

BE IT RESOLVED, that the City of North Tonawanda hereby establishes the following as standard work days for elected and appointed officials and will report (see attached) the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these Officials to the Clerk of this body.

MOVED by Alderman Pasiak

SECONDED by Alderman Zadzilka

BE IT RESOLVED, that the City of North Tonawanda hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these Officials to the Clerk of this body:

Elected/Appointed Work Schedule City of North Tonawanda, New York

ELECTED OFFICIALS:

<u>TITLE</u>	<u>NAME</u>	<u>STANDARD WORK DAY</u>	<u>TERM BEGINS/ENDS</u>	<u>PARTICIPATES IN TIME KEEPING</u>	<u>DAY/MONTH</u>
Mayor	Robert G. Ort II	7	1/01/10 12/31/13	Y	20
Clerk-Treasurer	Scott P. Kiedrowski	7	1/01/11 12/31/11	Y	20
Attorney	Shawn P. Nickerson	7	1/01/10 12/31/13	Y	20
Alderman	Catherine G. Schwandt	6	1/01/08 12/31/11	N	24
Alderman	Richard L. Andres Jr.	6	1/01/10 12/31/11	N	24.34

APPOINTED OFFICIALS:

Adm. Assistant Mayor's Office	Robert W. Welch	7	1/1/10	12/31/13	Y	20
Mayor Secretary	Suzanne B. Hempel	7	1/1/10	12/31/13	Y	20
Asst. City Attorney	Robert Sondel	7	1/1/10	12/31/13	Y	20

Ayes: Andres, Pasiak, Zadzilka, Donovan, Schwandt (5)

Nays: None (0)

CARRIED.

III.2 Clerk – Treasurer

January 24, 2011

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

Re: Sale of property known as 470 Meadow Drive South, SBL #182.20-2-74

Dear Honorable Body:

I recommend the sale of 470 Meadow Drive South, SBL #182.20-2-74 to the Urtel Family, 908 Park Avenue, and the Knight Family, 900 Park Avenue jointly for the high bid of \$1,100.00.

If your Honorable Body should concur, I ask that you pass a resolution authorizing the sale of this property jointly to the Urtel and Knight Families, pending final review by the City Attorney.

If you should have any questions, please do not hesitate to contact me.

Sincerely,
Scott P. Kiedrowski
City Clerk-Treasurer
City of North Tonawanda

MOVED by Alderman Zadzilka SECONDED by Alderman Donovan
That the Common Council hereby approves the sale of 470 Meadow Drive South, SBL#182.20-2-74 to the Urtel Family, 908 Park Avenue, and the Knight Family, 900 Park Avenue jointly for the high bid of \$1,100.00 pending final review by the City Attorney. The parcel sold for fair market value, and the parcel served no useful purpose to the City of North Tonawanda.

Ayes: Andres, Pasiak, Zadzilka, Donovan, Schwandt (5)

Nays: None (0)

CARRIED.

III.3 Clerk – Treasurer

January 24, 2011

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

Re: Proposed Merchant Services Agreements between the City of North Tonawanda and ACH Direct for e-Check processing, EVO Merchant Services for credit/debit card processing and Systems East, Inc. –Xpress-pay for Online Bill Payment Processing.

III.5 Clerk-Treasurer

January 27, 2011

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

Re: Niagara County Legislature Approvals/Resolution for Greenway Funds for the North Tonawanda Gratwick-Riverside Marina Project.

Dear Honorable Body:

Attached is a certified resolution from the Niagara County Legislature. I kindly ask your Honorable Body to receive and file said resolution that approves "Greenway Funds" for the North Tonawanda Gratwick-Riverside Marina Project.

Sincerely,
Scott P. Kiedrowski
City Clerk-Treasurer
City of North Tonawanda

MOVED by Alderman Donovan SECONDED by Alderman Andres
That the Common Council hereby receives and files the aforementioned communication.
CARRIED.

III.6 Clerk-Treasurer

January 27, 2011

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

Re: Niagara County Legislature Approvals/Resolution for Greenway Funds for "Kiddieland" project at the Herschell Carrousel Factory Museum.

Dear Honorable Body:

Attached is a certified resolution from the Niagara County Legislature. I kindly ask your Honorable Body to receive and file said resolution that approves "Greenway Funds" for the "Kiddieland" project at the Herschell Carrousel Factory Museum.

Sincerely,
Scott P. Kiedrowski
City Clerk-Treasurer
City of North Tonawanda

MOVED by Alderman Pasiak SECONDED by Alderman Andres
That the Common Council hereby receives and files the aforementioned communication.
CARRIED.

VII. Accountant

January 27, 2011

Honorable Robert G. Ortt, Mayor
and Common Council
City Hall
North Tonawanda, New York 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 February 1, 2011, and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Very truly yours,
 David R. Jakubaszek
 City Accountant

MOVED by Alderman Zadzilka **SECONDED** by Alderman Donovan
 That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated February 1, 2011 and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$522,244.97
02	Water Fund	53,146.06
04	Sewer Fund	97,092.27
06	Capital Project Fund	448,868.82
09	Capital – Buffalo Bolt	1,379.50
11	General Fund Encumbered	112,908.15
12	Water Fund Encumbered	11,818.27
14	Sewer Fund Encumbered	20,660.01
17	Home Rehab Program	<u>12,190.00</u>
	Final Total	<u>\$1,280,308.05</u>

Ayes: Andres, Pasiak, Zadzilka, Donovan, Schwandt (5)
 Nays: None (0)
CARRIED.

XIV. Recreation

January 17, 2011

The Honorable Mayor Robert Ortt and Common Council Members
 City Hall
 216 Payne Avenue
 North Tonawanda, New York 14120

Dear Honorable Body:

Please review and approve for signing the attached agreement between Marketing Imprints, Inc., 601 Division Street, North Tonawanda NY and the City of North Tonawanda for a Pro Shop at the Deerwood Golf Course. The agreement will allow the service to continue through December 31, 2015.

The contract has been reviewed and approved by the City Attorney and I request that you authorize the Mayor to execute said contract.

Respectfully submitted,
 Patricia A. Brosius
 Director of Youth, Recreation & Parks

MOVED by Alderman Schwandt **SECONDED** by Alderman Zadzilka
 That the Common Council hereby authorizes the Mayor to sign the agreement between the Marketing Imprints, Inc., 601 Division Street, North Tonawanda NY and the City of North Tonawanda for a Pro Shop at Deerwood Golf Course. The agreement will allow the service to continue through December 31, 2015, subject to any further review by the City Attorney.

Ayes: Andres, Pasiak, Zadzilka, Donovan, Schwandt (5)
 Nays: None (0)
CARRIED.

**William Busch, Jr. – 35 Years
Jeffrey Robinson – 25 Years
William Davignon – 25 Years
Carl Hoover – 25 Years
John Lapham – 25 Years**

Remove from Fire Rolls:

Charles Wright

**MOVED by Alderman Schwandt SECONDED by Alderman Andres
To issue Exemption Certificates to Delton Ossman – 50 Years; Joseph Rydzik – 50 Years;
George Boddy – 50 Years; Jack Weiss – 35 Years; William Busch, Jr. – 35 Years; Jeffrey
Robinson – 25 Years; William Davignon – 25 Years; Carl Hoover – 25 Years and John
Lapham – 25 Years and to remove from Charles Wright from the Fire Rolls.
CARRIED.**

AUDIENCE PARTICIPATION

Ann Finkle, 896 Sun Valley Drive – Told the Common Council that the last paragraph in a recent Tonawanda News article about the proposed Gateway Stage was misleading in that it was paid for by a State Grant and that there was no reason it “would pay for itself” since it was already paid for by a grant. Stated that she could not find the Common Council agenda on-line, and could not find any listing in the Tonawanda News about Public Meetings. Inquired if meetings were cancelled, how would she know, would it be posted on the website. Questioned why the sale of a parcel of property was on the agenda when it was discussed in a workshop several weeks back, did not understand why if it was approved weeks ago why it was on this agenda.

ADJOURNMENT

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

Time of Adjournment: 7:01P.M.

Respectfully submitted,

**Scott P. Kiedrowski
City Clerk–Treasurer**