

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, March 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 – None

APPROVAL OF THE MINUTES OF THE REGULAR SESSION FEBRUARY 15, 2011

MOVED by Alderman Zadzilka SECONDED by Alderman Andres
That the minutes of the regular session held February 15, 2011 be approved as circulated and
filed in the Office of the City Clerk-Treasurer.
CARRIED.

APPROVAL OF THE MINUTES OF THE SPECIAL SESSION FEBRUARY 22, 2011

MOVED by Alderman Pasiak SECONDED by Alderman Donovan
That the minutes of the special session held February 22, 2011 be approved as circulated and filed
in the Office of the City Clerk-Treasurer.
CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

II. Attorney

February 24, 2011

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

Re: Meadow Drive Extension Project - Review Appraisal/Just Compensation
Documents - 1094, 1982 and WS Erie Avenue Parcels
Right-of-Way Professionals, LLC

Dear Honorable Body:

Attached are appraisals and just compensation agreements regarding the Meadow Drive Extension project, and which require execution by the Mayor in order to move forward with the project.

Should your Honorable Body concur, please pass a resolution to permit the execution of the appraisal and just compensation documents by the Mayor for the Meadow Drive Extension Project, subject to any further review by the City Attorney.

IV.2 Engineer

February 24, 2011

Honorable Robert G. Ortt, Mayor
and Common Council Members
City Hall
North Tonawanda, New York 14120

Re: Project 2010-03 Rumbold Avenue Pump Station
Engineering Agreement

Dear Honorable Body:

As you are aware, the Common Council approved the 2010 Storm Sewer Separation project in the amount of \$327,000 that included monies for the needed improvements to the Rumbold Avenue Pump Station. The improvements included engineering, bypass valve vault, electric system upgrades, pump replacement and modifications to the dry and wet wells. Currently, the Department of Public Works is renting submersible pumps at a cost of approximately \$1,900 per month to keep the pump station in service temporarily until the necessary modifications are made.

Accordingly, I recommend that the Common Council approve the enclosed engineering agreement with GHD to provide mechanical, electric and structural engineering services, including the bid phase and construction phase services, in an amount not to exceed \$28,750; authorizing the Mayor to sign said agreement subject to review by the City Attorney.

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

MOVED by Alderman Andres

SECONDED by Alderman Schwandt

That the Common Council hereby approves engineering agreement with GHD to provide mechanical, electric and structural engineering services for Project 2010-03 Rumbold Avenue Pump Station, including the bid phase and construction phase services, in an amount not to exceed \$28,750 and authorizes the Mayor to sign said agreement subject to review by the City Attorney.

Ayes: Andres, Pasiak, Zadzilka, Donovan, Schwandt

(5)

Nays: None

(0)

CARRIED.

IV.3

February 24, 2011

Honorable Robert G. Ortt, Mayor
and Common Council Members
City Hall
North Tonawanda, New York 14120

Re: 2011 North Tonawanda Stormwater Program Assistance Agreement

Honorable Body:

Last year the city implemented a robust stormwater program to help bring the city in compliance with the new stormwater regulations and requirements of the federal and state government with the assistance of Wendel Engineers.

This year's goals are to increase the city's public education and outreach programs, preparation of the city's 2010 annual stormwater report including involvement, development of a dedicated stormwater webpage on the city's website, and most

importantly; coordinate and develop a pollution prevention /good housekeeping program for all municipal operations that includes, public works, water, wastewater and recreation departments.

Accordingly, I respectfully request the Common Council approve the enclosed 2011 North Tonawanda Stormwater Program Assistance Agreement with Wendel, 140 John James Audubon Parkway, Buffalo, NY 14228, in an amount not to exceed \$15,000; authorizing the Mayor to sign said agreement subject to the review by the City Attorney.

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

MOVED by Alderman Pasiak SECONDED by Alderman Donovan
That the Common Council hereby approves engineering agreement for the 2011 North Tonawanda Stormwater Program Assistance Agreement with Wendel, 140 John James Audubon Parkway, Buffalo, NY 14228, in an amount not to exceed \$15,000 and authorizes the Mayor to sign said agreement subject to the review by the City Attorney.

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

VII.1 Accountant

February 24, 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 March 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 Pasiak
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated March 1, 2011 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$506,055.00
02	Water Fund	53,133.14
04	Sewer Fund	94,603.40
06	Capital Project Fund	14,184.41
11	General Fund Encumbered	12,153.59
14	Sewer Fund Encumbered	8,822.07
17	Home Rehab Program	500.00
	Final Total	<u>\$689,451.61</u>

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

XIV. Recreation

February 22, 2011

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

Dear Honorable Body:

Please approve the permanent appointment of Craig D. Anthony of 298 Rumbold Avenue, North Tonawanda, New York, to the position of Crew Leader. Mr. Anthony's provisional appointment was effective Wednesday, June 16, 2010 so I am requesting a probationary period be waived.

Mr. Anthony's application has been approved by the Niagara County Civil Service Commission and he has scored first on the Civil Service Exam offered for his position. Craig has been employed by the City of North Tonawanda since 1988 and possesses excellent motivation, character and management skills required by the position.

Thank you.

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

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

XXVI. Semi-Annual Vacation and Sick Leave Reports**.1 Accountant**

MOVED by Alderman Schwandt **SECONDED** by Alderman Andres
 That the Common Council hereby receives and files the aforementioned Semi-Annual
 Vacation and Sick Leave Reports.
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Columbia Hook & Ladder - Re: Removal from Fire Rolls:

**Donald W. McKnight
 Walter R. Krause**

MOVED by Alderman Donovan **SECONDED** by Alderman Zadzilka
 To remove Donald W. McKnight and Walter R. Krause from the City Fire Rolls.
CARRIED.

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B.
Ralph LaFreniere

February 22, 2011

Dear Sirs:

I wish to be appointed a commissioner of Deeds here in the City of North Tonawanda.

I thank you.
Ralph LaFreniere

MOVED by Alderman Pasiak **SECONDED** by Alderman Donovan
That the Common Council hereby appoints Ralph LaFreniere, 722 Payne Avenue, North
Tonawanda, NY 14120, as a Commissioner of Deeds for the City of North Tonawanda
effective March 2, 2011 through March 1, 2013.
CARRIED.

LATE COMMUNICATION

MOVED by Alderman Schwandt **SECONDED** by Alderman Andres
To bring the following communication to the floor.
Ayes: Pasiak, Andres, Donovan, Zadzilka, Schwandt (5)
Nays: None (0)
CARRIED.

#1

Active Hose Company #2 - Re: Exemption Petitions:

Barry L. Taft – 35 Years
Timothy McCarthy – 25 Years
Douglas VanHise – 25 Years

MOVED by Alderman Andres **SECONDED** by Alderman Pasiak
To issue exemption certificates to Barry L. Taft – 35 Years; Timothy McCarthy – 25 Years
and Douglas VanHise – 25 Years.
CARRIED.

AUDIENCE PARTICIPATION

ANN FINKLE, 896 Sun Valley Drive – Inquired as to when the Common Council members
discuss agenda items. Read a prepared statement that covered a variety of government
issues, i.e., transparency, cost savings, changing meeting days.

Chris Carey, 610 Sweeney Street – Spoke on the Marina Proposal for the City-Owned
Marina on River road. Questioned the two concepts, thought the proposed use was not a
good fit for Waterfront activities.

ADJOURNMENT

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

Time of Adjournment: 7:00P.M.

Respectfully submitted,

Scott P. Kiedrowski
City Clerk–Treasurer

03-01-11