

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, March 15, 2011
6:30P.M.**

REGULAR SESSION CALLED TO ORDER BY PRESIDENT SCHWANDT

PLEDGE OF ALLEGIANCE

ROLL CALL

**Present: President Schwandt
Alderman Andres, Pasiak, Donovan, Zadzilka**

Absent: None

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

STUDENT GOVERNMENT DAY

| | |
|---------------------------|--|
| Shannon McMahon | Mayor |
| Danny Belmona | Mayor's Assistant |
| Sean Stonish | City Attorney |
| Kassandra Piatt | Assistant City Attorney |
| Taylor Greene | City Judge |
| Jennifer Kleman | Appointed Judge |
| Chelsea Fontana | City Clerk-Treasurer |
| Paul Lukasik | Council President |
| Lauren Farrell | Alderman at Large |
| Zachary Niemiec | 1st Ward Alderman |
| Teresa Sparacino | 2nd Ward Alderman |
| Abbey Sommer | 3rd Ward Alderman |
| Allison Sulkowski | Building Inspector/Code Enforcement |
| Jenna Marcantonio | City Accountant |
| Chris Dobiesz | City Assessor |
| Jennifer McFarland | City Engineer |
| Bailey McCarthy | Director of Community Development |
| Katie Labushesky | Director of Youth, Parks & Recreation |
| Jason Paton | Fire Chief |
| Krista Fix | Police Chief |

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|------------------------|---|
| Nils Ellerbrock | Political Correspondent |
| Molly Fox | Superintendent of Public Works |
| Jason Kastelan | Superintendent of Water/Wastewater |
| Renee Snyder | Youth Board Chairperson |

APPROVAL OF THE MINUTES OF THE REGULAR SESSION MARCH 1, 2011

MOVED by Alderman Andres **SECONDED by Alderman Zadzilka**
That the minutes of the regular session held March 1, 2011 be approved as circulated and filed in the Office of the City Clerk-Treasurer.
CARRIED.

PROOF OF PUBLICATION PUBLISHED FEBRUARY 1, 2011

1) Public Hearing – Sweeney Cemetery Landmark Status – City Clerk–Treasurer

MOVED by Alderman Donovan **SECONDED by Alderman Andres**
That the Common Council hereby receives and files the aforementioned Proof of Publication.
CARRIED.

AUDIENCE PARTICIPATION – None

COMMUNICATIONS FROM CITY OFFICIALS

I.1 Mayor

March 1, 2011

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

Re: Appointment to North Tonawanda Zoning Board of Appeals

Dear Honorable Body:

Please be advised that I am re-appointing Walter Wrazin, 52 N. Jessella Drive, North Tonawanda, NY 14120 to the Zoning Board of Appeals. Effective March 1, 2011 and expiring on December 31, 2015.

Thank you for your attention to this matter.

**Sincerely,
Robert G. Ortt
Mayor**

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

I.2 Mayor

March 1, 2011

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

Re: Appointment to position of Superintendent of Public Works

Dear Honorable Body:

Please be advised that I am appointing Bradley A. Rowles, 125 St. Clare Terrace, Tonawanda, New York 14150, as the Superintendent of Public Works, effective April 6, 2011.

Mr. Rowles starting pay will be \$82,340 per the existing OPEIU salary schedule. As a condition of his employment, Mr. Rowles has agreed to relocate to the City of North Tonawanda in the next few months. Brad was chosen out of 20 applicants with the input of Alderman Andres, Alderman Zadzilka and Alderman Pasiak.

I feel confident he is the most qualified to do the best job on behalf of the residents of the City of North Tonawanda.

Please feel free to contact me should you have any further questions.

Sincerely,
 Robert G. Ortt

MOVED by Alderman Andres **SECONDED** by Alderman Zadzilka
 That the Common Council hereby confirms the appointment of Bradley A. Rowles as the Superintendent of Public Works effective April 6, 2011.

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

Nays: None (0)

CARRIED.

I.3 Mayor

March 9, 2011

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

Re: Canal Fishing Derby Banner

Dear Honorable Body:

I am respectfully requesting that you place this request from the Erie Canal Fishing Derby Coordinator on your next Common Council agenda. I feel this is a worthwhile event that promotes and brings people to the banks of the Erie Canal.

Thank you for your attention to this matter.

Faithfully yours,
 Robert G. Ortt
 Mayor

MOVED by Alderman Andres **SECONDED** by Alderman Donovan
 That the Common Council hereby instructs the Department of Public Works to contact the Erie Canal Fishing Derby Coordinator, Stephen Harrington at 830-8434, to make arrangements to hang their banner advertising the fishing derby.

CARRIED.

MOVED by Alderman Zadzilka

SECONDED by Alderman Pasiak

That the Common Council hereby authorizes the Mayor to enter into an agreement with Harris Beach, PLLC to maximize efficiencies and save valuable tax dollars by working to identify restructuring possibilities within the City government, examine opportunities for privatization, and examine the possibility of establishing an employee performance evaluation system. There will be no use of city tax dollars as the funding for the hiring of this firm would come from member item money, which was acquired through Senator Maziarz's Office in 2006. This agreement is subject to the final review of the City Attorney.

Ayes: Andres, Pasiak, Donovan, Zadzilka, Schwandt

(5)

Nays: None

(0)

CARRIED.

II. Attorney

March 9, 2011

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

Re: Niagara Mohawk Power Corporation – Easement – 403 Walck Road

Dear Honorable Body:

Attached is a proposed Easement which would allow Niagara Mohawk Power Corporation to install a wood pole with anchor and overhead wire on property located at 403 Walck Road. The Easement would 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 Easement by the Mayor to allow the installation of a wood pole, anchor and overhead wire on the 403 Walck Road property, subject to any further review by the City Attorney.

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

Very truly yours,
Shawn P. Nickerson
City Attorney

MOVED by Alderman Donovan

SECONDED by Alderman Schwandt

That the Common Council hereby authorizes the Mayor to sign the aforementioned easement which would allow Niagara Mohawk Power Corporation to install a wood pole, anchor and overhead wire on the property at 403 Walck Road, subject to any further review by the City Attorney.

Ayes: Andres, Pasiak, Donovan, Zadzilka, Schwandt

(5)

Nays: None

(0)

CARRIED.

III. Clerk-Treasurer

March 7, 2011

North Tonawanda Common Council
216 Payne Avenue
North Tonawanda, New York 14120

Dear Honorable Body:

Please reappoint Catherine P. Gambino, 1381 Vanderbilt Avenue, North Tonawanda, NY 14120 as a Commissioner of Deeds for the City of North Tonawanda.

Thank you.

Sincerely,
Scott P. Kiedrowski
City Clerk-Treasurer

03-15-2011

MOVED by Alderman Pasiak

SECONDED by Alderman Donovan

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated March 15, 2011 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

| | | |
|----|-------------------------|----------------------------|
| 01 | General Fund | \$319,227.78 |
| 02 | Water Fund | 42,572.09 |
| 04 | Sewer Fund | 21,716.69 |
| 06 | Capital Project Fund | 55,461.46 |
| 07 | Trust & Agency Fund | 893.95 |
| 09 | Capital – Buffalo Bolt | 2,283.05 |
| 11 | General Fund Encumbered | <u>3,525.55</u> |
| | Final Total | <u>\$445,680.57</u> |

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

Nays: None (0)

CARRIED.

XIV. Recreation

March 1, 2011

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

Dear Honorable Body:

In 2010, the Department of Youth, Recreation and Parks entered into an agreement with Citadel Broadcasting. This agreement, which was good for one year, provided a cash-free investment from the City which provided advertisement for Deerwood Golf Course. This year Citadel Broadcasting has tweaked their promotional Club House Card Program into a 50/50 Golf Program.

This 50/50 Golf Program will provide advertisement for Deerwood Golf Course with 45 on-air recorded announcements per station (three different stations, 97 Rock, 103.3 and 104.1); 105 on-air live DJ announcements per station; Day of Sale “Live Chatter” on station morning show and live in-studio interview; Featured on all Citadel radio station online storefronts; Email blast to their email club members; Social marketing campaign; Database of certificate purchasers and professional copywriting and ad listing. The City will in turn be committed to honor and redeem up to 250 Rounds of Golf certificates (a value of \$10,000). This value is based on 18 rounds of golf with cart at non-resident fees. Last year 125 certificates were redeemed.

I request that the Council approve the agreement with Citadel Broadcasting and authorize the Mayor to sign the contract, subject to review and approval by the City Attorney.

Thank you.

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

MOVED by Alderman Schwandt

SECONDED by Alderman Donovan

That the Common Council hereby authorizes the Mayor to sign the agreement between Citadel Broadcasting and the City of North Tonawanda for the Deerwood Golf Course 50/50 Golf Program, subject to review and approval by the City Attorney.

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

Nays: None (0)

CARRIED.

Walter Yaro, 170 Christiana Street – Inquired about the outcome of the public hearing that was held regarding the proposed granting of landmark status to Sweeney Cemetery. Inquired and spoke on the deplorable condition of the city streets. Spoke on a road defect at Christiana and Bryant Streets. Gave the City Clerk an official written notice of said defect and asked that it be clocked in.

Ana Rodgers, 694 Payne Avenue – Spoke about 500K development plan she submitted to develop our waterfront. Spoke on boathouses and landmark registration of the area that they sit on. Ms. Rodgers went on to state that she also sent her development plan to Oprah Winfrey and Donald Trump seeking their assistance. Felt there was a need for a landlease plan which the City Attorney can draft.

Alex Domaradzki, 1383 Sherwood Avenue – Thanked the Common Council, Mayor and City Clerk/Treasurer for helping with the day's events. Thanked the staff at the NT Senior High School for all of their help. Spoke on the Student Government Day process.

ADJOURNMENT

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

Time of Adjournment: 7:04 P.M.

Respectfully submitted,

Scott P. Kiedrowski
City Clerk–Treasurer