

**HONORABLE BODY  
Council Chambers  
Municipal Building  
North Tonawanda, New York 14120  
Tuesday, July 5, 2011  
6:30P.M.**

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**REGULAR SESSION CALLED TO ORDER BY PRESIDENT SCHWANDT**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

**Absent: Alderman Donovan  
City Attorney Shawn P. Nickerson**

**Also Present: Mayor Robert G. Ortt  
Assistant City Attorney Robert Sondel**

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION JUNE 21, 2011**

**MOVED by Alderman Zadzilka                      SECONDED by Alderman Andres  
That the minutes of the regular session held June 21, 2011 be approved as circulated and filed in  
the Office of the City Clerk-Treasurer.  
CARRIED.**

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**AUDIENCE PARTICIPATION – None**

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**COMMUNICATIONS FROM CITY OFFICIALS**

**I. Mayor**

**June 29, 2011**

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

**Re: Abandonment of Alley**

**Dear Honorable Body:**

**At the June 28<sup>th</sup> Common Council Workshop your Honorable Body discussed the abandonment of the alley between 76 8<sup>th</sup> Avenue and 77 9<sup>th</sup> Avenue. As the appropriate departments (Fire, Engineer, Assessor and DPW) have conducted their due diligence and see no reason why this alley should not be abandoned, I am requesting that you approve the abandonment of this alley pending final review from the City Attorney's Office.**

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

**07-05-2011**



- |  |           |
|--|-----------|
| 5. Paul J. Gallo Constructing, Inc.        | \$150,741 |
| 6. CIR Electrical Construction Corporation | \$187,800 |

The City's mechanical and electrical consultant on the project, GHD, has reviewed the bid documents and has written the enclosed letter finding no reasons for the City not to award the contract.

Accordingly, I recommend that the Common Council award Project 2010-03 Rumbold Avenue Pump Station Upgrades to SICAR Management & Construction, Inc, 1128 Jamison Road, Elma, NY 14054 at their low bid amount of \$96,955; authorizing the Mayor to sign said contract subject to review by the City Attorney.

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

MOVED by Alderman Pasiak

SECONDED by Alderman Andres

That the Common Council hereby awards Project 2010-03 Rumbold Avenue Pump Station Upgrades to SICAR Management & Construction, Inc, 1128 Jamison Road, Elma, NY 14054 at their low bid amount of \$96,955 and authorizes the Mayor to sign said contract subject to review by the City Attorney.

Ayes: Andres, Pasiak, Zadzilka, Schwandt

(4)

Nays: None

(0)

CARRIED.

#### IV.2 Engineer

June 28, 2011

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

Re: Project 2009-03 Clair Avenue Pump Station Sewer Repair  
Award of Construction Contract

Dear Honorable Body:

On June 28, 2011, bids were received and opened by the City Clerk for the Clair Avenue Pump Station Sewer Repair Project. The results are as follows:

- |   |           |
|---|-----------|
| 1. Pinto Construction Services Construction, Inc. | \$152,550 |
| 2. Yarussi Construction, Inc.                     | \$177,200 |

I therefore respectfully request that the Common Council award Project 2009-03 Clair Avenue Pump Station Sewer Repair Project to Pinto Construction Services, Inc, 1 Babcock Street, Buffalo, NY 14210, at their low bid amount of \$152,550; authorizing the Mayor to sign said contract subject to review by the City Attorney.

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

MOVED by Alderman Zadzilka

SECONDED by Alderman Andres

That the Common Council hereby awards Project 2009-03 Clair Avenue Pump Station Sewer Repair Project to Pinto Construction Services, Inc, 1 Babcock Street, Buffalo, NY 14210, at their low bid amount of \$152,550 and authorizes the Mayor to sign said contract subject to review by the City Attorney.

Ayes: Andres, Pasiak, Zadzilka, Schwandt

(4)

Nays: None

(0)

CARRIED.

## VII.1 Accountant

June 30, 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 July 5, 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 Schwandt                      SECONDED by Alderman Pasiak  
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated July 5, 2011 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$673,137.87
02	Water Fund	60,016.85
04	Sewer Fund	119,064.33
06	Capital Project Fund	101,443.93
07	Trust & Agency Fund	2,368.64
09	Capital – Buffalo Bolt	114,091.63
17	Home Rehab Program	<u>7,693.00</u>
	Final Total	<u><u>\$1,077,816.25</u></u>

Ayes: Andres, Pasiak, Zadzilka, Schwandt (4)  
Nays: None (0)  
CARRIED.

## VII.2 Accountant

June 30, 2011

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

Dear Honorable Body:

In accordance with the Mayor's proposed staffing structure for the 2012 Budget, he discussed with the Common Council a proposed retirement incentive at the council workshop session held on June 28, 2011. This incentive would be used as a management tool to reduce the size of the municipal workforce, through attrition.

The incentive would be offered to all CSEA, AFSCME, Fire Department and Police Department employees, as follows:

Employee must be eligible to retire from the New York State Retirement System. Employee will receive a total of \$20,000, in four installments of \$5,000, in January 2012, 2013, 2014 and 2015. Eligible employees must retire by September 1, 2011. Employee's last day of work for the city of North Tonawanda will be on or before August 31, 2011.

Accordingly, if the Council agrees with this business plan, please pass the above referenced retirement incentive.

Very truly yours,  
David R. Jakubaszek  
City Accountant

**MOVED** by Alderman Zadzilka                      **SECONDED** by Alderman Andres  
That the Common Council hereby approves the following retirement incentive offered to all CSEA, AFSCME, Fire Department and Police Department employees, as follows:

Employee must be eligible to retire from the New York State Retirement System. Employee will receive a total of \$20,000, in four installments of \$5,000, in January 2012, 2013, 2014 and 2015. Eligible employees must retire by September 1, 2011. Employee's last day of work for the city of North Tonawanda will be on or before August 31, 2011.

Ayes: Andres, Pasiak, Zadzilka, Schwandt (4)  
Nays: None (0)  
**CARRIED.**

## IX. Public Works

June 15, 2011

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

Re: Bid Award  
One Tandem Roller w/ Oscillation & Vibration

Honorable Body:

On Tuesday, June 14, 2011 bids were received and publicly opened in the City Clerk's Office for a Tandem Roller w/ Oscillation & Vibration, Model HD 90 Hamm Roller or Equal for the Department of Public Works. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDER</u>	<u>AMOUNT</u>
Monroe Tractor	\$127,631.00

I recommend that the Common Council award the bid for One Tandem Roller w/ Oscillation & Vibration, Model HD90 Hamm Roller to Monroe Tractor, 5035 Genesee Street, Buffalo, NY 14225 at their sole bid of \$127,631.00, subject to the approval of the City Attorney.

Very truly yours,  
Bradley A. Rowles  
Superintendent of Public Works

**MOVED** by Alderman Pasiak                      **SECONDED** by Alderman Andres  
That the Common Council hereby awards the bid for One Tandem Roller w/ Oscillation & Vibration, Model HD90 Hamm Roller to Monroe Tractor, 5035 Genesee Street, Buffalo, NY 14225 at their sole bid of \$127,631.00, subject to the approval of the City Attorney.

Ayes: Andres, Pasiak, Zadzilka, Schwandt (4)  
Nays: None (0)  
**CARRIED.**



I am formally requesting that a public hearing be scheduled and all affected land owners be notified of such public hearing so all concerns can be aired and a decision can then be made based on all the facts and data gathered that will be the best fit for this extension and the surrounding neighborhood.

Respectfully,  
Eric Zadzilka  
Alderman Ward 3

**MOVED** by Alderman Zadzilka                      **SECONDED** by Alderman Andres  
That the Common Council hereby refers the aforementioned request for the rezoning of the land involved near and around the proposed Meadow Drive extension to the Mayor's office to schedule a Public Hearing and to notify all affected land owners of the Public Hearing.

Ayes: Andres, Pasiak, Zadzilka, Schwandt (4)

Nays: None (0)

**CARRIED.**

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**B.**  
Third Warders Social Club, Inc.

June 30, 2011

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

Dear Honorable Body,

The TWSC will be hosting its annual Club Family Picnic on Saturday August 6th starting at 12PM and ending at 7PM. We would like permission to block off 11<sup>th</sup> Avenue and 12<sup>th</sup> Avenue from Gilmore to our club driveways, and are hoping the Department of Public Works would provide us with the proper barricades for the day's events.

Our organization thanks you in advance for your assistance.

Sincerely  
Scott P. Kiedrowski  
President  
Third Warders Social Club, Inc.

**MOVED** by Alderman Pasiak                      **SECONDED** by Alderman Zadzilka  
That the Common Council hereby grants permission to the Third Warders Social Club to block off 11<sup>th</sup> Avenue and 12<sup>th</sup> Avenue from Gilmore to their club driveways to hold its Club Family Picnic on Saturday, August 6, 2011 from 12:00PM to 7:00PM and directs the Department of Public Works to provide barricades for the day's events.

Ayes: Andres, Pasiak, Zadzilka, Schwandt (4)

Nays: None (0)

**CARRIED.**

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**C.**  
Sil Dan, Jr.

June 24, 2011

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

Dear Honorable Body:

I am requesting to have the street blocked off at Division and Mead for a fundraiser event that will be held at the Hideaway Grill. The times will be from noon until 7pm. Attached

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you will find all the details concerning the event.

Thank you for your consideration. Should you need any further information please feel free to contact me.

Sil Dan, Jr.  
572-9285

**MOVED** by Alderman Andres      **SECONDED** by Alderman Pasiak  
That the Common Council hereby grants permission to Sil Dan, Jr. to block off Rumbold Avenue from Division to Mead for a fundraiser to be held on Sunday, July 24, 2011 from 1:00PM to 6:00PM and directs the Department of Public Works to provide barricades for the day's events.

Ayes: Andres, Pasiak, Zadzilka, Schwandt (4)  
Nays: None (0)  
**CARRIED.**

**D.**  
Commissioner of Deeds Requests

June 2011

Honorable Body and Common Council  
216 Payne Avenue  
North Tonawanda, New York 14120

Dear Honorable Body:

We are requesting to be appointed as Commissioners of Deeds for the City of North Tonawanda. Thank you.

Patrick Barry  
300 Thompson Street  
North Tonawanda, NY 14120

Lawrence V. Soos  
678 Treichler Street  
North Tonawanda, NY 14120

**MOVED** by Alderman Schwandt      **SECONDED** by Alderman Pasiak  
That the Common Council hereby appoints Patrick Barry, 300 Thompson Street, North Tonawanda, NY 14120 and Lawrence V. Soos, 678 Treichler Street, North Tonawanda, NY 14120 as Commissioner of Deeds for a term beginning July 6, 2011 ending July 5, 2013.  
**CARRIED.**

**AUDIENCE PARTICIPATION**

Dennis Barberio, 168 Stenzil Street – Inquired about two merchant meetings that Alderman Andres held recently. Mr. Barberio stated that the paper had written that Mr. Dave Conti was in attendance and was at the meeting representing Project Pride. Mr. Barberio said he took umbrage with that since he was the President of Project Pride and that Mr. Conti has no connection with his group anymore.

He also stated that the Common Council in general does not know what is going on in this city as it relates to Project Pride. He feels there is no communication. He personally installed water lines, has done electrical work, and worked on a new furnace for the greenhouse. He went on to say that Project Pride has saved the city between \$40,000 and \$60,000 and with those savings they should not have any cuts that would prevent the flowers from being watered or planted.

**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: 6:52 P.M.**

**Respectfully submitted,**

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