

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, September 6, 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. Ortt
City Attorney Shawn P. Nickerson**

APPROVAL OF THE MINUTES OF THE REGULAR SESSION AUGUST 16, 2011

**MOVED by Alderman Zadzilka SECONDED by Alderman Pasiak
That the minutes of the regular session held August 16, 2011 be approved as circulated and
filed in the Office of the City Clerk-Treasurer.
CARRIED.**

AUDIENCE PARTICIPATION – None

COMMUNICATIONS FROM CITY OFFICIALS

I. Mayor

September 1, 2011

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

**Re: Resolution in support of Niagara County representation to
the Board of Trustees for the Niagara Power Authority**

Dear Honorable Body:

I am hereby requesting that your body pass a resolution in support of a Niagara County representative's appointment to a current vacancy on the Board of Trustees of the New York Power Authority. Recently our local representation in Albany, Assemblyman John Ceretto and Senator George Maziarz began an Empower Niagara petition drive. The purpose of the petition is to demonstrate overwhelming support and great need for Niagara County representation on the board of trustees for the New York Power Authority. The Niagara Power project generates a vast revenue stream for the Power Authority and I strongly feel Niagara County representation is warranted. We do not want to sit by while millions of dollars in revenues generated in Niagara County are recklessly spent in White Plains and Albany. Attached with this request is a formal resolution which is also being submitted by our colleagues in Government, Senator Maziarz and Assembly Ceretto.

09-06-2011

II.3 Attorney

August 30, 2011

Honorable Mayor & Common Council
216 Payne Avenue
North Tonawanda, New York 14120

Re: Tentative Agreement between the City and CSEA

Dear Honorable Body:

The City and the CSEA met six times to negotiate a new collective bargaining agreement. I have attached a copy of all the clauses, many of which are corrections to typographical errors in the present agreement. The pertinent changes are as follows:

1. Section 1.21. A four-year agreement beginning on January 1, 2011 and ending on December 31, 2014.
2. Sections 7.1 and 7.2: Compensation:
 - Effective 1/1/2011: 0%
 - Effective 1/1/2012: 0%
 - Effective 1/1/2013: 1.25% and effective 7/1/2013: 1.25%
 - Effective 1/1/2014: 2.0%
3. Section 7.12 corrects job groups that have been changed throughout the last contract.
4. Section 12.11(a): increase life insurance for employees from \$10,000 to \$15,000.
5. Section 12.12(a): The "core" health insurance plan will be the Blue Cross/Blue Shield POS 201/201 Plus Plan with a \$0/\$20/\$40 three-tier prescription co-pay.
6. Section 12.12(f): The city shall increase its contribution to the Optical Insurance Plan from \$15,000.00 to \$20,000.00.
7. Section 12.14: The city will increase longevity payments by adding \$150.00 to each tier and adding a new tier, as follows: 25 years and over \$1,200.00.
8. Section 20.01: The city shall increase the amount granted for safety shoes for those employees required to wear safety shoes from up to \$75.00 to up to \$125.00 per year.

See the attachment for any language changes and typographical corrections.

If you concur with the tentative agreement, please authorize the mayor to sign any Memorandum of Agreement and the Final Contract. Thank you.

Very truly yours,
Robert Sondel
Assistant City Attorney

MOVED by Alderman Zadzilka SECONDED by Alderman Andres
That the Common Council hereby authorizes the Mayor to sign the Memorandum of Agreement and the Final Contract between the City of North Tonawanda and the CSEA as follows:

1. Section 1.21. A four-year agreement beginning on January 1, 2011 and ending on December 31, 2014.

2. Sections 7.1 and 7.2: Compensation:

Effective 1/1/2011: 0%
 Effective 1/1/2012: 0%
 Effective 1/1/2013: 1.25% and effective 7/1/2013: 1.25%
 Effective 1/1/2014: 2.0%

3. Section 7.12 corrects job groups that have been changed throughout the last contract.
4. Section 12.11(a): increase life insurance for employees from \$10,000 to \$15,000.
5. Section 12.12(a): The “core” health insurance plan will be the Blue Cross/Blue Shield POS 201/201 Plus Plan with a \$0/\$20/\$40 three-tier prescription co-pay.
6. Section 12.12(f): The city shall increase its contribution to the Optical Insurance Plan from \$15,000.00 to \$20,000.00.
7. Section 12.14: The city will increase longevity payments by adding \$150.00 to each tier and adding a new tier, as follows: 25 years and over \$1,200.00.
8. Section 20.01: The city shall increase the amount granted for safety shoes for those employees required to wear safety shoes from up to \$75.00 to up to \$125.00 per year.

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

II.4 Attorney

August 31, 2011

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

**Re: Meadow Drive Extension Project – Acquisition of Parcels
 Parcel #1 – Contract of Sale**

Dear Honorable Body:

As you may know, in order for the above-referenced project to move forward, it has been necessary for the City to acquire three parcels of land at or adjacent to the project. Attached, for your review is a Contract of Sale and Release for the first parcel, which has been executed by the current owners to allow the sale.

If your Honorable Body concurs, please pass a resolution to accept the Contract of Sale for the sale of that portion of the property to the City of North Tonawanda, and to allow for execution by the Mayor, subject to any further review by the City Attorney.

Very truly yours,
 Shawn P. Nickerson
 City Attorney

MOVED by Alderman Zadzilka SECONDED by Alderman Donovan
That the Common Council hereby authorizes the Mayor to sign the Contract of Sale for acquisition of Parcel #1 for the Meadow Drive Extension Project, in the amount of \$3,000.00, subject to further review by the City Attorney.
 Ayes: Andres, Pasiak, Donovan, Zadzilka, Schwandt (5)
 Nays: None (0)
CARRIED.

III. City Clerk-Treasurer

September 1, 2011

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

Re: Hanging of Banners for Buffalo Niagara Film Festival

Dear Honorable Body:

A request to hang banners to advertise for the Buffalo Niagara Film Festival was sent to my office for your consideration. I ask that your Honorable Body consider this request to allow banners to be placed on Payne Avenue by Gersh Academy and on Oliver Street by Dom Polski.

This event is to be held on September 22nd thru the 25th.

Regards,
Scott P. Kiedrowski
North Tonawanda City Clerk-Treasurer

MOVED by Alderman Andres SECONDED by Alderman Schwandt
That the Common Council hereby directs the Department of Public Works to hang banners for the Buffalo Niagara Film Festival, on Payne Avenue by Gersh Academy and on Oliver Street by Dom Polski.

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

IV.1 Engineer

August 31, 2011

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

Re: Meadow Drive Extension Project
Transmittal of Letter from NYSDEC
Acknowledging City Lead Agency Status for SEQR Review
Project No. 2003-02
PIN 5757.52

Honorable Body:

Enclosed is a copy of a letter from New York State Department Environmental Conservation (NYSDEC), dated August 30, 2011, that concurs with the designation of the City of North Tonawanda as SEQR Lead Agency for the Meadow Drive Extension Project. The letter also confirms that NYSDEC will be an involved agency in the State Environmental Quality Review for this action.

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

MOVED by Alderman Donovan SECONDED by Alderman Schwandt
That the Common Council hereby receives and files the aforementioned communication.
Ayes: Andres, Pasiak, Donovan, Zadzilka, Schwandt (5)
Nays: None (0)
CARRIED.

MOVED by Alderman Pasiak

SECONDED by Alderman Andres

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated September 6, 2011 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$317,727.77
02	Water Fund	44,301.30
04	Sewer Fund	77,097.21
06	Capital Project Fund	368,957.68
07	Trust & Agency Fund	2,108.04
11	General Fund Encumbered	47.00
	Final Total	<u>\$810,239.00</u>

Ayes: Andres, Pasiak, Donovan, Zadzilka, Schwandt

(5)

Nays: None

(0)

CARRIED.

IX. Public Works

August 11, 2011

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

**Re: Meadow Drive/Nash Road Traffic Signal Synchronization Project
Project No. 2010-09
Engineering Agreement Amendment**

Honorable Body:

As the project coordinator of the City of North Tonawanda Traffic Signal Synchronization Project of Nash Road and Meadow Drive, it is my opinion that there is a significant cost savings if the project is redesigned using wireless vehicle detection technology in place of the proposed loop detection systems.

I have reviewed the scope of work changes with the City Engineer and we both concur that it will save money and eliminate the need to subcontract out work to private electrical contractors, hopefully shortening project schedule.

I therefore respectfully request that the Common Council amend the City's engineering agreement with Bergmann Associates, 40 LaRiviere Drive, Buffalo, NY 14202-4306 in the amount of \$7,900, increasing the original contract amount of \$51,000 to the revised total of \$58,900, revising the construction contract plans and technical specifications for the wireless vehicle detection technology.

**Sincerely,
Brad Rowles
Superintendent of Public Works**

MOVED by Alderman Donovan

SECONDED by Alderman Andres

That the Common Council hereby amends the City's engineering agreement with Bergmann Associates, 40 LaRiviere Drive, Buffalo, NY 14202-4306 in the amount of \$7,900, increasing the original contract amount of \$51,000 to the revised total of \$58,900, revising the construction contract plans and technical specifications for the wireless vehicle detection technology.

Ayes: Andres, Pasiak, Donovan, Zadzilka, Schwandt

(5)

Nays: None

(0)

CARRIED.

