

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, November 15, 2011
6:36P.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 NOVEMBER 1, 2011

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

PROOF OF PUBLICATION PUBLISHED OCTOBER 14, 2011

1) Legal Notice –Public Hearing for Historic District Status – City Clerk–Treasurer

PROOF OF PUBLICATION PUBLISHED OCTOBER 14 & 18, 2011

1) Bid – Traffic Signal Work, Nash Road and Meadow Drive – Engineer

PROOF OF PUBLICATION PUBLISHED OCTOBER 25, 2011

1) Legal Notice – 2012 Budget Hearing – City Accountant

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

AUDIENCE PARTICIPATION

**Mark Haacker, 188 Bryant – Questioned the Proof of Publication for the Historic District
Status. Wanted to be made aware of when the next meeting of the Historic Preservation
Commission would be so he could be in attendance.**

COMMUNICATIONS FROM CITY OFFICIALS

I.1 Mayor

November 8, 2011

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

Re: Discontinuance of Alleyways

Dear Honorable Body:

Please be advised that this office held a Public Hearing on November 7th, 2011, in the Common Council Chambers at City Hall, 216 Payne Ave., North Tonawanda, New York 14120 on the discontinuance of a portion of the alley located between 9th and 10th Avenue and the smaller paper alley that runs east/west from the main alley.

At the time of the Public Hearing which was conducted by Mayor Robert G. Ortt, and attended by Robert Welch, Administrative Assistant, Allan Ridge and Scott Kiedrowski, Clerk- Treasurer, no one spoke in opposition.

Therefore, I recommend the Common Council move forward with the discontinuance of said alleys.

Faithfully,
Robert G. Ortt
Mayor

MOVED by Alderman Pasiak

SECONDED by Alderman Donovan

That the Common Council hereby approves the discontinuance of a portion of the alley located between 9th and 10th Avenue and the smaller paper alley that runs east/west from the main alley subject to final review and approval of the City Attorney.

Ayes: Andres, Pasiak, Donovan, Zadzilka, Schwandt

(5)

Nays: None

(0)

CARRIED.

I.2 Mayor

November 9, 2011

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

Dear Honorable Body:

In accordance with our pro-active approach to managing our workers compensation claims, a workshop was held on October 25, 2011, with the firm of Scott Danahy Naylor, to review the concept of a Worker's Compensation Safety Audit and a Worker's Compensation Accident and Loss Time Reduction Plan.

The Phase 1 Safety Audit will be conducted by OSHA certified engineers and will include claim counts and trends, interviews with each department head and physical surveys of the work place and job sites. The audit findings will include claims analysis and formal strategies to reduce same.

After the completion of Phase 1 audit, the city will have the opportunity to authorize the Phase 2 Accident and Loss Time Reduction Plan.

Accordingly, if you agree with the Phase 1 presentation, please pass a resolution engaging the services of Self Funding, Inc. to conduct a Worker's Compensation Safety Audit at a cost not to exceed \$7,000.00.

Faithfully,
Robert G. Ortt
Mayor

MOVED by Alderman Zadzilka **SECONDED** by Alderman Pasiak
That the Common Council hereby approves the services of Self Funding, Inc. to conduct a Worker's Compensation Safety Audit at a cost not to exceed \$7,000.00, subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

II. Attorney

November 8, 2011

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

**Re: Frederick B. Durkee Memorial Bridge Project -
Right-of-Way Acquisition Review Appraisals for Just Compensation**

Dear Honorable Body:

The City Assessor and I have reviewed the attached Appraisals for permanent easements from the owners of 278 River Road and 200 River Road, in order for the above-referenced project to move forward, and approve for execution by the Mayor.

If your Honorable Body concurs, please pass a resolution to accept the Appraisals for the permanent easements required to provide access to the abutments and bearing plates for the rehabilitation of the Frederick B. Durkee Memorial Bridge, 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 Donovan **SECONDED** by Alderman Schwandt
That the Common Council hereby accepts the appraisals for the permanent easements from the owners of 278 River Road and 200 River Road required to provide access to the abutments and bearing plates for the rehabilitation of the Frederick B. Durkee Memorial Bridge, and authorizes the Mayor to sign the agreement, subject to any further review by the City Attorney.

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

Nays: None (0)

CARRIED.

VII. Accountant

November 10, 2011

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

Dear Honorable Body:

11-15-2011

COMMUNICATIONS FROM OTHERS

A.
Gratwick Hose Company - Re: Removal from Fire Rolls:

**Robert Proefrock
 Richard Ellman**

MOVED by Alderman Andres SECONDED by Alderman Pasiak
To remove Robert Proefrock and Richard Ellman from the City Fire Rolls.
CARRIED.

B.
Rescue Fire Company - Re: Exemption Petitions:

**Thomas Ballou, Jr. – 35 Yrs.
 James Schmidt – 35 Yrs.
 Kevin Phillips – 35 Yrs.
 Rick Reimer – 25 Yrs.**

MOVED by Alderman Donovan SECONDED by Alderman Zadzilka
To issue the proper Exemption Certificates to Thomas Ballou, Jr. – 35 Yrs.; James Schmidt
– 35 Yrs.; Kevin Phillips – 35 Yrs. and Rick Reimer – 25 Yrs.
CARRIED.

AUDIENCE PARTICIPATION

Walt Yaro, 170 Christiana Street – Commented on the Niagara County Sheriff's Office
Budget as compared to the City Budget. Thought we got nothing in return for what we pay
in County Taxes and that City Dispatch service should be carefully studied and moved out
to County control.

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: 6:45P.M.

Respectfully submitted,

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