

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, February 21, 2012
6:30P.M.**

REGULAR SESSION CALLED TO ORDER BY ACTING PRESIDENT RIZZO

PLEDGE OF ALLEGIANCE

ROLL CALL

**Present: Acting President Rizzo
Alderman Needler, Donovan, Zadzilka**

Absent: President Andres

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

APPROVAL OF THE MINUTES OF THE REGULAR SESSION FEBRUARY 7, 2012

**MOVED by Alderman Zadzilka SECONDED by Alderman Donovan
That the minutes of the regular session held February 7, 2012 be approved as circulated and filed
in the Office of the City Clerk.
CARRIED.**

AUDIENCE PARTICIPATION - None

COMMUNICATIONS FROM CITY OFFICIALS

I. Mayor

February 14, 2012

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

Re: Housing Authority

Dear Honorable Body:

**Please he advised that I am re-appointing, John F. Lukasik, 454 Schenck Street, North
Tonawanda, NY 14120, to the Housing Authority, for a five (5) year term effective
February 1, 2012 and expiring on January 31, 2017.**

Thank you for your attention to this matter.

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

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

02-21-2012

II. Attorney

February 15, 2012

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

**Re: Lease with Special Vending, Inc.
2012 Cruise Night Shows at Gratwick Park**

Dear Honorable Body:

Attached is a proposed Lease agreement between the City of North Tonawanda and Special Vending, Inc., to provide a series of outdoor summer cruise night shows at Gratwick Park for the summer of 2012. You will note that the term of lease is one year with a three-year option, and includes consideration payable to the City for each renewal.

Should your Honorable Body concur, please pass a resolution to permit the execution of the Lease agreement by the Mayor, 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 Rizzo

SECONDED by Alderman Zadzilka

That the Common Council approves the lease agreement between the City of North Tonawanda and Special Vending, Inc., to provide a series of outdoor summer cruise night shows at Gratwick Park for the summer of 2012. The term of lease is one year with a three-year option, and includes consideration payable to the City for each renewal and further authorizes the Mayor to sign the lease agreement subject to any further review by the City Attorney.

Ayes: Needler, Donovan, Rizzo, Zadzilka

(4)

Nays: None

(0)

CARRIED.

III. City Clerk-Treasurer

February 15, 2012

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

Dear Honorable Mayor and Common Council:

As of this date, I have counted the petty cash and receipts for all authorized Departments and found them to be correct.

Please authorize each Department to submit petty cash slips and vouchers to the City Accountant for payment.

Also, please authorize each Department to continue using the following petty cash accounts:

Building Inspector	\$ 100.00
City Clerk	\$ 100.00
Engineering	\$ 100.00
Fire Department	\$ 500.00
Flexible Spending Acct	\$10,000.00
Golf Course	\$ 1,000.00

Police Department	\$ 1,000.00
Public Works	\$ 500.00
Recreation	\$ 600.00
Treasurer	\$ 1,000.00
Water Department	\$ 500.00
WWTP	\$ 500.00

Thank you for your cooperation.

Respectfully,
 Scott P. Kiedrowski
 City Clerk-Treasurer

MOVED by Alderman Donovan **SECONDED** by Alderman Zadzilka
 That the Common Council hereby authorizes each department to continue the
 aforementioned petty cash accounts and authorizes the departments to submit petty cash
 slips and vouchers to the City Accountant for payment.

Ayes: Needler, Donovan, Rizzo, Zadzilka (4)

Nays: None (0)

CARRIED.

IV. Engineer

February 16, 2012

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

RE: Northwest Storm Sewer Project, Phase II (Witmer Road)
Project 2010-08
SEQRA- Environmental Assessment

Honorable Body:

In accordance with the New York State Environmental Quality Review Act (SEQRA), the City in its capacity as Lead Agency, has prepared an environmental assessment of the significance of potential environmental impacts of reducing floodwater volumes currently impacting properties adjacent to the Niagara County Refuse Site on the north end of Witmer Road by the construction of open ditches and culvert piping tying into the Town of Wheatfield's southern drainage system. This project is considered an unlisted action under SEQRA.

In order for the City to issue a Negative Declaration, Notice of Determination of Non-Significance, the Common Council should act on the following attached resolution.

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

MOVED by Alderman Donovan **SECONDED** by Alderman Needler
WHEREAS, the City of North Tonawanda intends to reduce floodwater depth and volume in area adjacent to the Niagara County Refuse Site at the north end of Witmer Road by the construction of a series of open ditches and culvert piping, tying into the Town of Wheatfield's southern drainage system.

BE IT RESOLVED, that the Common Council has reviewed the Environmental Assessment prepared by the City Engineer; and

BE IT RESOLVED, that the Common Council declares that based on the Environmental Assessment which has been prepared, the project is an unlisted action and will not result in any significant adverse impacts, and therefore will not have a significant impact on the environment; and

FURTHER, BE IT RESOLVED that the Common Council as Lead Agency hereby issues a Negative Declaration under SEQR Regulations for the construction of open ditches and storm sewer piping; and authorizes the Mayor to sign said Environmental Assessment form.

Ayes: Needler, Donovan, Rizzo, Zadzilka (4)

Nays: None (0)

CARRIED.

VII. Accountant

February 17, 2012

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 February 21, 2012, 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 Needler
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated February 21, 2012 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$226,055.02
02	Water Fund	10,997.23
04	Sewer Fund	20,021.65
06	Capital Project Fund	128,470.66
07	Trust & Agency Fund	1,945.67
11	General Fund (Enc)	3,025.74
14	Sewer Fund (Enc)	572.00
17	Home Rehab Program	7,758.00
	Final Total	<u>\$398,845.97</u>

Ayes: Needler, Donovan, Rizzo, Zadzilka (4)

Nays: None (0)

CARRIED.

IX. Public Works

February 12, 2012

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
Approval of Change Order No. 1

AUDIENCE PARTICIPATION

Ann Finkle, 896 Sun Valley Drive – Thanked the City for clearing the brush on Zimmerman Street. Asked if an Olive Garden or Applebee's was going to be built on the property in front of Wal-Mart.

ADJOURNMENT

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

Time of Adjournment: 6:41P.M.

Respectfully submitted,

Scott P. Kiedrowski
City Clerk–Treasurer