

**THE HONORABLE BODY  
Council Chambers  
Municipal Building  
North Tonawanda, New York 14120  
Tuesday, March 20, 2012  
6:30P.M.**

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

**Absent: None**

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

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**STUDENT GOVERNMENT DAY**

<b>Danny Belmona</b>	<b>Mayor</b>
<b>Taylor Furness</b>	<b>Mayor's Assistant</b>
<b>Megan Helf</b>	<b>City Attorney</b>
<b>Jossy O'Donnell</b>	<b>Assistant City Attorney</b>
<b>James Letourneau</b>	<b>City Judge</b>
<b>Nicole Turnmire</b>	<b>Appointed Judge</b>
<b>Allison Sulkowski</b>	<b>City Clerk-Treasurer</b>
<b>Abbey Sommer</b>	<b>Council President/2<sup>nd</sup> Ward Alderman</b>
<b>Josh Hewitt</b>	<b>Alderman at Large</b>
<b>April Maziarz</b>	<b>Alderman at Large</b>
<b>Kelsey Ross</b>	<b>1<sup>st</sup> Ward Alderman</b>
<b>Alyssa Myers</b>	<b>3<sup>rd</sup> Ward Alderman</b>
<b>Jason Zimmer</b>	<b>Building Inspector/Code Enforcement</b>
<b>Nick Jasek</b>	<b>City Accountant</b>
<b>Bethany Wojciehowski</b>	<b>City Assessor</b>
<b>Evin Steele</b>	<b>City Engineer</b>
<b>Mike Grimaldi</b>	<b>Director of Community Development</b>
<b>Mary Scinta</b>	<b>Director of Youth, Parks &amp; Recreation</b>
<b>Brittany Lucas</b>	<b>Senior Citizens/Recreation Supervisor</b>

<b>Jamie Doeing</b>	<b>Fire Chief</b>
<b>Nicholl Martin</b>	<b>Police Chief</b>
<b>Corey Mis</b>	<b>Superintendent of Public Works</b>
<b>Matt Candelena</b>	<b>Superintendent of Water/Wastewater</b>
<b>Jason Kastelan</b>	<b>Youth Board Chairperson</b>

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**AUDIENCE PARTICIPATION**

**Thomas Konopka, 1261 Bowen Court - Mr. Konopka was representing Vietnam Chapter 77 and urged the Common Council to consider waving the park shelter fee for their proposed family picnic.**

**William Neffke, 114 Tremont Street - Inquired about the new design of Columbia Drive. Stated that he recently bought the property on the corner and was not in favor of having any trees taken down by his property and was concerned that he would be losing one of his driveway aprons due to the new design of the street.**

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION MARCH 6, 2012**

**MOVED by Alderman Needler                      SECONDED by Alderman Zadzilka**  
**That the minutes of the regular session held March 6, 2012 be approved as circulated and filed in the Office of the City Clerk.**  
**CARRIED.**

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**APPROVAL OF THE MINUTES OF THE SPECIAL SESSION MARCH 13, 2012**

**MOVED by Alderman Zadzilka                      SECONDED by Alderman Donovan**  
**That the minutes of the special session held March 13, 2012 be approved as circulated and filed in the Office of the City Clerk.**  
**CARRIED.**

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**PROOF OF PUBLICATION PUBLISHED FEBRUARY 28, 2012**

**1) Bid – 2012 or Newer Tandem Axle Cab and Chassis – Public Works**

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

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**COMMUNICATIONS FROM CITY OFFICIALS**

**II.1    Attorney**

**March 14, 2012**

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

**Re:    Sale of City Property - 1532 Sweeney Street**

Dear Honorable Body:

I have reviewed the proposal that the City received for the purchase of city property adjacent to 1532 Sweeney Street. The purchaser has agreed to a purchase price of \$8,000 for the parcel. Furthermore, the sale would fall within §31A-1 of the City Code in that the city is receiving value for the property and the property is not otherwise needed for a public purpose.

If your Honorable Body concurs, please pass a resolution to allow the City to sell the property adjacent to 1532 Sweeney Street for a purchase price of \$8,000.00, subject to any further review by the City Attorney.

Very truly yours,  
Shawn P. Nickerson  
City Attorney

MOVED by Alderman Needler

SECONDED by Alderman Zadzilka

That the Common Council hereby approves the sale of the property adjacent to 1532 Sweeney Street to Bradley Rowles, 1532 Sweeney Street, North Tonawanda, NY 14120, for the purchase price of \$8,000.00, subject to further review by the City Attorney.

Ayes: Needler, Donovan, Rizzo, Zadzilka, Andres

(5)

Nays: None

(0)

CARRIED.

## II.2 Attorney

March 14, 2012

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

Re: Sale of City Property - 116 Hawley Drive

Dear Honorable Body:

I have reviewed the proposal that the City received for the purchase of city property at 116 Hawley Drive. The purchaser has agreed to a purchase price of \$500.00 for the parcel. Furthermore, the sale would fall within §31 A-1 of the City Code in that the city is receiving value for the property and the property is not otherwise needed for a public purpose.

If your Honorable Body concurs, please pass a resolution to allow the City to sell the property adjacent to 116 Hawley Drive for a purchase price of \$500.00, subject to any further review by the City Attorney.

Very truly yours,  
Shawn P. Nickerson  
City Attorney

MOVED by Alderman Rizzo

SECONDED by Alderman Donovan

That the Common Council hereby approves the sale of the property adjacent to 116 Hawley Drive to Stephen Toth, 445 Homestead Drive, North Tonawanda, NY 14120, for a purchase price of \$500.00, subject to further review by the City Attorney.

Ayes: Needler, Donovan, Rizzo, Zadzilka, Andres

(5)

Nays: None

(0)

CARRIED.





linear feet of concrete curb, addition of 41 new parking spaces and widening of Columbia Drive. 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 Needler                      **SECONDED** by Alderman Zadzilka  
**WHEREAS**, the City of North Tonawanda intends to widen Columbia Drive, an existing brick road of varying widths approximately 500 feet in length, and construction of approximately 1,000 linear feet of concrete curb for the addition of 41 new parking spaces.

**BE IT RESOLVED**, that the Common Council has reviewed the Environmental Assessment prepared by the 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 hereby issues a Negative Declaration under SEQR Regulations for the roadway improvements to the Columbia Drive, and directs the Mayor to sign said Environmental Assessment form.

Ayes: Needler, Donovan, Rizzo, Zadzilka, Andres (5)

Nays: None (0)

**CARRIED.**

**IV.2 Engineer**

March 15, 2012

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

**Re: Project No. 2012-01, Columbia Drive Parking Improvements  
One Way Street Designation**

Honorable Body:

The Columbia Drive Parking Improvement Project is designed to add approximately 40 new parking spaces in the downtown business area. In order for the design to succeed requires that Columbia Drive be designated as a one way street in the northbound direction. The City’s Traffic Safety Committee has review the plan and it is my understanding that they are in concurrence.

Therefore, I respectfully request that the Common Council adopt a resolution designating Columbia Drive a one way street in the northbound direction, between the intersections of Tremont Street and Goundry Street respectively, directing the Department of Public Works in install the proper signage, effective upon the completion of the construction projection on June 1, 2012.

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

**MOVED by Alderman Zadzilka**

**SECONDED by Alderman Needler**

That the Common Council hereby approves the designation of Columbia Drive as a one way street in the northbound direction, between the intersections of Tremont Street and Goundry Street respectively, and directs the Department of Public Works to install the proper signage, effective upon the completion of the construction projection on June 1, 2012.

Ayes: Needler, Donovan, Rizzo, Zadzilka, Andres

(5)

Nays: None

(0)

**CARRIED.**

## VII. Accountant

March 15, 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 March 20, 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 Needler**

**SECONDED by Alderman Zadzilka**

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated March 20, 2012 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$138,829.88
02	Water Fund	13,632.09
04	Sewer Fund	19,823.91
06	Capital Project Fund	430,051.65
11	General Fund Encumbered	<u>1,506.94</u>
	Final Total	<u>\$603,844.47</u>

Ayes: Needler, Donovan, Rizzo, Zadzilka, Andres

(5)

Nays: None

(0)

**CARRIED.**

## IX.1 Public Works

March 12, 2012

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

Re: Award of Bid One (1) New and Unused 2012 or Newer Tandem Axle Cab and Chassis with 27 Cubic Yard Rear Loading Garbage Packer Body Mounted With Trade for the Department of Public Works.

Honorable Body:

On Tuesday, March 6, 2012 bids were received and publicly opened in the City Clerk's Office at 11:00AM for One (1) New and Unused 2012 or Newer Tandem Axle Cab and Chassis with 27 Cubic Yard Rear Loading Garbage Packer Body Mounted With Trade for the Department of Public Works. We have reviewed the bids and tabulated them as follows:

<u>BIDDER</u>	<u>AMOUNT</u>
Kenworth Non-Collusion 10% Bid Bond	w/Leach Packer: \$185,066.80 w/Cobra Magnum Packer: \$188,133.80 w/Heil Packer: \$195,314.80
Fleet Maintenance, Inc. Non-Collusion 10% Bid Bond	w/Leach Body: \$178,335.00 w/Heil Body: \$188,583.00

I recommend the Common Council award the bid for One (1) New and Unused 2012 or Newer Tandem Axle Cab and Chassis with 27 Cubic Yard Rear Loading Garbage Packer Body Mounted With Trade to Fleet Maintenance, Inc, 67 Ransier Dr., West Seneca, NY 14224 at the low bid of \$178,335.00, subject to the approval of the City Attorney.

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

MOVED by Alderman Rizzo

SECONDED by Alderman Donovan

That the Common Council hereby awards the bid for One (1) New and Unused 2012 or Newer Tandem Axle Cab and Chassis with 27 Cubic Yard Rear Loading Garbage Packer Body Mounted With Trade to Fleet Maintenance, Inc, 67 Ransier Dr., West Seneca, NY 14224 at the low bid of \$178,335.00, subject to the approval of the City Attorney.

Ayes: Needler, Donovan, Rizzo, Zadzilka, Andres

(5)

Nays: None

(0)

CARRIED.

## IX.2 Public Works

March 13, 2012

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

Re: Sunnking, Inc. Recycling Service Agreement

Honorable Body:

Attached please find a copy of the Recycling Service Agreement with Sunnking, Inc, 4 Owens Road, Brockport, NY 14420. This would provide removal and recycling services for end of life electronics and equipment to the North Tonawanda Department of Public Works for the agreed upon term outlined in the attached "Schedule A". This new agreement would double our existing contract revenue.

I recommend the Common Council approve this Recycling Service Agreement with Sunnking, Inc., subject to the approval of the City Attorney.

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

03-20-2012



**COMMUNICATIONS FROM OTHERS**

A.

Alderman Rizzo

**To: Honorable Mayor and Common Council**

**From: Alderman Russ Rizzo**

**Date: March 9, 2012**

**Subject: Disabled Veterans Exemptions for Boat Launch  
Permits and Golf Course Fees**

Please consider Free Boat Launch Permits for the three launch sites in North Tonawanda for disabled veterans. I have contacted the NY State Thruway Authority and they have no objection to North Tonawanda implementing this program for disabled Veterans who own and operate boats.

Also, I would like you to consider discounted fees for Disabled Veterans to play golf at the Deerwood Golf Course. The rates would be as follows:

Disabled Veterans (NT Residents)	\$325.00 per year
Disabled Veterans (Non-Residents)	\$600.00 per year

The above mentioned rates will have the same restrictions for tee off times as other discounted plans. I have attached a copy of the current 2012 Deerwood Golf Course Fee Schedule.

There are approximately 208 Disabled Veterans in North Tonawanda.

MOVED by Alderman Rizzo

SECONDED by Alderman Donovan

That the Common Council hereby approves discounted fees for Disabled Veterans to play golf at the Deerwood Golf Course. The rates are as follows:

Disabled Veterans (NT Residents)	\$325.00 per year
Disabled Veterans (Non-Residents)	\$600.00 per year

The above mentioned rates will have the same restrictions for tee off times as other discounted plans;

And, further, authorizes the Recreation Department to issue free boat launch permits to disabled veterans for the three launch sites in North Tonawanda.

Ayes: Needler, Donovan, Rizzo, Zadzilka, Andres (5)

Nays: None (0)

**CARRIED.**

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B.

Vietnam Veterans Chapter 77

February 29, 2012

Honorable Robert G. Ortt  
216 Payne Avenue  
North Tonawanda, NY 14120

Dear Mayor Ortt,

The Vietnam Veterans of America is a congressionally chartered organization of Vietnam Veterans that has over 60,000 members and more than 600 chapters. Chapter 77 is the largest chapter in New York State with 550 members and one of largest in the United States. Our mission is to assist and advocate for Veterans of the U. S. Military regardless of when they served.

We are planning a picnic this summer to reach out to Veterans, acquaint the community with our mission, and raise funds. We have tentatively reserved the two shelters at the Klimek Veteran's Park on August 4, 2012 for our picnic. Ms. Patricia Brosius has been most helpful with offers of assistance and advice.

We respectfully request that the fee for the shelter rental be waived by the City of North Tonawanda to assist our fund raising effort.

Sincerely,  
Michael M. Walker  
President

**MOVED** by Alderman Needler                      **SECONDED** by Alderman Zadzilka  
That the Common Council hereby grants permission to Vietnam Veterans Chapter 77 to use two shelters at the Klimek Veteran's Park on August 4, 2012 for their picnic and waives the fees for the shelter rentals.

Ayes: Needler, Donovan, Rizzo, Zadzilka, Andres (5)

Nays: None (0)

**CARRIED.**

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C.  
Lighthouse Baptist Church

March 2012

City Hall  
216 Payne Avenue  
North Tonawanda, NY 14120

Dear Honorable Body:

Lighthouse Baptist Church at 383 Wheatfield St in North Tonawanda, is requesting permission to run its annual 5k race through some of the surrounding streets on Saturday, September 22. We have a short kid's race starting at 1:15 pm that day, with the 5k race starting at 2:00 pm. The second page of this letter shows a map of our certified course route, with some basic directions on which way the route goes. Our race is a fundraiser towards our annual youth Winter Camp in Olcott, NY.

This is the 6th year of our race, and we appreciate the help you've given us in the past. I trust the date on this letter will give you enough time to prepare for our race, but please contact me if you see any reason why this cannot be done, or if you have any other questions.

Thanks in advance and sincerely,  
Jim Kariman  
402 Robinson St, North Tonawanda, NY 14120  
716-998-8057  
[Kariman32@roadrunner.com](mailto:Kariman32@roadrunner.com)

**MOVED** by Alderman Andres                      **SECONDED** by Alderman Donovan  
That the Common Council hereby approves the 5K Race and Kids Race, being held Saturday, September 22<sup>nd</sup> at Lighthouse Baptist Church.

Ayes: Needler, Donovan, Rizzo, Zadzilka, Andres (5)

Nays: None (0)

**CARRIED.**

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**AUDIENCE PARTICIPATION**

**Alex Domaradzki, 1383 Sherwood Court - Thanked everyone who participated in Student Government Day.**

**Sue Wilke, 329 Miller Street - Urged the City to pass a law that would prohibit treating water from fracking operations. Wanted to know the names of the banks that we deal with in the city and stated that we should check on their foreclosure practices**

**Sarah Hansgate, 405 Meadow Drive - Thanked Alex Domaradzki for all of his efforts on organizing Student Government Day. Thanked the Common Council and the Youth Board for participating in Student Government Day.**

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**ADJOURNMENT**

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

**Time of Adjournment: 7:05P.M.**

**Respectfully submitted,**

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