

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, October 2, 2012
6:30P.M.**

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**

Mayor Ortt presented the 2013 Budget Message:

In accordance with Section 5.021 of the North Tonawanda City Charter, as Mayor, I am providing to the Common Council, for their review and adoption, a copy of my General, Water, Sewer and Capital Fund Budgets, for fiscal year 2013. I am proud to submit a budget that, for the second year in a row, does not raise taxes. Consistent with my previous budgets as Mayor, this budget combines reductions while still providing funding to deliver City services in the best and most efficient manner. The preparation of any budget comes with challenges, and this budget was no different. Specifically, the increase in pension costs of 12%, and the increases to healthcare as well as to everyday costs associated with running the City, such as fuel and asphalt. Our taxpayers can take some comfort in knowing that actions have been taken at both the State level and the local level to address and deal with both pensions and healthcare, that will over the long term help to reign in out of control costs which threaten the core mission of the City of North Tonawanda: to provide basic City services to our residents. The Tier VI reform that was championed by Governor Cuomo and passed by the State legislature this year will save North Tonawanda nearly \$24 million over the next three decades. The City recently negotiated substantial changes to our healthcare plan, including moving from single tier prescription drug co-pay to a three tier co-pay, as well as mandatory contributions for new employees, all of which will save taxpayer dollars. I know that many public employees see these reforms as an attack on them. Speaking for myself, nothing could be further from the truth. These common sense reforms have been instituted in the private sector for years, and will ensure that North Tonawanda residents, many of whom are seniors or working families living on fixed incomes, will not have to choose between exorbitant property taxes and good City services.

For the second year in a row, my proposed General Fund budget reflects no property tax increase, freezing the current rate of \$13.16 per \$1,000 dollars of assessed valuation. The water and sewer user rates also remain unchanged. I have cut expenditures in the water fund by \$12,200, from \$3,024,900 last year, to \$3,012,700 in 2013. In the sewer fund spending is down \$218,782, from \$4,712,582 to \$4,493,800. The result is over a half million dollars cut from water and sewer spending over the past two budgets. In my 2011 State of the City address, I spoke of the need for each and every department to stand on its own and to be self-sustaining. Each department would have to find ways to reduce costs and operate more efficiently. Nowhere is this more important or necessary than in the water and wastewater departments. For years, the water and sewer funds, the operating funds of the water and wastewater department, spent more than they took in. To offset this discrepancy, the General fund subsidized the water and sewer funds up to half a million dollars. When I took office I spoke about making the water and sewer funds self sustaining. Last year we ended the subsidy and made a commitment to force these funds to stand on their own. I am proud to say that today the water and sewer funds are in the best financial shape that they have been in, in many years.

As in years past, this budget is the result of deliberative measures by my office and this Honorable Body. In August, the Council, at my request, offered a retirement incentive to members of the American Federation of State County and Municipal Employees union, and members of the Civil Service Employees Association. In total, 11 employees took the incentive. Five of the eleven positions have been cut from this budget. Over the past three years, over 50 full time positions have been eliminated from the City workforce, representing a better than 20% reduction. Based on the average City salary of \$52,000, that is an estimated savings of \$2,600,000 in salaries alone.

I believe in priorities based budgeting and a commitment to provide fundamental public services at the lowest possible cost. While my budget reduces spending and holds the line on property taxes, it also allocates tax payer money based on a commitment to the priorities of public safety services and improvements and maintenance of public infrastructure. Repairing our aging infrastructure is a priority of my administration, and we are spending sufficient tax dollars to do so. Over the past two years, we have repaired 20 miles of roads, and we are just getting started. I have proposed to bond \$350,000 to be used towards road repair for next year. That is in addition to the \$400,000 the City receives from New York State, for a total of \$750,000 toward road repair next year. I believe that we have made great strides in our road repair thanks to DPW Superintendent Brad Rowles and the hard working men and women of our Public Works department. Along with roads, I have appropriated \$75,000 for sidewalk repairs. I have also allocated \$25,000 for 1,000 larger, 35 gallon recycling totes. The City rolled out about 300 of these totes this year, under a pilot program that will allow residents to recycle more and bring in more revenue to the City. I have also proposed bonding \$165,000 for an additional salt truck. This vehicle is a combination salter which will allow the City to keep the main roads salted utilizing one employee instead of two, improving efficiency and saving on manpower costs.

Public safety is an important part of any budget. To that end, my budget calls for spending \$95,000 for new police cruisers, as well as \$70,000 for an additional two firefighters. This move will help to reduce overtime in the fire department. In total, my budget appropriates \$7,981,467 in police and fire personnel and equipment.

I have allocated \$26,000 in my proposed Capital budget for a new greens mower at Deerwood Golf Course. This will improve our greens and have a positive impact on play, although I can't promise it will improve your score. North Tonawanda, the second largest municipality in Niagara County and the sixteenth largest city in the State of New York, continues to be an important residential, commercial and industrial center in Western New York. It is important that we maintain the services necessary to protect and assist our residents and our business community, while making the necessary changes to reduce our long term costs and ease the tax burden on our residents and small businesses. That is our duty and responsibility as elected leaders. I believe that this budget upholds that responsibility by holding the line on taxes and fees, keeping our commitment to repair our infrastructure, and ensuring that your money is spent wisely and appropriately.

I want to thank all City department heads for the important part they played in the formulation of this Budget. I would like to take this opportunity to offer to meet with the Common Council to discuss and work with them to finalize the 2013 Budget, as a cooperative effort, at their workshop sessions.

Thank you for your kind consideration of my 2013 Budget.

October 2, 2012

Honorable Robert G. Ortt
Mayor, City of North Tonawanda

APPROVAL OF THE MINUTES OF THE REGULAR SESSION SEPTEMBER 18, 2012

MOVED by Alderman Needler

SECONDED by Alderman Zadzilka

That the minutes of the regular session held September 18, 2012 be approved as circulated and filed in the Office of the City Clerk.

CARRIED.

PROOF OF PUBLICATION PUBLISHED SEPTEMBER 13, 2012

1) Legal Notice – NYSDEC Notice of Complete Application – Engineer

PROOF OF PUBLICATION PUBLISHED SEPTEMBER 14 & 18, 2012

1) Bid – Northwest Storm Sewer – Engineer

MOVED by Alderman Rizzo

SECONDED by Alderman Donovan

That the Common Council hereby receives and files the aforementioned Proof of Publication.
CARRIED.

AUDIENCE PARTICIPATION - None

COMMUNICATIONS FROM CITY OFFICIALS

IV. Engineer

September 28, 2012

Honorable Robert G. Ortt, Mayor
and Common Council Members
City Hall
North Tonawanda, New York 14120Re: Project No. 2010-08, Northwest Storm Sewer Project, Phase II
Award of Construction Contract

Dear Honorable Body:

On Friday, September 28, 2012, bids were received and opened by the City Clerk for the Northwest Storm Sewer Project, Phase II. The results are as follows:

1. NFP & Sons Inc.	\$97,292.50
2. Yarussi Construction, Inc	\$99,440.00
3. New Cal Construction, Inc.	\$127,000.00
4. Pinto Construction	\$133,891.00
5. Northeast Diversification Inc.	\$138,300.00
6. Visone Construction	\$140,050.00

I therefore respectfully request that the Common Council award Project 2010-08 Northwest Storm Sewer Project, Phase II to NFP and Sons, Inc, 7311 Ward Road, North Tonawanda, NY 14120, at their low bid amount of \$97,292.50; 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 Rizzo

SECONDED by Alderman Zadzilka

That the Common Council hereby awards Project 2010-08 Northwest Storm Sewer Project, Phase II to NFP and Sons, Inc, 7311 Ward Road, North Tonawanda, NY 14120, at their low bid amount of \$97,292.50 and authorizes the Mayor to sign said contract subject to review by the City Attorney.

Ayes: Needler, Donovan, Rizzo, Zadzilka, Andres

(5)

Nays: None

(0)

CARRIED.

VII. Accountant

September 28, 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 October 2, 2012, and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Very truly yours,
Mark W. Dotterweich
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 October 2, 2012 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$264,380.72
02	Water Fund	24,822.36
04	Sewer Fund	66,083.37
06	Capital Project Fund	219,983.72
07	Trust & Agency Fund	870.61
11	General Fund Encumbered	990.39
17	Home Rehab Program	182.50
	Final Total	<u>\$577,313.67</u>

Ayes: Needler, Donovan, Rizzo, Zadzilka, Andres

(5)

Nays: None

(0)

CARRIED.

XIV. Recreation

September 18 2012

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

Re: 2012 Deerwood Golf Course Cart Path Project
Award of Construction Contract

Honorable Body:

On September 12, 2012, bids were received and opened by the City Clerk for the 2012 Deerwood Golf Course Cart Path Project. Funds in the amount of \$40,000 have been allocated towards the project. The results are as follows:

1. Northeast Diversification Inc.	\$3.53 per square foot
2. Louis Del Prince & Sons, Inc.	\$4.25 per square foot
3. Zoladz Construction Company, Inc.	\$4.38 per square foot
4. Milherst Construction, Inc.	\$5.42 per square foot

I therefore respectfully request that the Common Council award the 2012 Deerwood Golf Course Cart Path Project to Northeast Diversification Inc., 2 Cadby Industrial Park, Lancaster, NY 14086, at their low bid unit price amount of \$3.53 per square foot; authorizing the Mayor to sign said contract subject to review by the City Attorney.

Respectfully submitted,
 Patricia A. Brosius,
 Director of Youth, Recreation & Parks

MOVED by Alderman Donovan SECONDED by Alderman Needler
 That the Common Council hereby awards the 2012 Deerwood Golf Course Cart Path Project to Northeast Diversification Inc., 2 Cadby Industrial Park, Lancaster, NY 14086, at their low bid unit price amount of \$3.53 per square foot and authorizes the Mayor to sign said contract subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM OTHERS

A.

Columbia Hook & Ladder - Re: Removal from Fire Rolls:

Trevor W. Thomas

MOVED by Alderman Zadzilka SECONDED by Alderman Andres
 To remove Trevor W. Thomas from the City Fire Rolls.

CARRIED.

AUDIENCE PARTICIPATION

Robert Gibson, 1318 Master Street – Was concerned about the safety of senior residents and individuals with disabilities that use scooters on public streets or in parking lots. Stated that those individuals on scooters simply cannot be seen when they are moving through parking lots or on city streets. Went on to ask if there was anything that could be done such as reflectors on the front and back for night use, or an orange safety flag that extends upward about 6ft, would be a good idea. Hoped a law or code was in place or could be put in place so that his suggestions could be implemented.

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: 6:47P.M.

Respectfully submitted,

Scott P. Kiedrowski
 City Clerk–Treasurer