

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, October 16, 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**

APPROVAL OF THE MINUTES OF THE REGULAR SESSION OCTOBER 2, 2012

**MOVED by Alderman Zadzilka SECONDED by Alderman Donovan
That the minutes of the regular session held October 2, 2012 be approved as circulated and
filed in the Office of the City Clerk.**

APPROVAL OF THE MINUTES OF THE SPECIAL SESSION OCTOBER 9, 2012

**MOVED by Alderman Needler SECONDED by Alderman Rizzo
That the minutes of the special session held October 9, 2012 be approved as circulated and
filed in the Office of the City Clerk.**

PROOFS OF PUBLICATION PUBLISHED OCTOBER 3, 2012

- 1) Legal Notice – Emergency Services Cost Recovery – City Clerk-Treasurer
- 2) Legal Notice – Amendment to §103-15B(4)b of the City Code – City Clerk-Treasurer

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

AUDIENCE PARTICIPATION - None

COMMUNICATIONS FROM CITY OFFICIALS

III.1 City Clerk

October 10, 2012

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

Re: Design for Carbon Building HV

10-16-2012

Dear Honorable Body:

I respectfully ask your Honorable Body to authorize the Mayor to enter into an agreement with WENDEL Engineering/Audubon Architecture per the recommendation of the City Engineer in the amount of \$23,800.00 for the design of the installation of three make-up air units to serve the Carbon Filter Building.

The above monies were previously adopted in 2009 and additionally in the 2012 Capital Improvements Budgets. These funds are still available for this project.

Should your Honorable Body concur, I ask that you vote in the affirmative to allow this project to move forward. Your approval of this contract to be executed by the Mayor is subject to the final review and approval of the City Attorney.

Respectfully,
Scott P. Kiedrowski
North Tonawanda City Clerk-Treasurer
Interim Director of Utilities

MOVED by Alderman Donovan **SECONDED** by Alderman Needler

That the Common Council hereby authorizes the Mayor to sign the contract to enter into an agreement with WENDEL Engineering/Audubon Architecture per the recommendation of the City Engineer in the amount of \$23,800.00 for the design of the installation of three make-up air units to serve the Carbon Filter Building subject to the final review and approval of the City Attorney.

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

Nays: None (0)

CARRIED.

III.2 City Clerk

October 10, 2012

The North Tonawanda Common Council approves the following recommendations from the Traffic Safety committee:

Attached is the full text of minutes.

- #4. Removal of School Zone Signage from Gilmore School and additionally any School Zone Signage at Ascension School, both facilities are closed.
- #6. Approved
- #7. Approved
- #9. Approved
- #10. Approved
- #13. Approved/CC already approved this change on 01-03-11/See Attached
- #14. Approved

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

MOVED by Alderman Needler **SECONDED** by Alderman Zadzilka

That the Common Council hereby directs the Department of Public Works to:

Remove the “No Parking” signs on Vandervoort Street from Keil Street to Robinson Street and the school zone signage from the Ascension School and Gilmore School areas;

Install “No Parking” signs at Lighthouse Baptist Church, 383 Wheatfield Street, from the parking lot entrance west to Bryant Street;

Install “One-Way” signs across from the entrances of the Impressive Imprints Plaza on Division Street;

Adjust the timing on the signal located at the intersection of Nash and Walck Roads to clear the intersection better at peak hours.

Place lines to mark turning lanes through the intersection of Robinson Street and the Twin Cities Memorial Highway;

Install "No Parking" signs on the North side of Fredericka Street from Henry Street to the dead end;

Install "No Parking" signs on Payne Avenue in front of part of the property located at 1110 Payne Avenue;

Install "No Parking" signs on Payne Avenue from Jackson Avenue west to the first driveway.

Ayes: Needler, Donovan, Rizzo, Zadzilka, Andres (5)
Nays: None (0)
CARRIED.

VII.1 Accountant

October 11, 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 16, 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 Donovan SECONDED by Alderman Needler
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated October 16, 2012 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$572,176.59
02	Water Fund	31,545.60
04	Sewer Fund	73,207.84
06	Capital Project Fund	209,842.15
07	Trust & Agency Fund	26,431.96
11	General Fund Encumbered	159.00
17	Home Rehab Program	182.50
	Final Total	<u>\$913,545.64</u>

Ayes: Needler, Donovan, Rizzo, Zadzilka, Andres (5)
Nays: None (0)
CARRIED.

A fireworks display is planned on the bridge at midnight. We have contracted Young's Explosives, this being the same as past years. The City of Tonawanda will also receive our request on closing the bridge for fireworks.

All affected city departments will be invited to our meetings to get input as to safety and sanitation issues as well as concerns they may have.

We will have proper insurance and permits for all aspects of this event. As in previous years we asked for the use of 40 city trash containers, barricades to close bridge and street, no parking signs in designated area so street can be kept clear for people in attendance.

We are working on many details that make events of this nature successful and I will keep you as informed as possible as to our progress.

Sincerely,
David J. Burgio
Committee Member

MOVED by Alderman Andres

SECONDED by Alderman Rizzo

That the Common Council hereby directs the Department of Public Works to close Webster Street from Tremont Street to Sweeney Street, including the bridge; to provide 40 city trash containers, barricades to close bridge and street, no parking signs in designated areas and the use of Gateway Park all day December 31, 2012 to noon January 1, 2013 for the "New Years Eve on the Canal" event.

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

Nays: None (0)

CARRIED.

LATE COMMUNICATION

MOVED by Alderman Zadzilka

SECONDED by Alderman Donovan

To bring the following communication to the floor.

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

Nays: None (0)

CARRIED.

#1

Attorney

October 15, 2012

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

Re: Meadow Drive Extension Project – Proposed Contracts for Construction of At-Grade Crossing with CSXT

Dear Honorable Body:

Attached, for your review, are proposed Construction Agreements with Bergmann Associates for the construction of an at-grade crossing with CSXT as part of the Meadow Drive Extension Project.

Should your Honorable Body concur, please pass a resolution to allow for the execution of the attached Contracts 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 Zadzilka

SECONDED by Alderman Donovan

That the Common Council hereby authorizes the Mayor to sign the Construction Agreements with Bergmann Associates for the construction of an at-grade crossing with CSXT as part of the Meadow Drive Extension Project, subject to any further review by the City Attorney.

Ayes: Needler, Donovan, Rizzo, Zadzilka, Andres

(5)

Nays: None

(0)

CARRIED.

AUDIENCE PARTICIPATION

Ann Finkle, 896 Sun Valley Drive – Stated that the Common Council Meeting only took 4 Minutes and that we should move to a 2 meeting per month format that combines Common Council Meetings and Workshop Sessions. Further stated that she felt that her constitutional rights were being violated since our meetings are on the same nights as the County Legislature and she would like to be able to attend both.

Kathy Kern, 1248 Greenbrier Lane – Thanked the Community for all of the donations to the TCCO Basket Raffle and also stated that the day was dedicated to William Welch who had suddenly passed away. Mr. Welch was a longtime volunteer and officer at TCCO. Gave kudos to the DPW for their quick response to an issue at her residence. Mrs. Kern stated that the minutes that were on line were incorrect from the last time she spoke. Mrs. Kern said she did not speak about sidewalks in disrepair but rather curbs that were needed and wanted to point out again that the minutes were not correct.

ADJOURNMENT

MOVED by Alderman Rizzo

SECONDED by Alderman Donovan

That this regular session of the Common Council be and hereby is adjourned.

CARRIED.

Time of Adjournment: 6:38P.M.

Respectfully submitted,

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