

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, July 2, 2013
6:30P.M.**

REGULAR SESSION CALLED TO ORDER BY PRESIDENT ANDRES

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: Alderman Needler

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

APPROVAL OF THE MINUTES OF THE REGULAR SESSION JUNE 18, 2013

**MOVED by Alderman Zadzilka SECONDED by Alderman Donovan
That the minutes of the regular session held June 18, 2013 be approved as circulated and filed
in the Office of the City Clerk.
CARRIED.**

PROOF OF PUBLICATION PUBLISHED JUNE 20, 2013

1) Bid – Natural Gas – Water/Wastewater

**MOVED by Alderman Donovan SECONDED by Alderman Zadzilka
To receive and file the aforementioned Proof of Publication.
CARRIED.**

AUDIENCE PARTICIPATION

Sonia Dusza, 123 Miller Street/The west end of Miller Street – Thought it was nice to see the two young adults were receiving their Eagle Scout Badges. Stated that it is important to get younger members of the community involved in these types of activities so they are not doing other things. Questioned the budgetary transfer in the Building Inspectors Office. Stated that the City does not care about anyone who lives west of Oliver Street and that it is a wasteland. Stated that she was out walking and was shocked and horrified to see the condition of the CSX property and that it was a complete mess. Stated that years ago Mike Ike from the building inspector's office asked for more help and it fell on deaf ears.

COMMUNICATIONS FROM CITY OFFICIALS

II. Attorney

June 28, 2013

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

Re: Renewal of Municipal Insurance – New York Municipal Insurance Reciprocal

Dear Honorable Body:

As you may know, several years ago the City of North Tonawanda became a part of the New York Municipal Insurance Reciprocal (NYMIR) as our city's insurer through agent M & T Insurance Co. Since that time the City has continued its sound claim handling and risk management practices which has resulted in annual savings on our renewal premiums and eligibility for annual monetary distributions from NYMIR as a share of the reciprocal's surplus.

We are pleased to announce that the City of North Tonawanda has been able to renew its municipal insurance coverage with NYMIR, at a premium saving of \$7,225.00 for the 2013-2014 term.

Should your Honorable Body need more information, please do not hesitate to contact me.

Very truly yours,
Shawn P. Nickerson
City Attorney

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

V. Water

June 28, 2013

**Honorable Mayor Robert G. Ortt
and Common Council
216 Payne Avenue
North Tonawanda, NY 14120**

Re: Renewal Agreement with Enerscope

Honorable Body:

Our agreement with Enerscope has expired as of June 30, 2013. Enerscope provides consulting services for the procurement of Natural Gas for the Water Department. The renewal fee will be \$3,600 (\$300.00 per month) and a \$600.00 fee for bidding for the 2013/2014 Fiscal Year. We have used Enerscope for several years and I would like to retain their services for next year also with your approval. The City Attorney has reviewed the Contract and has his approval.

Thank you in advance for your time and consideration in addressing this request.

Sincerely,
David A. Scott, Superintendent
N. Tonawanda Water Works

MOVED by Alderman Andres

SECONDED by Alderman Zadzilka

That the Common Council hereby authorizes the Mayor to sign the renewal agreement with Enerscope to provide consulting services for energy procurement for the Water Department from July 1, 2013 through June 30, 2014 subject to review by the City Attorney.

Ayes: Donovan, Rizzo, Zadzilka, Andres

(4)

Nays: None

(0)

CARRIED.

VII.1 Accountant

June 27, 2013

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 July 2, 2013, 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 Zadzilka

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated July 2, 2013 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$642,815.27
02	Water Fund	35,162.25
04	Sewer Fund	69,427.03
06	Capital Project Fund	71,712.26
17	Home Rehab Program	43,340.00
	Final Total	<u>\$862,456.81</u>

Ayes: Donovan, Rizzo, Zadzilka, Andres

(4)

Nays: None

(0)

CARRIED.

VII.2 Accountant

June 21, 2013

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

Dear Honorable Body:

In accordance with Article V, Division 2, Section 5.023 and Section 2.2 of the Budgetary Transfer Policy, please authorize the City Accountant to make the following transfers of fiscal year 2013 appropriations, based on the request of Department Heads, copy attached:

Control Number	Dollar Amount	From Appropriation Account	Into Appropriation Account
1	3,000.00	1-3620.410 Safety Inspection Admin	1-3620.480 Safety Inspection Operations

Very truly yours,
Mark W. Dotterweich
City Accountant

MOVED by Alderman Zadzilka SECONDED by Alderman Donovan
That the Common Council hereby authorizes the City Accountant to make the following transfers of fiscal year 2013 appropriations, based on the request of Department Heads:

Control Number	Dollar Amount	From Appropriation Account	Into Appropriation Account
1	3,000.00	1-3620.410 Safety Inspection Admin	1-3620.480 Safety Inspection Operations

Ayes: Donovan, Rizzo, Zadzilka, Andres (4)
Nays: None (0)
CARRIED.

XXV. Monthly Reports

.1 Police

MOVED by Alderman Rizzo SECONDED by Alderman Andres
To receive and file the aforementioned Monthly Reports.
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Columbia Hook & Ladder Co. No. 1, Inc.

June 17, 2013

North Tonawanda Common Council
c/o City Clerk
City Hall, 216 Payne Avenue
North Tonawanda, New York 14120

Re: Columbia Hook & Ladder Fundraising 2013

Dear Honorable Council:

Columbia Hook & Ladder Co. No. 1 requests permission to conduct the following assorted fundraising events for the calendar year 2013:

Major or Repetitive Events

<u>Event</u>	<u># of Events Scheduled</u>	<u>Dates</u>
Chowder Sales	6	2/2/13 3/2/13 4/6/13 10/5/13 11/2/13 12/7/13
Sugar Waffle Trailer	1	7/13 – 7/21/13
	@ Canal Fest	

Non-Repetitive Events

<u>Event</u>	<u>Dates</u>
Occasional one-time event Hall rentals such as small wedding receptions, bridal showers, birthday parties, funeral luncheons.	1/12/13; 1/20/13; 3/3/13; 3/9/13; 3/16/13; 4/7/13; 4/27/13; 5/4/13; 5/18/13; 5/19/13; 5/5/13; 5/27/13; 5/5/13; 5/25/13; 6/8/13; 6/9/13; 11/23/13

Some events are booked on very short notice.

We do not sell or distribute alcoholic beverages at any fund-raising event.

Firematically yours,
Columbia Hook & Ladder Co. No. 1, Inc.
Edward J. Suski
President

MOVED by Alderman Zadzilka **SECONDED** by Alderman Donovan
That the Common Council hereby grants permission to Columbia Hook & Ladder Co. No. 1, Inc. to hold various repetitive and non-repetitive events in 2013, as listed in the aforementioned communication.

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

Nays: None (0)

CARRIED.

B.
Sweeney Hose Co. - **Re:** Statement of Volunteer Fireman:

Brett Elberson
Miranda Cirrito
Daniel Schmidt

MOVED by Alderman Donovan **SECONDED** by Alderman Rizzo
To add Brett Elberson, Miranda Cirrito and Daniel Schmidt to the City Fire Rolls.
CARRIED.

C.
Natalie Brown

June 5th, 2013

Dear Sir or Madam,

My name is Natalie Brown and I have owned and managed the Project 308 Gallery since August 2012. The gallery is located at 308 Oliver Street in North Tonawanda which is between Robinson Street and Schenck Street. I completely renovated the once vacant storefront into a fully functional commercial gallery. As an ongoing "project," my efforts focus on resurrecting the space to its full potential of physical and conceptual beauty.

I would like to request closing off Oliver Street from Robinson Street to Schenck Street on Saturday, August 17th, 2013 in order to hold an art festival that will extend from the street to the gallery. The art festival will mark the one year anniversary of the opening of the Project 308 Gallery. The event will be a compilation of 50-65 artists and crafts people displaying and selling their work. There may also be music and dance performances throughout the day. I am planning the festival to take place from 11 am-5pm, depending on how long the street is allowed to be closed off. This date does not conflict with canal fest or any other art festivals in Western New York.

The event will be a great occasion for the surrounding community to encounter a variety of art work by local artists and become familiar with the Project 308 Gallery. The art festival will assist in my ongoing endeavor to enliven the area around the gallery and develop a stronger community grounded in the arts. I would appreciate any effort that facilitates the success of the art festival. Permission to close the street would be the first major step in this development. I can provide further information if needed. Thank you for your time.

Sincerely,
 Natalie Brown
 Project 308 Gallery
 308 Oliver Street
 North Tonawanda, NY 14120
 716.523.0068

MOVED by Alderman Andres

SECONDED by Alderman Donovan

That the Common Council hereby grants permission to Natalie Brown, Project 308 Gallery, to block off Oliver Street from Robinson Street to Schenck Street on Saturday, August 17th, 2013 in order to hold an art festival that will extend from the street to the gallery.

Ayes: Donovan, Rizzo, Zadzilka, Andres

(4)

Nays: None

(0)

CARRIED.

AUDIENCE PARTICIPATION

Cathy Kern, 1258 Greenbrier – Stated that she had a conversation with Donna Neal from the History Museum and was saddened to hear that there would be no Garden Walk held this year. Stated that she hoped that the City would consider having a Garden Walk next year and hold a contest much like the Christmas Lighting contest that is held every year. Stated that she is known as “The Queen of Garage Sales” and has seen many beautiful gardens at resident’s homes during her travels to the sales. Stated that the home on the corner of Linden is very exquisite with all of the beautiful garden flowers that they have. Stated that she believes that this would be an asset to the City and that when everyone is out campaigning they should take a look at the beautiful gardens at resident’s homes.

Sonia Dusza, 123 Miller Street/The west end of Miller Street - Stated that she looked on the web at the agenda and wanted to know more about the Oliver Street Art Festival. Stated that she looked at the vendor sheet of those that wanted to participate and questioned who all the tattoo vendors were and wondered what kind of art festival it was. Stated that the Carnegie Center had art. Agreed with the previous speaker that residents should take pride in their property and that the garden walk was a good idea. Questioned City Attorney Nickerson on the cat ordinance. Stated that five minutes was not enough time to speak on her concerns and wanted to meet with him on another day. Stated that she is being “bang” “bang” barraged with cats. Stated that she wondered if the Cat Ordinance was just printed on paper but really meant nothing. Stated that she thought it was the city’s obligation to take care of feral cats.

Darlene Bolsover, 1337 Sweeney Street - Thanked the Common Council for getting tall grass cut and that she has had to deal with tall grass by her home. Hoped the city would send the grass cutting crew out to clean up the cut tall grass that was left behind.

Andy Pasiak, 853 E. Robinson St. - Stated that he was contacted by National Grid that the power would be shut off and wanted to know if the reason had anything to do with the recent power loss during the recent heavy rains that took down the pump station. Inquired about the water and sewer lines that were combined. Inquired about the growing deer population and thought it might be time for a bait and shoot program again.

Sarah Hood 528 Prospect - Asked if a public hearing was being held on the recently passed home de-conversion proposal. Inquired as to the status of Malcolm Needler.

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: 7:15 P.M.

Respectfully submitted,

Scott P. Kiedrowski
City Clerk–Treasurer