

**THE HONORABLE BODY  
Council Chambers  
Municipal Building  
North Tonawanda, New York 14120  
Tuesday, July 16, 2013  
5:08P.M.**

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**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**

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION JULY 2, 2013**

**MOVED by Alderman Zadzilka                      SECONDED by Alderman Rizzo  
That the minutes of the regular session held July 2, 2013 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 JULY 9, 2013**

**MOVED by Alderman Rizzo                      SECONDED by Alderman Donovan  
That the minutes of the special session held July 9, 2013 be approved as circulated and filed in  
the Office of the City Clerk.  
CARRIED.**

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**PROOF OF PUBLICATION PUBLISHED JUNE 21 & 26, 2013**

**1) Bid – Meadow Drive Extension Project – Engineer**

**PROOF OF PUBLICATION PUBLISHED JUNE 26, 2013**

**1) Bid – 2014 or Newer Tandem Axle Cab and Chassis – Public Works**

**PROOF OF PUBLICATION PUBLISHED JUNE 27 & 28, 2013**

**1) Bid – Webster Street Green Infrastructure Improvements – Engineer**

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

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COMMUNICATIONS FROM CITY OFFICIALS

II. Attorney

July 10, 2013

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

Re: Niagara County use of Radio Tower at 495 Zimmerman Street

Dear Honorable Body:

Attached is a proposed agreement between the City and Niagara County regarding the use of a radio tower at 495 Zimmerman Street. The proposed agreement would allow the County to use the radio tower for a period of 25 years (from May 1, 2013 until April 30, 2038) at a cost of \$1.00 per year. The proposed lease provides that the County will be responsible for any and all utilities and improvements of the premises, and will keep the premises in good repair.

Should your Honorable Body concur, please pass a resolution to allow for the execution of the Agreement between the City of North Tonawanda and Niagara County for use of the radio tower located at 495 Zimmerman Street by the Mayor, subject to any further review by the City Attorney.

Very truly yours,  
Shawn P. Nickerson  
City Attorney

MOVED by Alderman Rizzo

SECONDED by Alderman Zadzilka

That the Common Council hereby authorizes the Mayor to sign the aforementioned agreement between the City of North Tonawanda and Niagara County for use of the radio tower located at 495 Zimmerman Street, subject to any further review by the City Attorney.

Ayes: Donovan, Rizzo, Zadzilka, Andres

(4)

Nays: None

(0)

CARRIED.

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VII.1 Accountant

July 11, 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 16, 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 16, 2013 and further authorizes the Mayor and City**  
**Clerk-Treasurer to respectively sign and countersign said Warrant:**

01	General Fund	\$126,423.32
02	Water Fund	8,170.59
04	Sewer Fund	20,317.29
06	Capital Project Fund	23,501.44
17	Home Rehab Program	465.00
	Final Total	<u>\$178,877.64</u>

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

## VII.2 Accountant

July 1, 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:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>Into Appropriation Account</u>
1	21,850.00	1-1990.410 Contingent Account Admin	1-7110.480 Parks Operations

Very truly yours,  
 Mark W. Dotterweich  
 City Accountant

**MOVED by Alderman Zadzilka                      SECONDED by Alderman Rizzo**  
**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:**

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>Into Appropriation Account</u>
1	21,850.00	1-1990.410 Contingent Account Admin	1-7110.480 Parks Operations

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





We are requesting that the Pinewoods pavilion fee be waived. We will gladly acknowledge the waiver by making an announcement to those in attendance, so that the volunteers will know that the city appreciates their dedication to children and seniors throughout the Niagara community.

Thank you sincerely for considering this request. If you have any questions, please feel free to contact us at ksmith@hanci.com or 285-8224, ext. 228 or aloian@anci.com or 285-8224 ext. 217.

Sincerely,

**Karen Smith**  
Director, Foster Grandparent Program  
Volunteer Center at HANCI

**Nora Aloian**  
Director, Senior Companion Program  
Volunteer Center at HANCI

**MOVED by Alderman Zadzilka**

**SECONDED by Alderman Donovan**

That the Common Council hereby waives the fee for rental of Pinewoods Pavilion #1 in Pinewoods Park for the Senior Companion and Foster Grandparent Programs picnic, sponsored by the Health Association of Niagara County, Inc. (HANCI), to be held August 13, 2013 and further directs the Recreation Department to contact Karen Smith at 285-8224, ext. 228.

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

Nays: None (0)

**CARRIED.**

**C.**  
**NTAA**

**Dear Honorable Body:**

This letter is to request 12 Special Event Totes for the North Tonawanda Athletic Association. We have football and cheerleading from Wednesday, July 10, 2013 through Friday, November 8, 2013.

Thank you,  
Randy Bradt  
President

**MOVED by Alderman Zadzilka**

**SECONDED by Alderman Donovan**

That the Common Council hereby directs the Department of Public Works to provide 12 Special Event Totes to the North Tonawanda Athletic Association.

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

Nays: None (0)

**CARRIED.**

**D.**  
**Houghton College**

June 25, 2013

Common Council  
City of North Tonawanda  
216 Payne Avenue  
North Tonawanda, NY 14120

**Dear Common Council:**

I am writing this letter in hopes to gain your approval to have our banner hung across a North Tonawanda street. Our banner promotes our Adult Education program as we now offer classes in Niagara County in two different locations: The Kenan Center in Lockport and The Four Points Sheraton Hotel in Niagara Falls.

Houghton College offers a degree completion program for adults allowing them to finish their bachelor's degree in management in about 17 months while attending class just one night per week. The Adult Education program has been running in Erie, Chautauqua, and Cattaraugus counties for 21 years. We recently expanded into Niagara County and are hopeful that the program can benefit the many members of the Niagara County community.

In addition to our professionally delivered advertising campaign, we would like to increase awareness by hanging our banner; first in North Tonawanda and then hopefully in surrounding towns/cities. Our banner is 24 feet in length by 3 feet in height. I've attached a visual of the banner for your review.

I would be grateful for the opportunity to let your community know about our program. If possible, I'd like to have the banner hung for a 2 week period of time. At that point, I would come pick up the banner and take it to the next town/city to do the same.

I appreciate your time and consideration for my request. I have included my business card should you have any follow up questions or concerns that I can address.

I look forward to your response!

Sincerely,  
Lori Sonnenfeld  
Director of Administration

**MOVED** by Alderman Donovan                      **SECONDED** by Alderman Zadzilka  
That the Common Council hereby grants permission to hang a banner for Houghton College to promote their Adult Education program and to contact Lori Sonnenfeld, Director of Administration at 716-674-6363 ext. 8731 to make arrangements.

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

Nays: None (0)

**CARRIED.**

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E.  
Carousel Society

July 11, 2013

Mr. Richard Andres, President  
North Tonawanda Common Council City Hall  
216 Payne Ave.  
North Tonawanda, NY 14120

Dear Council President Andres and Council Members:

With just 2 days before the midway for Canal Fest arrives, the new owner of the parking lot, where the administrative staff of the midway has parked their house trailers for the past 20 years, has notified us that he will not give permission this year for its use.

These trailers need to be close to the midway for supervision and security purposes. The closest location we can determine is the Manhattan St. Parking lot in North Tonawanda. Therefore, I am asking for your permission to use the south end of the lot, beyond the last island, to park approximately 10-12 trailers.

We will ask the adjoining club for use of their water, but in the absence of that permission, may we tap into the closest fire hydrant?

Your response before Friday evening would be most appreciated.

Yours truly,  
Rae Proefrock

**MOVED by Alderman Andres**

**SECONDED by Alderman Zadzilka**

**To pull the aforementioned communication from the agenda.**

**Ayes: Donovan, Rizzo, Zadzilka, Andres**

**(4)**

**Nays: None**

**(0)**

**CARRIED.**

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**AUDIENCE PARTICIPATION – None**

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**ADJOURNMENT**

**MOVED by Alderman Zadzilka**

**SECONDED by Alderman Donovan**

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

**CARRIED.**

**Time of Adjournment: 5:13P.M.**

**Respectfully submitted,**

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