THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, December 3, 2013
6:31P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT ANDRES

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:	**President Andres** **Alderman Needler, Rizzo, Zadzilka, Clark**
Absent:	**None**
Also Present:	**Mayor Robert G. Ortt** **City Attorney Shawn P. Nickerson**

APPROVAL OF THE MINUTES OF THE REGULAR SESSION NOVEMBER 19, 2013

MOVED by Alderman Zadzilka SECONDED by Alderman Clark
That the minutes of the regular session held November 19, 2013 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED NOVEMBER 14, 2013

1) Bid – 2014 or Newer Ford F750 – Department of Public Works

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

AUDIENCE PARTICIPATION

Sonia Dusza, 123 Miller Street - Ms. Dusza stated that she would like some more information regarding the Community Development item that was on the evening's agenda.

Stated that she wanted to go on record opposing Community Development request to be the lead agency on city Brownfield reviews.

Stated that she thought that Engineering should be the Lead.

Stated that she was glad that there was going to be a public hearing on this proposal.

COMMUNICATIONS FROM CITY OFFICIALS

VII. Accountant

November 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 December 3, 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 Rizzo SECONDED by Alderman Needler
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated December 3, 2013 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	$3,334,545.69
02	Water Fund	169,197.64
04	Sewer Fund	259,815.57
06	Capital Project Fund	163,083.27
17	Home Rehab Program	898.30
	Final Total	$3,927,540.47

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

XIV. Recreation

November 27, 2013

The Honorable Mayor Robert Ortt and Common Council Members
City Hall
216 Payne Ave.
North Tonawanda, New York 14120

Dear Mayor and Honorable Body:

Community Development Office and the Department of Youth, Recreation and Parks is preparing for a New York State Department of Environmental Conservation Grant. We would like to apply for $25,000 for a tree inventory study of the city. Results from this inventory will allow our department to further apply for additional grants in the future.

The following resolution needs to be submitted for this grant application that is due December 5, 2013, and is being submitted for your consideration and action.

That Robert G. Ortt, as Mayor of the City of North Tonawanda is hereby authorized and directed to file an application in an amount not to exceed $25,000, and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the City of North Tonawanda for the Tree Inventory Project.

Please contact Richard Tindell, Community Development Director or myself with any questions you may have.

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

MOVED by Alderman Andres SECONDED by Alderman Zadzilka
That Robert G. Ortt, as Mayor of the City of North Tonawanda is hereby authorized and directed to file an application in an amount not to exceed $25,000, and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the City of North Tonawanda for the Tree Inventory Project.
Ayes: Needler, Clark, Rizzo, Zadzilka, Andres (5)
Nays: None (0)
CARRIED.

XVII. Traffic Safety

November 21, 2013

Scott Kiedrowski
City Clerk-Treasurer
216 Payne Avenue
North Tonawanda, NY 14120

Traffic Safety Minutes:

The November meeting of the North Tonawanda Traffic Safety Committee was called to order at 1900 hours. Roll call showed the following members present: J. Sikora, A. Vater, R. Frank, M. Lemke, E. Smolinski, M. Anastasi, and A. DiBernardo. The minutes from the previous meeting were read and accepted. The following new items were discussed and recommendations made:

1. The Committee was informed the stop signs removed from Bryant Street at Stanley and Bennett have been put back in place.
2. Member Frank received a request to paint lane marking lines on the East curve of Thomas Fox West. The Committee discussed the request and does not see a need for the markings.
3. Member Frank also received a request from a resident on the timing of the traffic signal located at the intersection of River Road and Goundry Street. The light does not allow enough time for pedestrians crossing River Road to cross safely. River Road is controlled by NYS DOT a call requesting a timing change will be placed.
4. Member Vater is going to check Sweeney Street at Webster for a pedestrian button and will report at the December meeting.
5. Safety at the Gratwick Park boat launch was discussed and will be revisited in the spring when possible changes can be made.

Respectfully submitted,
Joseph D. Sikora, Chairman

MOVED by Alderman Needler SECONDED by Alderman Zadzilka
That the Common Council hereby receives and files the aforementioned communication.
Ayes: Needler, Clark, Rizzo, Zadzilka, Andres (5)
Nays: None (0)
CARRIED.

XXXII.1 Community Development

November 26, 2013

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

Dear Common Council and Mayor:

In order to complete the ongoing City of North Tonawanda Brownfield Opportunity Area Step 2(BOA) project funded by the New York State Department of State, the City must comply with all applicable New York State Environmental Quality Review regulations pursuant to Part 617 of Article 8 of New York State Environmental Conservation Law. These regulations require the City to: conduct a coordinated environmental review of the project, assume Lead Agency status for the review process, and that the project be reviewed as a Type I Action requiring a full Environmental Assessment Form.

Therefore, I respectfully request that the Common Council approve a resolution declaring its intent to assume the responsibility of Lead Agency in the environmental review process, and authorize the Community Development Department to issue a Notice of Intent to Serve as Lead Agency letter, to all interested and involved agencies.

Thank you for your consideration.

Best regards,
Richard Tindell
Community Development Director

MOVED by Alderman Needler SECONDED by Alderman Clark
That the Common Council hereby assumes the responsibility of Lead Agency in the environmental review process for the City of North Tonawanda Brownfield Opportunity Area Step 2(BOA) project funded by the New York State Department of State and authorizes the Community Development Department to issue a Notice of Intent to Serve as Lead Agency letter to all interested and involved agencies.
Ayes: Needler, Clark, Rizzo, Zadzilka, Andres (5)
Nays: None (0)
CARRIED.

XXXII.2 Community Development

November 26, 2013

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

Dear Common Council and Mayor:

Our Office is recommending that the City consider submitting a grant application to the New York State Office of Community Renewal (OCR) for Community Development Block Grant (CDBG) funds of $400,000. If the grant application is approved the funds would be used to provide home rehabilitation grants for up to fifteen low-to-moderate income property owners for repairs to their homes. In order to qualify for the grant, the City must hold two public hearings. The following resolution is being submitted for your consideration and action.

The Common Council hereby authorizes the Director of Community Development to advertise and hold two (2) public hearings on Monday, December 9, 2013 and Monday, December 16, 2013 regarding a proposed grant application for a Housing Rehabilitation Program in the amount of $400,000 to the New York State Office of Community Renewal (OCR) for the federal Community Development Block Grant Program.

Please contact me with any questions you may have. Thank you for your consideration.

Best regards,
Richard Tindell
Community Development Director

MOVED by Alderman Needler SECONDED by Alderman Zadzilka
That the Common Council hereby authorizes the Director of Community Development to advertise and hold two (2) public hearings on Monday, December 9, 2013 and Monday, December 16, 2013 regarding a proposed grant application for a Housing Rehabilitation Program in the amount of $400,000 to the New York State Office of Community Renewal (OCR) for the federal Community Development Block Grant Program.
Ayes: Needler, Clark, Rizzo, Zadzilka, Andres (5)
Nays: None (0)
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Bradley A. Rowles

November 20, 2013

City of North Tonawanda
Attn: Scott Kiedrowski, City Clerk 216 Payne Avenue
North Tonawanda, NY 14120

Re: Land Purchase

Dear Mr. Kiedrowski:

Mr. Kiedrowski, I live at 1532 Sweeney Street. I would like to purchase a piece of City owned property behind my home on Sweeney Street. This would line up my rear lot line with my next door neighbors lot and would give me the opportunity to improve the drainage and use that area for a garden. The lot shown on the survey would add 101' X 135.4' to my property. A copy of the survey is enclosed.

The City Assessor put a value of $1500.00 on that property. Please advise if this is acceptable. Thank you.

Sincerely,
Bradley A. Rowles

MOVED by Alderman Zadzilka SECONDED by Alderman Rizzo
That the Common Council hereby approves the sale of the city-owned landlocked parcel behind 1532 Sweeney Street, part of SBL#182.20-2-4.11, 999 Wright Avenue, to Bradley A. Rowles for the purchase price of $1,500.00.
Ayes: Needler, Clark, Rizzo, Zadzilka, Andres (5)
Nays: None (0)
CARRIED.

B.
Conrad F. Kania Detachment

Mayor Robert Ortt, North Tonawanda

Dear Mayor Ortt:

At this time I am requesting the use of the facilities in and around the Marine Monument, located in Raymond Klimek Park. The date requested is July 12, 2014, as well as July 13, 2014 in case of inclement weather. The purpose of this request is for our Marine Appreciation Day event. We also would like the use of the large pavilion. The times needed for use are 0700 hrs. (a.m.) thru 1700 hrs. (p.m.).

As you recall 2013 was very special to us, and with all of your assistance, we were able to present a very successful event. Again, the Conrad F. Kania Detachment extends our heartfelt thanks and hopes to continue our relationship with you, as well as the residents of North Tonawanda.

As always, I remain yours in service

Randall J. Rider
Chairman, M.A.D. Committee
290 Dupont Avenue
Tonawanda, New York 14150
716-308-5031

MOVED by Alderman Rizzo SECONDED by Alderman Clark
That the Common Council hereby approves use of the facilities in and around the Marine Monument located in Raymond Klimek Park on Saturday, July 12, 2014 as well as July 13, 2014 in case of inclement weather and further directs the Recreation Director to waive any and all fees associated with the use of the park.
Ayes: Needler, Clark, Rizzo, Zadzilka, Andres (5)
Nays: None (0)
CARRIED.

C.
Tonawanda Gateway Harbor, Inc.

November 13, 2013

The Honorable Mayor Robert Ortt and Common Council Members
City Hall
216 Payne Ave.
North Tonawanda, New York 14120

Dear Mayor and Honorable Body:

The Tonawanda's Gateway Harbor Inc. would like to request space to park our storage trailer at the Public Works Facility on Erie Avenue for the winter of 2013-2014. This trailer measures approximately 16 feet long including the hitch. The Director of the Department of Youth, Recreation and Parks has spoken to the Superintendent of Public Works, Brad Rowles and he informed her that there is space available. We understand the trailer will be placed outdoors and our committee takes full responsibility for any damage that may occur while stored at your facility and that the City of North Tonawanda is in no way responsible.

If you have any questions, you may contact either Linda Foels or Fred Priano.

Thank you for your consideration.

Regards,
Sherry Dominesey, Secretary
Tonawanda's Gateway Harbor, Inc.

MOVED by Alderman Clark SECONDED by Alderman Zadzilka
That the Common Council approves the request of the Tonawanda's Gateway Harbor, Inc. to park their storage trailer at the Department of Public Works facility on Erie Avenue for the winter of 2013-2014.
Ayes: Needler, Clark, Rizzo, Zadzilka, Andres (5)
Nays: None (0)
CARRIED.

AUDIENCE PARTICIPATION

Ann Finkle, 896 Sun Valley Drive – Stated that she would like to see the Common Council go to two meetings a month instead of four. Stated that the Workshop Sessions could be incorporated into a Common Council meeting night. Felt that is was not prudent to bring everyone out, turn on the lights, heat the building for a short meeting.

Sue Wilke, 329 Miller Street – Asked if the survey that was going to be taken for trees in the city parks was going to include replacement of trees that might be taken down with the same type of tree replacing it. Stated that the North American Oak needs to be replaced if any are taken down.

Held up fluorescent signs that had Trans Pacific Partnership written across the sign. Stated that many people do not know what that name is. Stated that large corporations are going to take over control of rules and regulations of City, County, State, and Federal Governments. Held up another fluorescent sign of all of the host countries that were part of the Trans Pacific Partnership. Stated that this group was going to hamstring the politicians. Urged everyone to call President Obama regarding this issue.

Sonia Dusza 123 Miller Street – Stated that she agreed with Sue Wilke's assessment of the Trans American Partnership. Stated that she wanted to be blunt, and that the city does not have good solid Zoning and Planning. Stated that elected officials don't know what they are voting for. Stated that for decades North Tonawanda has lacked design standards. Stated that in general Oliver Street look like "Timbuktu". Stated that there was a "smorgasbord" of design. Stated that there was "chaos", no organization. Stated that something needed to be done asp. Stated that Mr. Tindsell should not be the lead agency. Stated that there have been such screw ups in the past. Stated that the city went without an engineer for years. Stated she would be watching.

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: 6:55P.M.

Respectfully submitted,

Scott P. Kiedrowski

Scott P. Kiedrowski
City Clerk–Treasurer