THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, October 15, 2013
6:30P.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 OCTOBER 1, 2013

MOVED by Alderman Needler SECONDED by Alderman Zadzilka
That the minutes of the regular session held October 1, 2013 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

AUDIENCE PARTICIPATION

Cathy Kern, 1248 Greenbrier – Wanted to know who paid for the winterization of the vacant homes referred to on the agenda and wondered how many homes there were on the list.

Sonia Dusza, 123 Miller Street – Asked if there are more than five homes that need winterization and if there were more to be done. Asked why the City was paying for spaying and neutering of animals that was listed in the abstract of claims. Stated that the SPCA should pick up stray cats to spay or neuter and then return them to the same neighborhood.

Margaret Haas, 635 Christiana Street – Spoke of the terrible deer problem in her neighborhood near the school. Stated that there are 18 to 25 deer roaming her neighborhood from dawn to dusk. They are having babies on neighborhood lawns and leaving the babies to go look for food. The results of the previous bait and shoot program worked for a long time and asked that the City do something about the current problem.

COMMUNICATIONS FROM CITY OFFICIALS

III.1 Clerk-Treasurer

October 9, 2013

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

Re: Auctioned Property/349 Delmar Road/345 Delmar Road/ Bid Acceptance

Dear Honorable Body:

Per our discussion at the Common Council Workshop on Tuesday, October 8th 2013 concerning the recent bid rejection of 2 land locked parcels, SBL#175.20-3-32/349 Delmar Road and SBL#175.20-2-33/345 Delmar Road, I respectfully request that your Honorable Body vote in the affirmative to accept the original bids put forth by Susan and Brian Bremer and Athena Tucker that are attached to this correspondence.

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

MOVED by Alderman Rizzo SECONDED by Alderman Zadzilka
That the Common Council hereby approves the sale of SBL#175.20-3-32/349 Delmar Road to Susan and Brian Bremer and SBL#175.20-2-33/345 Delmar Road to Athena Tucker at their bid price of $75.00 for each property.
Ayes: Needler, Clark, Rizzo, Zadzilka, Andres (5)
Nays: None (0)
CARRIED.

III.2 Clerk-Treasurer

October 9, 2013

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

Re: Winterization of Vacant Homes

Dear Honorable Body:

Per our discussion at the Common Council Workshop on Tuesday, October 8th 2013 concerning the annual winterization of vacant and abandoned homes, I respectfully request that your Honorable Body vote in the affirmative to allow my office to make the necessary arrangements to have these properties secured and winterized in a timely manner.

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

MOVED by Alderman Needler SECONDED by Alderman Zadzilka
That the Common Council hereby approves the winterization of the following vacant and abandoned homes:

220 Bryant Street – SBL#182.79-1-29
797 Meadow Drive – SBL#182.06-1-18
18 Monroe Street – SBL#181.27-1-61
295 Roncroff Drive – SBL#185.08-1-30
241 Tremont Street – SBL#185.31-2-11

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

III.3 Clerk-Treasurer

October 9, 2013

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

Re: Traffic Safety Minutes/ Item #9

Dear Honorable Body:

Per our discussion at the Common Council Workshop on Tuesday, October 8th 2013 concerning item #9 from the Traffic Safety Committee, see attachment for detail, per your direction I have placed it on this evening's agenda for your approval.

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

MOVED by Alderman Andres SECONDED by Alderman Zadzilka
That the Common Council hereby approves item #9 from the Traffic Safety Committee's September meeting and directs the Department of Public Works to remove the stop signs on Bryant Street located at the intersections of Bennett and Stanley Streets. The stop signs on both Bennett and Stanley are to be left in place making the intersections 2-way stops rather than 4-way.
Ayes: Needler, Clark, Rizzo, Zadzilka, Andres (5)
Nays: None (0)
CARRIED.

VII. Accountant

October 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 October 15, 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 Needler SECONDED by Alderman Zadzilka
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated October 15, 2013 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	$511,950.59
02	Water Fund	41,734.58
04	Sewer Fund	79,482.24
06	Capital Project Fund	752,063.11
07	Trust & Agency Fund	372.95
	Final Total	$1,385,603.47

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

XXV. Monthly Reports

.1 City Clerk .3 Senior Citizens
.2 Police .4 Treasurer

MOVED by Alderman Zadzilka SECONDED by Alderman Rizzo
That the Common Council hereby receives and files the aforementioned Monthly Reports.
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Sweeney Hose #7 - Re: Statement of Volunteer Fireman:

Taylor Sexton

MOVED by Alderman Andres SECONDED by Alderman Clark
To add Taylor Sexton to the City Fire Rolls.
CARRIED.

B.
St. Jude the Apostle Parish

City of North Tonawanda
216 Payne Avenue
North Tonawanda, New York 14120
Attn: Mr. Scott Kiedrowski, City Clerk-Treasurer

Re: St. Jude the Apostle Parish

Dear Mr. Kiedrowski:

Please accept this letter as an agenda item for the North Tonawanda Common Council.

St. Jude the Apostle Parish is finalizing the Community Center – Hall at the rear of the Church located at 800 Niagara Falls Boulevard in our City. As a result we would ask that the City now consider changing the names of Lyric and Melody Lanes to St. Jude the Apostle Circle. Due to the Wal-Mart project, these two streets have been, in effect, combined into one. When the former center is removed (hopefully in the next two weeks) we will have created a new and improved area in front of the new Hall. Since it faces the old streets, a circular effect is generated.

We believe and hope this new center will enhance the area and help continue the growth of our parish.

We have investigated, to our ability and found that no home or business has an address either Lyric or Melody. For mailing address purposes we will use the 800 Niagara Falls Boulevard address as our offices will now be in the center.

We would be pleased to meet with you to discuss this matter further. If it is possible to do this, we would like to accomplish it before November 17, 2013 as that is the date of the dedication which will be presided over by Bishop Richard Malone.

On behalf of the Parish, thank you for your consideration of this request.

Truly,
Joseph V. Mantione

MOVED by Alderman Rizzo SECONDED by Alderman Zadzilka
That the Common Council hereby directs the Department of Public Works to replace the signs on Lyric and Melody Lanes with signs that read "St. Jude Circle".
Ayes: Needler, Clark, Rizzo, Zadzilka, Andres (5)
Nays: None (0)
CARRIED.

LATE COMMUNICATION

MOVED by Alderman Needler SECONDED by Alderman Zadzilka
To bring the following communication(s) to the floor.
Ayes: Needler, Clark, Rizzo, Zadzilka, Andres (5)
Nays: None (0)
CARRIED.

#1
City Attorney

October 15, 2013

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

Re: Return of Interest on Capital Investment – New York Mutual 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. At that time, all subscribers were required to provide an initial capital contribution over a 5-year period to join this collaborative insurance program.

We are pleased to announce that due to our continuing loyalty to the program and our continuing sound claim handling and risk management practices, the City of North Tonawanda has received a check in the amount of $6,892.50, which represents annual interest from NYMIR as a return on the City's original capital investment.

NYMIR is providing these distributions in recognition of the groundbreaking role we played by subscribing to this most successful collaborative program, which has become the largest and most successful example of municipal cooperation anywhere in New York State.

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

Very truly yours,
Shawn P. Nickerson
City Attorney

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

AUDIENCE PARTICIPATION

Father Ted Jost, St. Jude the Apostle Church – Thanked the Common Council for changing the street names around the Church "St. Jude Circle".

Sandy McFarland, 38 South Lane – The deer population is causing problems in her neighborhood and driving is horrible day and night. Foxes have been around the neighborhood but are not taking care of the problem. Stated that she is not a golfer but has been informed that there are drainage issues at Deerwood Golf Course. Wanted to know why the revenue from the Golf Course goes into the general fund instead of directly into the Golf Course accounts. If the grounds are not maintained properly it could cause decrease in revenue. Political signs are still being placed between the sidewalks and the street and wanted to know if something can be done about it. While reviewing minutes from a previous meeting, she noticed that although the Mayor was absent at the beginning of the meeting, it stated that he was present. She stated that the Mayor did come to the meeting while it was in progress and she felt that it should have been noted that he was absent at the beginning of the meeting and that it should have stated in the minutes when he joined the meeting. Wanted to know if the meetings are still being taped and if the tapes are reviewed as the minutes were being typed. Felt that all audience comments should be in the minutes. Wanted to know if the preliminary budget will be available on line.

Sue Wilke, 329 Miller Street – Asked the Common Council if they have seen the documentary films called "The Koch Brothers" and "Heist – Who Stole the American Dream". Stated that teachers don't tell their students the truth about what is going on in our country. People should pray to St. Jude and that kids don't deserve what they are doing in Washington.

Tom Galas, 174 Belmont Court East – Stated that he was visiting his son in Michigan and noticed that landscapers were blowing the grass cuttings out of the street and back on to the lawns. He has a drain in front of his house and cleans it regularly but it is often plugged the next day. Stated that he saw a former City worker dumping grass into the street on his way to this meeting. Stated that the City should tell homeowners not to rake their leaves into the street. Wanted to know why the City licenses Snowplow drivers but not landscapers.

Sonia Dusza, 123 Miller Street – Thanked the previous speakers and commented that their comments sounded like ones that she heard from residents in the 80's and 90's at Common Council meetings. Stated that the Common Council's comments regarding the passage of the resolution regarding the change of the name of Bluebird Drive at a previous meeting is equivalent to Obama's Health Care Plan passing with no name. The area bounded by Oliver, Caruthers, Miller and Sommer Streets is going downhill. Indicated that there is always 3 to 4 feet of overgrown brush in the area and that a resident of the area paid a landscaping contractor out of his own pocket to cut the brush near the railroad tracks. Stated that residents of this area take pride in their properties. Stated that CSX wants to be "Corporate Citizens" and did a cleanup project in Manhattan and that she would like them to do that here. Caruthers is in very bad shape, a lot of brush that needs to be tended to. Feels that the Common Council thinks that the Remington block was more important that other neighborhoods. Asked them to cleanup her area. Stated that the bait and shoot worked before and they should do it again.

ADJOURNMENT

MOVED by Alderman Rizzo SECONDED by Alderman Zadzilka
That this regular session of the Common Council be and hereby is adjourned.
CARRIED.

Time of Adjournment: 7:12P.M.

Respectfully submitted,

Scott P. Kiedrowski

Scott P. Kiedrowski
City Clerk–Treasurer