THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, November 12, 2013
6:37P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT ANDRES

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:	**President Andres** **Alderman Needler, Rizzo, Clark**
Absent:	**Alderman Zadzilka**
Also Present:	**Mayor Robert G. Ortt** **City Attorney Shawn P. Nickerson**

APPROVAL OF THE MINUTES OF THE REGULAR SESSION OCTOBER 15, 2013

MOVED by Alderman Needler SECONDED by Alderman Rizzo
That the minutes of the regular session held October 15, 2013 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

APPROVAL OF THE MINUTES OF THE SPECIAL SESSION OCTOBER 22, 2013

MOVED by Alderman Rizzo SECONDED by Alderman Clark
That the minutes of the special session held October 22, 2013 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

APPROVAL OF THE MINUTES OF NOVEMBER 5, 2013

MOVED by Alderman Needler SECONDED by Alderman Clark
That the minutes of November 5, 2013 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED OCTOBER 18, 2013

1) Legal Notice – Public Hearing for 2014 Budget – City Clerk-Treasurer

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

AUDIENCE PARTICIPATION

Sonia Dusza, 123 Miller Street – Questioned the Gratwick Riverside Park Marina change order. She wanted to know about the dredging and/or contamination. Wanted to know what the final mission of the Marina would be, the final cost. Stated that she was watching CNN and that Stockton, California was in bankruptcy because they were too waterfront focused. Stated that wow, she felt that it sounded a lot like North Tonawanda.

COMMUNICATIONS FROM CITY OFFICIALS

II. Attorney

October 23, 2013

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

Re: Request for Placement of Stone at Historic Sweeney Cemetery

Dear Honorable Body:

Please be advised that the City Cemetery Board has received a request from the descendants of the Miller family to place a flush headstone on their grandfather's grave next to that of their grandmother located at Sweeney Cemetery. The cemetery board has discussed the request and verified the site and has no objection to the family marking this gravesite.

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

Very truly yours,
Linda R. Krempa
City Cemetery Board

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

IV. Engineer

October 31, 2013

Honorable Robert G. Ortt, Mayor
and Common Council Members
City Hall
North Tonawanda, New York 14120

Re: Project 2013-01 Gratwick Riverside Park Marina
Boater Infrastructure Grant, Phase I
Approval of Change Order No. 2
Final Project Acceptance

Dear Honorable Body:

Testing performed on the dredge material for the Federal Boater Infrastructure Grant phase of work at Gratwick Riverside Park Marina revealed contamination that required the trucking and disposal of the material to the Army Corps of Engineers Construction Disposal Site in Lackawanna, New York. The additional costs for this work were as follows:

• Trucking and Disposal	$32,256
• Contract Allowance	-$10,000
	$22,256

Accordingly, I respectfully request that the Common Council accept the project as complete and approve Change Order 2 for the Gratwick Riverside Park Marina Boater Infrastructure Grant, Phase I in the amount of $22,256 to Herbert F. Darling, Inc., 131 California Drive, Williamsville, NY 14221, increasing the contract amount from $674,027.88 to the final contract amount of $696,283.88; authorizing the Mayor to sign said change order subject to review by the City Attorney.

Very truly yours,
Dale W. Marshall, P.E.
City Engineer

MOVED by Alderman Rizzo SECONDED by Alderman Needler
That the Common Council hereby accepts the project as complete and approves Change Order 2 for the Gratwick Riverside Park Marina Boater Infrastructure Grant, Phase I in the amount of $22,256 to Herbert F. Darling, Inc., 131 California Drive, Williamsville, NY 14221, increasing the contract amount from $674,027.88 to the final contract amount of $696,283.88 and authorizes the Mayor to sign said change order subject to review by the City Attorney.
Ayes: Needler, Clark, Rizzo, Andres (4)
Nays: None (0)
CARRIED.

VII.1 Accountant

November 1, 2013

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

Dear Honorable Body:

On April 1, 2009, the City was awarded Grant Contract #M090051 from New York State Department of State, in the amount of $32,700 for the DeGraff Water Main.

The City's Engineering Department, in conjunction with the Department of Public Works has received three proposals for materials related to the DeGraff Water Main replacement. The low proposal for materials is Lock City, with a proposal of $18,023.34. The City also received three quotes for labor and equipment related to the installation. The low proposal was received from Visone Construction in the amount of $34,825.00

In order to complete this project it is necessary to approve and establish funding for a new Capital Project titled "DeGraff Water Main". In order to establish this project, $58,135 will be needed to be transferred into the Capital Projects fund from the Water Fund; $32,700 of this amount will be an interfund loan and will be returned to the Water Fund once grant monies are received. The other $27,300 is a transfer for the amount of the project that will not be covered under the grant plus a 10% contingency, whereby any unused funds will be returned to the water fund upon project completion.

In accordance with Article V, Division 2, Section 5.023 and Section 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 the Department Head, copy attached:

Control Number	Dollar Amount	From: Appropriation Account	Into: Appropriation Account
3	27,300.00	2-1990.410 Contingent Account	2-9901.901 Transfers Out

Very truly yours,
Mark W. Dotterweich
City Accountant

MOVED by Alderman Needler SECONDED by Alderman Clark
That the Common Council hereby authorizes the following request for transfer of fiscal year 2013 appropriations, based on the request of the Department Head:

Control Number	Dollar Amount	From: Appropriation Account	Into: Appropriation Account
3	27,300.00	2-1990.410 Contingent Account	2-9901.901 Transfers Out

Ayes: Needler, Clark, Rizzo, Andres (4)
Nays: None (0)
CARRIED.

VII.2 Accountant

November 7, 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 2, Section 5.023 and Section 2.2 of the City's 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	To: Appropriation Account
4	12,200.00	1-3410.440 Buildings & Grounds	1-3410.410 Administration
5	1,072.00	1-1990.410 Contingent Account	1-3620.480 Building Inspection Operations

Very truly yours,
Mark W. Dotterweich
City Accountant

MOVED by Alderman Needler SECONDED by Alderman Rizzo
That the Common Council hereby authorizes the following request for transfer of fiscal year 2013 appropriations, based on the request of Department Heads:

Control Number	Dollar Amount	From: Appropriation Account	To: Appropriation Account
4	12,200.00	1-3410.440 Buildings & Grounds	1-3410.410 Administration
5	1,072.00	1-1990.410 Contingent Account	1-3620.480 Building Inspection Operations

Ayes: Needler, Clark, Rizzo, Andres (4)
Nays: None (0)
CARRIED.

XIV. Recreation

November 7, 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:

Please review and approve for signing the attached agreement between Bench Craft Company, P.O. Box 6343, Portland, Oregon and the City of North Tonawanda for custom designed score cards at no cost to Deerwood or the City, which shall contain sponsor's messages for Deerwood Golf Course. The five (5) year agreement will allow the service to continue through November 30, 2018. This agreement will save our Department approximately $6,000 during this five year period.

Each score card will display the par, yardage, handicap, course layout, photos of the Golf Course, contact information, plus rules and regulations. This service is provided to the Golf Course on the basis that the sponsors are commercially available.

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

MOVED by Alderman Rizzo SECONDED by Alderman Needler
That the Common Council hereby approves for signing the agreement between Bench Craft Company, P.O. Box 6343, Portland, Oregon and the City of North Tonawanda for custom designed score cards at no cost to Deerwood or the City, which shall contain sponsor's messages for Deerwood Golf Course. The five (5) year agreement will allow the service to continue through November 30, 2018, subject to the review by the City Attorney.
Ayes: Needler, Clark, Rizzo, Andres (4)
Nays: None (0)
CARRIED.

XVII. Traffic Safety

October 23, 2013

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

Traffic Safety Minutes:

The October 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, E. Smolinski, M. Anastasi, and A. DiBernardo. The minutes from the previous meeting were read and accepted. The following new concerns were discussed and recommendations made.

1. Member Vater received a request from Charlie's Barber Shop on Goundry Street to post 2 hr. parking signs in front of the shop. The Committee discussed the request and feels this request fits with recent changes made to parking limits in the Webster Street area. The Committee recommends posting the signs.

2. A request from Steve Meaney, 665 Oliver Street, contacted the Committee in September concerning parking in his neighborhood. Several attempts to contact Mr. Meany have been made all unsuccessful. Members of the Committee have not seen a problem in the area so at this time we recommend leaving parking as it is.

3. Salvatore Todaro, 306 Summit Blvd. contacted the Committee concerned with speeding on his Street and having speed limit signs posted. After a discussion the Committee does not recommend placing speed limit signs at this time. We will continue to watch the area and if additional complaints are received Police enforcement can be increased.

4. A request from David Evans, 1387 Sherwood Ave., regarding signal devices at Erie Ave. and Meadow Dr. as well as Erie Ave. and Sherwood. The Committee will discuss this request in the future once the extension is complete.

Respectfully Submitted,
Joseph D. Sikora, Chairman

MOVED by Alderman Rizzo SECONDED by Alderman Andres
That the Common Council hereby directs the Department of Public Works to install "2 Hour Parking" signs in front of Charlie's Barber Shop on Goundry Street.
Ayes: Needler, Clark, Rizzo, Andres (4)
Nays: None (0)
CARRIED.

XXV. Monthly Reports

.1 City Clerk
.2 Treasurer
.3 Senior Citizens

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

COMMUNICATIONS FROM OTHERS

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

Dallas E. McNamara

MOVED by Alderman Andres SECONDED by Alderman Rizzo
To add Dallas E. McNamara to the City Fire Rolls.
CARRIED.

B.
Active Hose #2 - Re: Statement of Volunteer Fireman:

Randal Allen
Joshua Ryan Hakes
Justin Alexander Selak

MOVED by Alderman Needler SECONDED by Alderman Andres
To add Randal Allen, Joshua Ryan Hakes and Justin Alexander Selak to the City Fire Rolls.
CARRIED.

C.
Kay Learned

October 25, 2013

Scott P. Kiedrowski
City Clerk
216 Payne Ave.
North Tonawanda, NY 14120

Dear Mr. Kiedrowski:

The Downtown Merchants would like permission to hold our annual WinterWalk on Webster Street on Saturday, December 7th.

The WinterWalk committee has arranged for two hay wagons again this year. They will travel through North Tonawanda into Tonawanda and back again. The route would be on Webster Street in North Tonawanda and Main Street in Tonawanda.

We respectfully request that you provide an Auxiliary Police car and driver to follow the hayride wagons from the Cornerstone Credit Union parking lot at 107 Main Street to the Walgreen parking lot in Tonawanda and then back again. The Tonawanda car would escort the other wagon starting in Tonawanda, into North Tonawanda and back again. This is the same route as last year's WinterWalk and the Auxiliary Police are familiar with the procedure. We will contact the Emergency Management Office with our request.

The times for the rides are 11:00 A.M. to 3:00 P.M., Saturday, December 7th.

We have also arranged for a Petting Zoo and to accommodate that event, we request the closing of Tremont Street from Webster to the exit of Gateway Apartments Parking lot. This is the same area we've used each year. The Petting Zoo is scheduled for 11:00 A.M. to 3:00 P.M. on Saturday, December 7th.

Thank you for your consideration.

Sincerely,
Kay Learned
WinterWalk Chair

MOVED by Alderman Rizzo SECONDED by Alderman Andres
That the Common Council hereby grants permission to the Downtown Merchants to hold their annual WinterWalk on Webster Street on Saturday, December 7, 2013; authorizes the Fire Department to provide an Auxiliary Police car and driver, from 11:00am to 3:00pm, to follow the hayride wagons from the Cornerstone Credit Union parking lot at 107 Main Street to the Walgreen Parking Lot in Tonawanda and then back again and directs the Department of Public Works to provide barricades to close Tremont Street from Webster Street to the exit of the Gateway Apartments Parking Lot.
Ayes: Needler, Clark, Rizzo, Andres (4)
Nays: None (0)
CARRIED.

D.
Sweeney Hose Co. #7

November 6, 2013

Dear Mayor Ortt and Common Council Members,

I would like to request permission to have a Christmas parade on Saturday, December 14, 2013. The parade route will begin on Main Street in the City of Tonawanda continue over the Webster Street bridge onto Webster Street and finish in front of the Riviera Theatre. This will be part of the Sweeney Hose Fire Co. #7, and the Riviera Theatre's joint fundraiser titled, "A Christmas Story 30th Anniversary Tour, North Tonawanda". We will be working with the Winter Walk committee who this year has decided to make Winter Walk a weeklong event.

The parade will begin at 11am and will finish no later than 12pm. We will be having local business's that sponsored the event along with groups from local schools and other not for profit organizations participate in the parade. The last two floats in the parade will be the fire truck that was used in the movie "A Christmas Story" with Santa on the back and the Twin City Ambulance float that will have six of the actors from the movie who are part of our fundraiser show.

We would like Webster to reopen as soon as the parade is over so we do not disrupt any of the stores and so that parking will be available for our show that begins at 12:45pm.

If you have any questions, please feel free to contact me at 984-4262 or by email joe.lavey@tcaems.com.

Thank you for your consideration.

Best Regards,
Joe Lavey Jr. President
Sweeney Hose Co. #7 Inc.
499 Zimmerman St
North Tonawanda, NY 14120
716-984-4262

MOVED by Alderman Needler SECONDED by Alderman Rizzo
That the Common Council approves the request of Sweeney Hose Company, Inc. No. 7 to hold a parade on Saturday, December 14, 2013 from 11am to 12 pm on Webster Street and further directs the Police Department and the Department of Public Works to contact Joe Lavey at 984-4262 to provide assistance for the event.
Ayes: Needler, Clark, Rizzo, Andres (4)
Nays: None (0)
CARRIED.

E.
NT City School District

October 22, 2013

North Tonawanda Common Council
President Richard Andres
216 Payne Avenue
North Tonawanda, NY 14120

Dear Mr. Andres:

I am writing to you to request permission for North Tonawanda School District's first 5K and 1 mile family fun run to be held on Saturday, April 5, 2014 at 9 AM. We intend for the races to begin and end at North Tonawanda Middle School. I have attached a proposed race route, which runs through Wurlitzer Park.

I have been in contact with Captain Roger Zgolak, who is in support of our presented route and schedule. I would like to request police escort and presence at critical intersections, as well as DPW assistance in providing barricades along the route.

We are very excited to offer this event for our community at a very low cost for adults, and hopefully free for children, as we are promoting good overall community health. Our hope is to make this a yearly event.

Thank you for your consideration of this request. If you need further information, please contact me at 807-3715.

Sincerely,
Sue Evarts
School Counselor
5K Event Coordinator

MOVED by Alderman Needler SECONDED by Alderman Andres
That the Common Council hereby approves the request for the North Tonawanda School District's 5K and 1 mile family fun run to be held on Saturday, April 5, 2014 at 9AM and directs the Police Department and the Department of Public Works to contact Sue Evarts at 807-3715 to provide assistance for the event.
Ayes: Needler, Clark, Rizzo, Andres (4)
Nays: None (0)
CARRIED.

F.
Historical Society of the Tonawanda's

October 31, 2013

Honorable Mayor Ortt
Honorable Common Council
216 Payne Avenue
North Tonawanda, NY 14120

Re: Niagara River & Erie Canal Historical Markers/Signage Expansion

Dear Honorable Body:

The Historical Society of the Tonawanda's respectfully requests a resolution from your Honorable Body in support of our application that was submitted to the Niagara River Greenway Commission for funding for a Historical Marker signage expansion project on the Niagara River and the Erie Canal. The application that was submitted was for both the City of North Tonawanda and the City of Tonawanda.

A variety of Historical Signage currently exists throughout the Twin Cities and we are looking to improve and expand on the identification of those locations.

It is our hope that if we receive these funds that the City of North Tonawanda would also support this project by providing any necessary in-kind support for signage installation within the City of North Tonawanda's right-of way.

Your support of this resolution is time sensitive and we thank you in advance for your support of our efforts.

Sincerely,
Pat Barnard
Ned Schimminger
Historical Society of the Tonawanda's

MOVED by Alderman Andres SECONDED by Alderman Clark
That the Common Council of the City of North Tonawanda hereby supports the Historical Society of the Tonawanda's application to the Niagara River Greenway Commission for funding for a Historical Marker signage expansion project on the Niagara River and the Erie Canal and will provide any necessary in-kind support for signage installation within the City of North Tonawanda's right-of-way.
Ayes: Needler, Clark, Rizzo, Andres (4)
Nays: None (0)
CARRIED.

AUDIENCE PARTICIPATION

Sonia Dusza, 123 Miller Street – Stated that she reviewed the preliminary budget on the City website, specifically the Building Department. Miss Dusza went on to quote a variety of sections from the Mayor's budget address. Stated that a study was done in 1954 on the City's sewerage system and that the same firm that conducted the 1954 study returned to North Tonawanda 20 years later and nothing had been done. Stated that in 2003 some corrections were made however they were unacceptable. Stated that the City Engineer told her that those 2 reports are his bible. Stated that code enforcement was necessary.

ADJOURNMENT

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

Time of Adjournment: 6:54P.M.

Respectfully submitted,

Scott P. Kiedrowski
City Clerk–Treasurer