THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, July 1, 2014
6:47P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT RIZZO

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Mayor Ortt presented and read the following to the Common Council and urged the Council to join with him in encouraging Governor Cuomo to sign this important piece of legislation:

July 1, 2014

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

Re: Maziarz /Schimminger Bill / Designation / "Twin Cities Vietnam Memorial Highway"

Dear Honorable Body:

Recently our State Representatives from both the Senate and Assembly have had legislation enacted to designate a portion of the state highway system as the 'Twin Cities Vietnam Veterans Memorial Highway" here in North Tonawanda as well in the City of Tonawanda.

I ask you to join with me in urging Governor Cuomo to sign this very important piece of legislation to honor our Vietnam Veterans in the Twin Cities.

I thank you for your time and consideration.

Faithfully yours,
Robert G. Ortt
Mayor
City of North Tonawanda

APPROVAL OF THE MINUTES OF THE REGULAR SESSION JUNE 17, 2014

MOVED by Alderman Zadzilka SECONDED by Alderman Needler
That the minutes of the regular session held June 17, 2014 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

APPROVAL OF THE MINUTES OF THE SPECIAL SESSION JUNE 24, 2014

MOVED by Alderman Clark SECONDED by Alderman Zadzilka
That the minutes of the special session held June 24, 2014 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

AUDIENCE PARTICIPATION –

Sonia Dusza, 123 Miller Street - Miss Dusza inquired about the donation of a house on Kohl Street from a bank to the City of North Tonawanda. Stated that she wanted to know more about the donation. Stated that she had never heard of a bank donating property. Stated that she wanted to know how it would benefit the bank.

Stated that she would like to know the total cost of the Meadow Drive extension. Miss Dusza pointed into the audience to City Engineer Dale Marshall asking how much the project cost.

Stated that she would like the upgrades requested by the building inspectors explained. Stated that she is requesting very strongly. Stated that there were 3 or 4 people in the department. Stated that we need Code Enforcement. Stated that we need competent people. Requested that the Common Council hold off.

COMMUNICATIONS FROM CITY OFFICIALS

I. Mayor

June 25, 2014

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

Re: Property Donation Dear Honorable Body,

Please authorize the city to accept the property at 437 Kohl Street from Wells Fargo along with a cash donation of $6,000. This property is currently abandoned and unsecured. Per the city building inspector, there are several aspects of the home that are in need of repair before it could habitable. Wells Fargo has committed to pay all closing costs including the title insurance policy, taxes and any past due utilities. The city will accept ownership of and secure this property until such time that it can be sold.

I am requesting your honorable body pass a resolution accepting the terms subject to approval from the City attorney.

Please feel free to contact me should you have any further questions.

Faithfully yours,
Robert G. Ortt
Mayor

MOVED by Alderman Rizzo SECONDED by Alderman Zadzilka
That the Common Council hereby accepts the donation of the property at 437 Kohl Street from Wells Fargo along with a cash donation of $6,000. Wells Fargo has committed to pay all closing costs including the title insurance policy, taxes and any past due utilities. The acceptance of subject to approval of the City Attorney.
Ayes: Needler, Clark, Zadzilka, Braun, Rizzo (5)
Nays: None (0)
CARRIED.

IV. Engineer

June 26, 2014

Robert G. Ortt, Mayor and Common Council Members
City Hall North Tonawanda
216 Payne Avenue
North Tonawanda, New York

Re: Meadow Drive Extension Project
PIN 5757.527
Parsons Brinkerhoff Agreement Amendment No. 5
Meadow Drive Extension Project
Additional Construction Support and Construction Observation Services

Honorable Body:

Enclosed please find Amendment No. 5 to the agreement with Parsons Brinkerhoff, Inc for additional Construction Support and Construction Observation Services required to cover costs for the additional time extension for the completion of the Meadow Drive Extension Project. Existing funds are available within project budget to accomplish this work.

I therefore recommend that the Common Council authorize the Mayor to sign the enclosed agreement amendment no. 5 for the additional construction support and construction

observation services with Parsons Brinkerhoff, 50 Lakefront Blvd, Suite 111, Buffalo, NY 14202; in an amount not to exceed $17,364; subject to review by the City Attorney.

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

MOVED by Alderman Zadzilka SECONDED by Alderman Needler
That the Common Council hereby authorizes the Mayor to sign the agreement amendment No. 5 for the additional construction support and construction observation services with Parsons Brinkerhoff, 50 Lakefront Blvd, Suite 111, Buffalo, NY 14202; in an amount not to exceed $17,364; subject to review by the City Attorney.
Ayes: Needler, Clark, Zadzilka, Braun, Rizzo (5)
Nays: None (0)
CARRIED.

V. Water

June 17, 2014

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

Re: Renewal Agreement with Enerscope

Dear Honorable Body:

Our Agreement with Enerscope has expired as of June 30, 2014. Enerscope provides consulting services for the procurement of Natural Gas for the Water Department. The renewal fee will be $3,600.00 ($300.00 per month) inclusive for the River Road account. Continued inclusion of the Archer Street account in the contract will be an additional $30.00 per month or $360.00. In addition, the annual fee for bidding for the 2014/2015 fiscal year will be $690.00. We have used Enerscope for several years and I would like to retain their services for the next year also with the City Attorney's and your approval.

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

Sincerely,
David A. Scott
Superintendent of Water/Wastewater

MOVED by Alderman Needler SECONDED by Alderman Braun
That the Common Council hereby approves the renewal agreement with Enerscope to provide consulting services for the procurement of Natural Gas for the Water Department at a cost of $3,600.00 ($300.00) per month inclusive for the River Road account. Continued inclusion of the Archer Street account in the contract will be an additional $30.00 per month or $360.00. In addition, the annual fee for bidding for the 2014/2015 fiscal year will be $690.00, subject to review by the City Attorney.
Ayes: Needler, Clark, Zadzilka, Braun, Rizzo (5)
Nays: None (0)
CARRIED.

VII. Accountant

June 26, 2014

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 1, 2014, 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 Zadzilka
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated July 1, 2014 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	$696,673.54
02	Water Fund	40,815.24
04	Sewer Fund	157,730.38
06	Capital Project Fund	429,820.33
07	Trust & Agency	371.56
	Final Total	$1,325,411.05

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

XI.1 Fire

June 23, 2014

North Tonawanda Common Council
216 Payne Ave.
North Tonawanda, NY

Dear Honorable Council Members,

Please be advised that in accordance with the City Charter, effective July 1, 2014 I will be replacing the Assistant Director of Emergency Management Kevin Hodgson.

Mr. Hodgson will be replaced by William DeMonte, 411 Wurlitzer Dr., North Tonawanda. I am sure you are aware of his qualifications for the position as Fire Department Training Officer. He will assume his duties effective July 5, 2014.

Should you wish to discuss this, I will make myself available.

Respectfully,
John C. Lapham EMO Director/Fire Chief

MOVED by Alderman Needler SECONDED by Alderman Clark
That the Common Council hereby approves the appointment of William DeMonte, 411 Wurlitzer Dr., North Tonawanda, NY 14120 as Assistant Director of Emergency Management.
Ayes: Needler, Clark, Zadzilka, Braun, Rizzo (5)
Nays: None (0)
CARRIED.

XI.2 Fire

North Tonawanda Common Council
216 Payne Ave
North Tonawanda, NY

Honorable Council Members,

The City has recently deposited funding from New York State to assist in the operation of the Emergency Management Office. This Local Emergency Management Participation Grant (LEMPG), is a yearly funded program that has brought over $49,000.00 to the City in just the last three years. This Grant covers about 78% of the operating cost for Emergency Management.

As you are aware, the City obtained from the County, their used Mobile Command Post in late 2013. Work is in progress and the Command Post will be available for City use by the start of this year's Canal Fest in July. We do have a need to obtain some additional equipment to assist in the deployment of this vehicle.

I am requesting a portion of the Grant money be moved from the General Account to the Emergency Management budget to purchase the following:

1.	Computer printer	$100.00	
2.	Dry Erase boards	$1500.00	
3.	2 Programmable Message Boards	$1000.00	
4.	Incident Command ID Vests	$500.00	
5.	2 Video displays	$1000.00	TOTAL $4,100.00

If you concur with this request, it will greatly enhance the capabilities of the office and will be available for all Departments, should the need arise.

Lastly, I would request that a portion of these yearly funds be incorporated into future budgets.

Should you have any questions, I will be happy to meet with you.

Respectfully,
Fire Chief John C. Lapham

MOVED by Alderman Rizzo SECONDED by Alderman Braun
That the Common Council hereby approves the transfer of money from the General Account to the Emergency Management budget to purchase the following:

1.	Computer printer	$100.00	
2.	Dry Erase boards	$1500.00	
3.	2 Programmable Message Boards	$1000.00	
4.	Incident Command ID Vests	$500.00	
5.	2 Video displays	$1000.00	TOTAL $4,100.00

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

XIX. Building Inspector

To: Honorable Mayor Robert Ortt
And Council

Date: June 5, 2014

From: Cosimo R. Capozzi
Building Inspector

Re: upgrading positions

After a lengthy search and interview process to find a replacement for former Code Enforcement Officer Mike Adams, and having difficulty finding a qualified individual who has the qualifications required to perform the duties of this position I am requesting that the position of Code Enforcement Officer be upgraded from the present Group VII to a Group XII. Also to be fair, the position of Assistant Building Inspector should also be upgraded to the same Group XII.

The position of CEO will have added responsibilities which will include electrical inspections, a revenue generating position, as well the present duties of housing and property maintenance inspections. The pay upgrade will allow us to bring in a fully Code Compliant, qualified individual who will require minimal training, who will be able to take on the task immediately and not requiring the City to spend six weeks of payroll sending said individual to Code school.

I respectfully request that the requested upgrades be approved as soon as possible.

Also be advised that the requested upgrades will not add to my 2014 budget.

If you have any questions or need additional information, please let me know.

Respectfully,
Cosimo R. Capozzi
Building Inspector

MOVED by Alderman Zadzilka SECONDED by Alderman Braun
That the Common Council hereby approves upgrading the positions of Code Enforcement Officer and Assistant Building Inspector to Group XII of the CSEA Contract.
Ayes: Needler, Clark, Zadzilka, Braun, Rizzo (5)
Nays: None (0)
CARRIED.

XXV. Monthly Reports

.1 Police

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.
Columbia Hook & Ladder - Re: Removal from Fire Rolls:

William Warner Cowles, Jr.

MOVED by Alderman Braun SECONDED by Alderman Needler
To remove William Warner Cowles, Jr. from the City Fire Rolls.
CARRIED.

B.
HANCI

June 12, 2014

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

Dear Mr. Kiedrowski:

The Senior Companion and Foster Grandparent Programs, sponsored by the Health Association of Niagara County, Inc. (HANCI), are joining to celebrate summer with a picnic on August 6, 2014, held at the Pinewoods Pavilion #1, Pinewoods Park, North Tonawanda. The date is flexible based on pavilion availability. The picnic will honor 30 older adults who have generously volunteered more than 24,000 hours of service during the past year to make our community a better place.

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@hanci.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 Rizzo
That the Common Council hereby waives the fees for The Senior Companion and Foster Grandparent Programs, sponsored by the Health Association of Niagara County, Inc. (HANCI) picnic on August 6, 2014, at the Pinewoods Pavilion #1, Pinewoods Park.
Ayes: Needler, Clark, Zadzilka, Braun, Rizzo (5)
Nays: None (0)
CARRIED.

D.
Kay Learned

May 6, 2014

Distinguished Members of the North Tonawanda Common Council
216 Payne Ave.
North Tonawanda, NY 14120

Dear Council Members.

It has come to my attention that a Mr. Mark Weber would like to place two or three pianos on Webster Street as part of his "Pianos in Public Buffalo" campaign. His website reads, "Don't let old pianos die. Help them be re-born as colorful, playable works of art for all (to enjoy) this summer!"

His project has been covered on the local news channels and is supported by private donations. My church, for example donated two such pianos to him, so it was his suggestion to place them on Webster St. I raised the possibility at our Downtown Merchants' Meeting and everyone was very excited about the project.

It is my understanding that he is responsible for getting the pianos artist-painted, for placing them on the street for the summer, for removing them in the fall, and for carrying insurance. It is also my understanding that the Common Council would need to pass a resolution to make this project a possibility. If you would pass such a resolution, I will contact Mark Weber and see if the idea can become a reality.

Thank you for your consideration.

Sincerely,
Kay Learned
Vice-President
North Tonawanda Downtown Merchants' Assoc.

MOVED by Alderman Braun SECONDED by Alderman Needler
That the Common Council hereby grants permission to the North Tonawanda Downtown Merchants Association to place two pianos on Webster Street this summer with removal in the fall subject final insurance review by the City Attorney.
Ayes: Needler, Clark, Zadzilka, Braun, Rizzo (5)
Nays: None (0)
CARRIED.

D.
NTAA

June 18, 2014

Subject: Signage on Erie Ave @ play grounds (1337 Erie Ave.)

Hello, Mr. Scott Kiedrowski:

I am writing you in regards to our football and cheer-leading organization being able to post a sign on the playground located at Erie Ave. We are a non-profit located at 1241 Strad Ave. We have little visibility to the community at our location and would like to post a sign on the highly traveled road by the water tower. The actual spot would be in line with the tree line.

I would like to ask you if we could we could attend the next Common Council work shop to ask for permission to do so.

Sincerely,
Frank Gorcheck (Communications)
861 Ohio St.
North Tonawanda, NY 14120
716-570-5823

MOVED by Alderman Zadzilka SECONDED by Alderman Braun
That the Common Council hereby grants permission to the NTAA to install a sign for their organization at 1337 Erie Avenue.
Ayes: Needler, Clark, Zadzilka, Braun, Rizzo (5)
Nays: None (0)
CARRIED.

Alderwoman Braun submitted the following agenda item for consideration:

June 26, 2014

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

Dear Common Council Members,

As you all are aware Heritage Park presently has no type of lighting with in the park. This is a matter of Public Safety and could prevent vandalism in the park. Back in 2011 former Alderman Richard Andres, worked with National Grid and the Mayor's Office to have lighting installed in the area between Oliver Street and Vandervoort Street.

I have been in contact with National Grid to revisit this topic and I am proposing that we install these lights in the entire park. The lights would be installed by National Grid using existing poles in the park, from Oliver Street to Lincoln Avenue.

I propose we accept the proposal from National Grid to install 10 street lights on existing poles throughout the park.

Sincerely yours,
Donna Braun
2nd Ward Alderwoman

MOVED by Alderman Braun SECONDED by Alderman Clark
That the Common Council hereby grants permission to have 10 street lights installed by National Grid on the existing poles throughout Heritage Park, from Oliver Street to Lincoln Avenue, subject to review by the City Attorney.
Ayes: Needler, Clark, Zadzilka, Braun, Rizzo (5)
Nays: None (0)
CARRIED.

AUDIENCE PARTICIPATION –

Ann Finkle, 896 Sun Valley – Stated that she would like to be able to see how the new sidewalk "slab jack" process works. Mrs. Finkle asked the Common Council if she would be able to go and watch the new process the next time a sidewalk is repaired. Mrs. Finkle also asked the Common Council to consider her past requests of consolidating the monthly meetings from 4 meetings a month to 2. Stated that recently the Council had a double meeting on one evening and it seemed to work very well.

Cathy Kern, 1248 Greenbrier Lane – Stated that something has been gnawing at her for quite some time. Stated that many many signs are tacked all around and up and down poles throughout the city and nobody ever takes them down after whatever is advertised is over. Stated that this was blight on our city. Stated that she had brought this up to the previous administration and the Mayor at that time told her to take the signs down herself. Stated that if the Common Council would hire her for 1 or 2 days a week that she would go around and take them all down and get rid of the blight. Stated the poles are littered with nonsense. Wanted to know what the policy was on the posting of signs and who in fact would be responsible for their removal. Stated that when everyone runs for office after the election is over the signs generally come down the next day and if those running can do it then why not everyone else. Stated that she hoped the governing body would be able to tackle and fix this problem.

William DeMonte, 411 Wurlitzer – Thanked the Mayor and Common Council for their approval of his appointment to the Emergency Management Office.

Gerald Morgan, 1585 Moll Street – Stated that he was representing the residents on Moll Street who are all "thrilled" with the paving job that was recently done as well as the relief from water related issues they have been having. Thanked the entire body for their timely response to the issues on Moll.

Sonia Dusza 123 Miller Street - Stated that she doesn't know how we are going to get rid of signs all over the city if we do not have a conscious effort on code enforcement. Stated that for decades there has been a problem with building and codes in North Tonawanda. Stated its been "mamby pamby". Stated it's been "cart blanche" Stated that we lack design standards. Stated that the city needs competent certified individuals, Stated that the city has rules that are not followed. Stated that when you say your prayers you say one thing and do another. Stated you don't follow your prayers. Stated that the Heritage Park lighting should be done after the park on Carruthers and Miller. Stated that for decades Carruthers Park has been neglected and that there are rabies, skunks, and feral cats in the area. Stated that National Grinding Wheel and the railroad property owners have long neglected the area. Stated that years ago they had a block club that is now defunct that had a very good success in getting things done. Stated that she cannot open her windows because she has sand in her attic. Stated that she cannot enjoy her yard because of cats and skunks that "poop" and "pee" all over her property and nothing is done about it. Stated that the she has more to say but NT is not like Niagara Falls and Wheatfield, boom you are cut off when your time is up. Stated that NT continues to have illegal non-conforming issues and that this needs to stop.

ADJOURNMENT

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

Time of Adjournment: 7:26P.M.

Respectfully submitted,

Scott P. Kiedrowski
City Clerk–Treasurer