

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, November 5, 2014
6:30P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT RIZZO

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: President Rizzo
Alderman Needler, Zadzilka, Braun

Absent: None

Also Present: Mayor Robert G. Ortt
City Attorney Shawn P. Nickerson

AUDIENCE PARTICIPATION – None

APPROVAL OF THE MINUTES OF THE REGULAR SESSION October 21, 2014

MOVED by Alderman Zadzilka SECONDED by Alderman Braun
That the minutes of the regular session held October 21, 2014 be approved as circulated
and filed in the Office of the City Clerk.
CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

II. Attorney

October 31, 2014

Dear Honorable Body:

The City and OPEIU met on a number of occasions to negotiate a collective bargaining agreement. Their current agreement is set to expire at the end of 2014. I have attached a copy of the tentative agreement and hereby summarize the amendments:

- 1. §1.2.1: It would be a 4 year agreement, covering 2015-2018**
- 2. The Union would now include the Police Chief**
- 3. §6.1.1 Salary Schedule: The Salary Increases will be as follows:**
 - a. 2015-2.5%**
 - b. 2016-2.0%**
 - c. 2017-2.0%**
 - d. 2018-2.0%**
- 4. §6.1.1: Eliminate a one-time stipend for ratification of the agreement**
- 5. §6.1.6 Stipends: Annual Stipends to be increased by 10%**
 - a. City Accountant: Budget Officer-\$ 1,100**
 - b. City Assessor: Board of Assessment Review Director-\$550**
 - c. Building Assessor: Zoning/Planning Director- \$1,650**
 - d. Plumbing Inspector: Plumbing Board Advisor-\$550**
- 6. §6.1.7 (new section) - Any employee in the collective bargaining unit who is not receiving a pension from the City is eligible to receive an annual stipend of \$15,000. The employee can choose to take the stipend as a lump sum or be spread out during the year in their pay.**

11-05-2014

7. §8.2.6 (c) Vacation: Amend as follows:
- a. The employee may elect to be paid for all unused vacations credits. Employees shall be entitled to receive compensation for said days up to a maximum of 20 working days.
 - b. *This will clear up conflicting language and eliminate §8.2.9
8. §9.2.3- Amend section as follows:
- a. Upon separation of employment, an employee, or their estate, shall be paid thirty five percent (35%) of their present value of accumulated sick leave. To be eligible for said payment, an employee shall:
 - i. Have completed five (5) years of service with the City of North Tonawanda, and
 - ii. Said separation shall not include termination for just cause.
9. §1 1.1.1(a) Life insurance policy: decrease benefit amount as follows:
- a. The employer shall provide and pay for a life insurance policy for each employee with a death benefit of \$50,000
10. § 11.1.2(b) Health Insurance: OPEIU members shall now contribute a percentage of monthly premiums for health insurance as follows (and therefore replace the current b, c, and d):
- a. Employees with fifteen (15) or more years of service with the city shall pay 10%;
 - b. Employees with more than ten (10) years, but less than fifteen (15) years with the city shall pay 15%;
 - c. And Employees with less than ten (10) years with the city shall pay 20%
11. § 11. 1.3 (a) Medical Insurance for retirees: Add the word Standard to the plan name-missing from last contract.
12. §11.1.3(e) Health Insurance for spouse if employee dies while employed: The city shall provide comparable health coverage to a surviving spouse for a remainder of the surviving spouse's life unless and until the surviving spouse becomes eligible for equivalent health coverage through an employer or remarries.
13. § 11.3.1 Longevity: Each term of longevity years payment will be increased by 25%
14. § 13.1.2 Miscellaneous: Add a new Appendix of a Personnel Requisition Form for Dept. Heads to fill out prior to interviewing and selection of any employee under their supervision
15. §15.1.2 Comp Time: As follows:
- a. An OPEIU employee shall be granted the opportunity of accumulating his/her hours worked in excess of the normal thirty-five (35) or forty (40) hour workweek up to a maximum of 150 hours. Such time may be taken off from work on a one hour for one hour basis.

Any such remainder of accumulated time shall be paid as cash value at time of separation from the employer based on the most recent salary level at the time of retirement (separation).

The employee shall not be eligible to earn additional comp time while engaged in duties performed as described in Section 6.1-6 of this Contract due to the fact that the employee is receiving a stipend for said duties.

The OPEIU has already ratified the tentative agreement. If you concur with the agreement, please authorize the Mayor to sign the amended collective bargaining agreement.

Very truly yours,
Shawn P. Nickerson, Esq.
City Attorney

MOVED by Alderman Needler SECONDED by Alderman Rizzo
The Common Council hereby APPROVES the aforementioned OPEIU agreement and authorizes the Mayor to sign said agreement.

Ayes: Needler, Zadzilka, Braun, Rizzo

(4)

Nays: None

(0)

CARRIED.

MOVED by Alderman Rizzo

SECONDED by Alderman Zadzilka

The Common Council hereby authorizes the Mayor to sign said agreement for engineering services to complete the bidding of the Meadow/Nash Traffic Signal System, Intersection Improvements, including construction inspection service, with Parsons Brinkerhoff, 50 Lakefront Blvd, Suite 111, Buffalo, NY 14202; in an amount not to exceed \$26,200; subject to review by the City Attorney.

Ayes: Needler, Zadzilka, Braun, Rizzo

(4)

Nays: None

(0)

CARRIED.

VII. Accountant

October 30, 2014

Honorable Robert G. Ortt, Mayor
& Common Council
City Hall —216 Payne Avenue
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 November 5, 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 Needler

SECONDED by Alderman Braun

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated November 5, 2014 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$698,992.50
02	Water Fund	31,968.11
04	Sewer Fund	66,951.20
06	Capital Project Fund	611,146.24
07	Trust & Agency Fund	88.93
08	Community Development	194.60
17	Home Rehab Program	<u>15,650.00</u>
	Final Total	<u>\$1,424,991.58</u>

Ayes: Needler, Zadzilka, Braun, Rizzo

(4)

Nays: None

(0)

CARRIED.

X.1 Police

October 22, 2014

Honorable Common Council:

Attached is a new Memorandum of Understanding for the Niagara County Drug Task Force. I would respectfully ask your permission to sign said agreement.

It is similar to the last one, but it clarifies an issue that arose with asset forfeiture and dispersing those funds among the agencies involved with the Niagara County Drug Task Force.

The City Attorney has reviewed and has no issues with it. Thank you for your time in this matter.

Respectfully yours,
William R. Hall
Chief of Police

MOVED by Alderman Needler SECONDED by Alderman Zadzilka
The Common Council hereby APPROVES the new Memorandum of Understanding for the
Niagara County Drug Task Force subject to review by the City Attorney.
Ayes: Needler, Zadzilka, Braun, Rizzo (4)
Nays: None (0)
CARRIED.

X.2 Police

October 24, 2014

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

Dear Honorable Body:

Would you please reappoint the following as Commissioner of Deeds for the City of North Tonawanda beginning November 18, 2014 and ending November 17, 2016.

- Karen M. Smith..... 60 Sweeney Ct., North Tonawanda, NY 14120
- Gary P. Lewis.....1230 Parkview Dr., North Tonawanda, NY 14120
- James P. Muehlbauer.....1287 Master St., North Tonawanda, NY 14120

William R. Hall
Chief of Police

MOVED by Alderman Rizzo SECONDED by Alderman Braun
The Common Council hereby APPROVES the reappointment of:
Karen M. Smith..... 60 Sweeney Ct., North Tonawanda, NY 14120
Gary P. Lewis.....1230 Parkview Dr., North Tonawanda, NY 14120
James P. Muehlbauer.....1287 Master St., North Tonawanda, NY 14120
As Commissioner of Deeds for the City of North Tonawanda beginning November 18, 2014
and ending November 17, 2016.
Ayes: Needler, Zadzilka, Braun, Rizzo (4)
Nays: None (0)
CARRIED.

XVII. Traffic Safety

October 21, 2014

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, M. Lemke, B. Smolinski, M. Daigler, and A. DiBernardo. The minutes from the

previous were read and a motion to accept was carried. The following new concerns were discussed and recommendations made.

1. Member Daigler reported new signage has been posted around the City Market and cross walk markings will be painted weather permitting.
2. CSX was contacted after the September meeting concerning a sinkhole in the railroad tracks at the intersection of Erie Avenue and Niagara Falls Blvd.
3. Member Lemke was contacted by a concerned citizen on parking at the intersection of Weaver Parkway and Ward Road. Committee Members will monitor the intersection and the concern will be discussed at the November meeting.
4. Member Vater will contact Timothy Woodman, 268 North Avenue, and discuss a concern he has with a sign in his neighborhood.
5. Member Sikora met with Jim Thiel of L&S Metals, 36 Manhattan Street, concerning parking in front of the business. Mr. Thiel would like parking changed from parallel to angled. The request was discussed, will be researched and discussed a second time at the November meeting.
6. The Committee discussed the removal of the stop sign at the intersection of Elmwood and Wright Avenues. In a unanimous vote the Committee recommends leaving the intersection the way it is, a two way stop, with vehicles stopping on Elmwood only.

Meeting adjourned at 2005 hours.

Respectfully Submitted
Joseph D. Sikora, Chairman

MOVED by Alderman Zadzilka SECONDED by Alderman Needler
That the Common Council hereby receives and files the aforementioned Traffic Safety Report.

Ayes: Needler, Zadzilka, Braun, Rizzo

(4)

Nays: None

(0)

CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Jeffrey Glatz

October 14, 2014

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

Re: Radio Tower on Zimmerman Street

Dear Mr. Kiedrowski:

Please be advised that the emergency communications tower, within the City of North Tonawanda (located at 495 Zimmerman Street) is set to begin in November. As part of the construction process there is a fee that Niagara County is hereby requesting a waiver of that building permit fee.

This has been a request approved by other towns and city (except one pending project) and trust the City of North Tonawanda would favorably consider our request. If the Council has any questions or concerns please contact me at your earliest convenience. Thank you for your consideration.

Respectfully
Jeffrey M. Glatz

MOVED by Alderman Needler

SECONDED by Alderman Zadzilka

That the Common Council hereby APPROVES waiving the building permit fee for the Radio Tower Construction project on Zimmerman Street.

Ayes: Needler, Zadzilka, Braun, Rizzo

(4)

Nays: None

(0)

CARRIED.

B.

Kay Learned

*Gateway Cities' Downtown WinterWalk 2014
72 Webster St., North Tonawanda, NY 14120
694-4715*

October 18, 2014

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 6th.

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 6th.

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 6th.

Thank you for your consideration.

Sincerely,

Kay Learned

WinterWalk Chair

MOVED by Alderman Braun

SECONDED by Alderman Rizzo

That the Common Council hereby GRANTS permission to the Downtown Merchants to hold their annual WinterWalk on Webster Street on Saturday, December 6, 2014; 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.

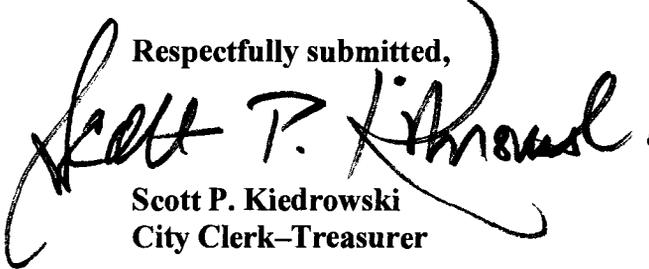
AUDIENCE PARTICIPATION - None

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: 6:42P.M.

Respectfully submitted,

A handwritten signature in black ink, reading "Scott P. Kiedrowski". The signature is written in a cursive style with a large, sweeping flourish at the end.

Scott P. Kiedrowski
City Clerk-Treasurer