

**THE HONORABLE BODY**  
**Council Chambers**  
**Municipal Building**  
**North Tonawanda, New York 14120**  
**Tuesday, May 5, 2015**  
**6:31P.M.**

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**REGULAR SESSION CALLED TO ORDER BY PRESIDENT RIZZO**

**PLEDGE OF ALLEGIANCE**

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**ROLL CALL**

**Present: President Rizzo**  
**Alderman Zadzilka, Braun, Schwandt, Pecoraro**

**Absent: None**

**Also Present: Mayor Arthur G. Pappas**  
**City Attorney Shawn P. Nickerson**

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**AUDIENCE PARTICIPATION - None**

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION APRIL 21, 2015**

**MOVED by Alderman Zadzilka                      SECONDED by Alderman Schwandt**  
**That the minutes of the regular session held April 21, 2015 be approved as circulated and**  
**filed in the Office of the City Clerk.**  
**CARRIED.**

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**PROOF OF PUBLICATION PUBLISHED APRIL 8, 2015**

**1) Legal Notice – 2015 Estoppel Notice – Clerk/Treasurer’s Office**

**MOVED by Alderman Zadzilka                      SECONDED by Alderman Braun**  
**That the Common Council hereby receives and files the aforementioned Proof of**  
**Publication.**  
**CARRIED.**

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**COMMUNICATIONS FROM CITY OFFICIALS**

**IV. Engineer**

**April 27, 2015**

**Honorable Mayor Arthur G. Pappas**  
**and Common Council Members**  
**City Hall**  
**North Tonawanda, NY 14120**

**05-05-2015**

Re: Project 2013-03, Erie Canal Kayak Launches Project Award of Contract.

Dear Honorable Body:

On Monday, April 27, 2015 one bid was received and opened by the City Clerk for the rebidding of Erie Canal Kayak Launches Project. As you may be aware, the original bids received on January 13, 2015 came in well above the allotted budget of \$104,700, causing the city to redesign and rebid the project. Unfortunately during the rebidding process the legal advertisement did not properly reach the newspaper and therefore the Common Council's April 7, 2015 award of the project must be rescinded and re-approved based upon the legally published advertisement subsequently appearing in the Niagara Gazette on April 18, 2015.

The project is funded through a \$71,350 an Environmental Protection Fund Grant from New York State Department of State and a \$50,000 appropriation from the City's 2014 Capital Budget.

Accordingly, I respectfully request that the Common Council award the Erie Canal Kayak Launches Project to NFP and Sons, Inc., 7311 Ward Road North Tonawanda, NY 14120 at their low total bid amount of \$103,500; authorizing the Mayor to sign said contract subject to review by the City Attorney.

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

MOVED by Alderman Zadzilka                      SECONDED by Alderman Pecoraro  
That the Common Council hereby rescinds the award of bid for the Erie Canal Kayak Launches Project that was awarded at the Common Council meeting on April 7, 2015.

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)

Nays: None (0)

CARRIED.

MOVED by Alderman Pecoraro                      SECONDED by Alderman Rizzo  
That the Common Council hereby awards the Erie Canal Kayak Launches Project to NFP and Sons, Inc., 7311 Ward Road North Tonawanda, NY 14120 at their low total bid amount of \$103,500; authorizing the Mayor to sign said contract subject to review by the City Attorney.

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)

Nays: None (0)

CARRIED.

**VII. Accountant**

April 30, 2015

Honorable Arthur G. Pappas, 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 May 5, 2015, 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 Schwandt**

**SECONDED by Alderman Pecoraro**

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated May 5, 2015 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$698,175.44
02	Water Fund	33,450.60
04	Sewer Fund	85,189.08
06	Capital Project Fund	59,876.45
08	Community Development	<u>15,750.00</u>
	Final Total	<u>\$892,441.57</u>

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo

(5)

Nays: None

(0)

**CARRIED.**

**IX. Public Works**

April 30, 2015

Honorable Mayor & Common Council  
City Hall, 216 Payne Avenue  
North Tonawanda, New York 14120

**Re: Award of Bid from City of Geneva's Sweeper Bid, In Accordance with New York General Municipal Law Section (103), One (1) New 2016 Johnston VT651 Vacuum Sweeper Mounted on a 2016 Freightliner M2 Cab and Chassis with a Top Mounted Hydraulic Catch Basin Boom.**

**Honorable Body:**

The Piggybacked Bid Price for one (1) new 2016 Johnston VT651 Vacuum Sweeper, 115 HP Engine Mounted on a 2016 Freightliner M2 with Top Mounted Hydraulic Catch Basin Boom is \$245,735.00.

I recommend the Common Council award the Bid for one (1) New 2016 Johnston VT651 Vacuum Sweeper, 115 HP Engine Mounted on a 2016 Freightliner M2 with Top Mounted Hydraulic Catch Basin Boom to Cyncon Equipment subject to the approval of the City Attorney.

Very truly yours,  
Bradley A. Rowles  
Superintendent of Public Works

**MOVED by Alderman Zadzilka**

**SECONDED by Alderman Rizzo**

That the Common Council hereby awards the Bid for one (1) New 2016 Johnston VT651 Vacuum Sweeper, 115 HP Engine Mounted on a 2016 Freightliner M2 with Top Mounted Hydraulic Catch Basin Boom to Cyncon Equipment for a total Bid amount of \$245,735 subject to review by the City Attorney.

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo

(5)

Nays: None

(0)

**CARRIED.**

**XI. Fire Chief**

April 29, 2015

Honorable Mayor Arthur G. Pappas  
And Common Council Members  
City Hall North Tonawanda, NY

Re: Emergency Medical Service Contract

Honorable Body,

On Tuesday April 28, 2015 the City Attorney completed review of a proposed agreement between the City of North Tonawanda and Twin City Ambulance, for transportation services during the 2015 North Tonawanda's Rockin the River Concert Series.

As the Fire Department will provide emergency Medical Services during the Concert, we do not have the capabilities of transporting patients, so we must contract this service with a provider. The Department and Twin City Ambulance have partnered together for many years and continue to work well. The company has provided this service for the past two years of concerts, and have not increased their fees of \$195.00 per hour.

Accordingly, I respectfully request that the Common Council authorize the Mayor to sign the attached contract for the 2015 Concert Series Transport Services.

Respectfully,  
John C. Lapham  
Fire Chief

MOVED by Alderman Braun

SECONDED by Alderman Rizzo

That the Common Council hereby approves the agreement between the City of North Tonawanda and Twin City Ambulance, for transportation services during the 2015 North Tonawanda's Rockin the River Concert Series at their fee of \$195.00 per hour, authorizing the Mayor to sign said contract, subject of review by the City Attorney.

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo

(5)

Nays: None

(0)

CARRIED.

## XVII. Traffic Safety

April 28, 2015

Daniel R. Quinn  
City Clerk/Treasurer  
216 Payne Avenue  
North Tonawanda, NY 14120

### Traffic Safety Minutes:

The April meeting of the North Tonawanda Safety Committee was called to order a 1900 hours. Roll call showed the following members present: J. Sikora, R. Frank, M. Lemke, A. Vater, E. Smolinski, A. DiBernardo, and M. Daigler. There were no minutes from the March meeting, the agenda items were discussed. And a motion to add the March items to the April minutes was carried. The following new request/concerns were discussed and recommendations made.

1. Member Daigler reported adjustments to the road grade in the area of the railroad tracks and Ward Road will be addressed during paving season.
2. Motion R. Frank, second E. Smolinski, to remove no parking signs along Payne Avenue from Sweeney to Tremont. Motion passed unanimously.
3. Member Smolinski requested moving current "no parking here to corner" signs located on Thompson St. at Payne and Lincoln at Thompson closer to the corners to create a few additional parking spots. Member Daigler will look into the request. The Committee is in favor.
4. Member Sikora will contact NYS DOT on the status of cross walks being placed at River Road intersections to make access to the bike path easier.
5. A request from resident Kevin Hodgson to cut back vegetation near the intersection of Plastic and Euclid was discussed and will be looked at when the growing season starts.
6. A request from resident Joseph Mantione to place "children at play" signs on Niagara Street between Christiana and Thompson was discussed. The Committee feels that since all neighborhoods in the City have children living in them that "children at play"



On Friday, May 29th, the National Center for Missing and Exploited Children (NCMEC) will hold its 9<sup>th</sup> Annual "Ride for Missing Children, Buffalo". Sponsored by NCMEC/NY, the Ride for Missing Children is a 100-mile, 2x2 paced and police-escorted bike ride throughout Erie County and Niagara County, beginning and ending at St. Johnsbury Fire Hall. Our purpose is to remember all missing children and to raise funds to support local prevention education programs in our schools and community. We anticipate approximately 100 riders to participate in the event.

We would like to ask the town for use of its roads. I have included the tentative route map along with approximate times the riders will be in North Tonawanda. If there is a special form that needs to be completed please send it to my attention at the address below, or fax it to 716.842.6334. If you have additional questions, please contact me directly at 716.842.6333.

Thank you for your anticipated cooperation.

Sincerely  
 Kathleen Gust  
 Program Director  
 National Center for Missing & Exploited Children

MOVED by Alderman Schwandt                      SECONDED by Alderman Zadzilka  
 That the Common Council hereby grants permission to the National Center for Missing and Exploited Children (NCMEC) to use various city streets for its 9<sup>th</sup> Annual "Ride for Missing Children, Buffalo" which will pass through the City of North Tonawanda on Friday, May 29, 2015.

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)

Nays: None (0)

CARRIED.

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C.  
 Suzanne Hempel  
 Joseph V. Mantione  
 Thomas Jaccarino  
 Peter E. Smolinski

April 30, 2015

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

Dear Honorable Body:

I am requesting to be reappointed as a Commissioner of Deeds for the City of North Tonawanda.

Thank you.

Sincerely,  
 Suzanne Hempel  
 Joseph V. Mantione  
 Thomas Jaccarino  
 Peter E. Smolinski



Please also recognize with exemption status as they have completed their 5 year commitment of active duty to the fire service, Jason Butler, Kevin Van Hise and Clifford Hornick

Sincerely,  
Rick Van Hise  
Recording secretary

**MOVED** by Alderman Zadzilka                      **SECONDED** by Alderman Schwandt  
That the Common Council hereby issues Exemption Certificates to James Coughlin – 35 Years; James Rizzo, Jr. – 35 Years; Paul Franzak – 25 Years; Mark Andres – 25 Years; Daniel Guiher – 25 Years; Jason Butler – 5 Years; Kevin Van Hise – 5 Years and Clifford Hornick – 5 Years.

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)

Nays: None (0)

**CARRIED.**

**LATE COMMUNICATION**

**MOVED** by Alderman Zadzilka                      **SECONDED** by Alderman Rizzo

To bring the following communication to the floor.

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)

Nays: None (0)

**CARRIED.**

#1.  
Spruce Elementary (SHSO)

May 1, 2015

North Tonawanda Common Council  
216 Payne Ave  
North Tonawanda NY 14120

Dear North Tonawanda Common Council Members:

I am writing to request a temporary exemption for the food truck permit due to the short duration of the event and it being a fundraiser to support a title I school. Spruce Elementary SHSO is hosting an evening family event during our Scholastic Fundraiser. This event will be held Wednesday, May 13<sup>th</sup> from 5:30 PM-7:30 PM. We will be having a buy one get one book fair that raises funds for books for our classrooms. In addition we will be running games and taking donations for All for Books. All for Books is a charity where the money donated is used to increase the literacy at our school and Scholastic matches our amount to donate books to children in poverty.

The book fair is a great event to promote literacy and a gathering of the community. However, the book fair alone only raises books for our school. Having a food truck present at our event will increase our community attendance and this could lead to higher book sales, but also the vendors have agreed to donate a portion of their sales to our school. This is a great opportunity to raise funds we so desperately need to supplement our other fundraisers. Our fundraisers have greatly decreased for this current school year. Our SHSO budget support things such as: school assemblies, funds to celebrate milestones for our Kindergartners, 6<sup>th</sup> graders moving up, field day and also school field trips. For this particular fundraiser, our SHSO pays the sales tax for every student which adds up. The small amount of tax is often enough to prevent a child from being able to purchase a book. By paying this tax on behalf of the students, we increase their reading exposure.

The food truck I have reached out to is Greek on the Street. Their physical location is 3189 Delaware Ave., Kenmore NY. I have been communicating with the owner Sam Visiliadas and he has kindly agreed to help by donating a portion of sales back to our school. Greek on the Street is mainly a physical restaurant that does catering events. They are not a typical wandering food vendor on wheels so he does not frequent our city. . For this reason, it does not make financial sense for our SHSO or Mr. Visiliadas to purchase an annual permit. Participating with the food truck is a new endeavor. We are hoping for success for our school. With our limited budget and the small amount of revenue generated during a two hour event, the \$75 temporary fee may seem small, but our budget is small and our school needs are big. We would like to give our school the most benefit it possibly can. I appreciate each council member's time and consideration.

Sincerely,  
Selina Marshall

**MOVED** by Alderman Schwandt                      **SECONDED** by Alderman Braun  
That the Common Council hereby grants a one-time exemption of the fees for a food truck permit for the aforementioned event at Spruce Elementary School to be held on Wednesday, May 13, 2015, but the vendor is still required to pay for a background check for each person working on the food truck.

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)

Nays: None (0)

**CARRIED.**

#### AUDIENCE PARTICIPATION

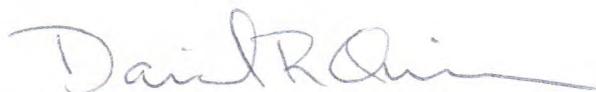
Ann Finkle, 896 Sun Valley Drive – Believes that it would be more efficient and save taxpayers money if the Council meetings were cut from 4 to 2 meetings. Consolidate the workshops with the regular meetings, either do it before the Council meeting or after. The City Charter only calls for Council meetings on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays, nothing about workshops.

#### ADJOURNMENT

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

Time of Adjournment: 6:57P.M.

Respectfully submitted,



Daniel R. Quinn  
City Clerk-Treasurer