

**THE HONORABLE BODY  
Council Chambers  
Municipal Building  
North Tonawanda, New York 14120  
Tuesday, January 20, 2015  
6:35P.M.**

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

**Absent: Alderman Needler**

**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 JANUARY 6, 2015**

**MOVED by Alderman Zadzilka                      SECONDED by Alderman Braun  
That the minutes of the regular session held January 6, 2015 be approved as circulated and  
filed in the Office of the City Clerk.  
CARRIED.**

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**PROOF OF PUBLICATION PUBLISHED DECEMBER 31, 2014 & JANUARY 3, 2015**

- 1) Legal Notice – Alderman-at-Large & City Clerk-Treasurer Vacancy-  
City Clerk-Treasurer.**

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

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### **COMMUNICATIONS FROM CITY OFFICIALS**

**III. Clerk-Treasurer**

**January 15, 2015**

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

**RE: CHARTER/ CHAPTER C / DIVISION 2/SEC. 3.024 / VACANCIES IN OFFICE**

**Dear Honorable Body,**

**Section 3.024 Vacancies in Public Office:**

*Vacancies occurring in any elective office shall be filled by the Common Council at its next regular meeting where practicable, after creation of the vacancy. The person appointed to fill*

**01-20-2015**



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

Re: City Market Clerk Appointment

Dear Honorable Body:

Please be advised that I am re-appointing John E. Long, 32 Keil Street, North Tonawanda, NY 14120 as City Market Clerk, effective January 1, 2015 and expiring on December 31, 2015.

Thank you for your attention to this matter.

Sincerely,  
Arthur G. Pappas  
Mayor

MOVED by Alderman Braun                      SECONDED by Alderman Schwandt  
That the Common Council hereby receives and files the aforementioned appointment of John E. Long 32 Keil Street as City Market Clerk expiring December 31, 2015.  
CARRIED.

#### IV.1 Engineer

January 15, 2015

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

Re: Project 2014-13 2014 Erie Canal Bike Path Extension  
Award of Survey Agreement

Dear Honorable Body:

On Tuesday, January 6, 2010, five (5) proposals from qualified consultants were received for the survey and mapping of the proposed Erie Canal Bike Path Extension. The results are as follows:

- |   |          |
|---|----------|
| • CRA Infrastructure & Engineering, Inc.      | \$ 7,700 |
| • Wendel                                      | \$ 8,300 |
| • KHEOPS Architecture, Engineering and Survey | \$12,950 |
| • Greenman - Pedersen, Inc.                   | \$14,350 |
| • Frandina Engineering and Land Surveying, PC | \$18,740 |

Funding for the project, in part, comes from a \$144,707 grant from the New York State Canal Corporation.

Accordingly, I respectfully request that the Common Council award the survey and mapping of the proposed Erie Canal Bike Path Survey to CRA Infrastructure & Engineering, Inc., 285 Delaware Avenue, Suite 500, Buffalo, New York 14202, at their proposed amount of \$7,700; authorizing the Mayor to sign said surveying agreement, subject to review by the City Attorney.

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

MOVED by Alderman Zadzilka                      SECONDED by Alderman Braun  
The Common Council hereby awards the survey and mapping of the proposed Erie Canal Bike Path Survey to CRA Infrastructure & Engineering, Inc., 285 Delaware Avenue, Suite 500, Buffalo, New York 14202, at their proposed amount of \$7,700; authorizing the Mayor to sign said surveying agreement, subject to review by the City Attorney.

01-20-2015

Ayes: Zadzilka, Braun, Schwandt, Rizzo

(4)

Nays: None

(0)

CARRIED.

## IV.2 Engineer

January 15, 2015

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

Re: 2014 Storm Sewer Separation Project - Ironton, 1st, 2nd, and 3rd Avenues  
Project No. 2014-03  
Change Order Approval and Final Project Acceptance

Honorable Body:

The 2014 Storm Sewer Separation Project is now complete and approval of the six (6) required change orders, approval of the final payment and project acceptance is respectfully requested.

The following is a list of the field changes required to complete the work:

1.	Relocate 200 feet of sanitary sewer including wyes	\$35,326.00
2.	Saw cut 3rd Avenue for relocation of new storm sewer	\$ 2,009.63
3.	Lower manhole on 2nd Ave., STA 18+02	\$ 565.22
4.	Replace two concrete driveway aprons on 1st Ave.	\$ 2,000.66
5.	Install used catch basin at 1st and Ironton	\$ 748.26
6.	Contract quantity over run	<u>\$11,643.67</u>
	<b>Total</b>	<b>\$52,293.44</b>

Accordingly, I respectfully request that the Common Council approve the enclosed change order in the amount of \$52,293.44 for the 2014 Storm Sewer Separation Project to New Frontier Excavating & Paving, Inc., 8265 East Eden Road, Eden, New York, 14057, increasing the contract amount from \$294,748.19 to the final contract amount of \$347,041.83; authorizing the Mayor to sign said change order, subject to review by the City Attorney.

Finally, I recommend that the city accept the project as complete and that all contract requirements have been fulfilled and the city has received all necessary contract closeout documentation and guarantees.

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

MOVED by Alderman Rizzo

SECONDED by Alderman Zadzilka

The Common Council hereby approves the change order in the amount of \$52,293.44 for the 2014 Storm Sewer Separation Project to New Frontier Excavating & Paving, Inc., 8265 East Eden Road, Eden, New York, 14057, increasing the contract amount from \$294,748.19 to the final contract amount of \$347,041.83; authorizing the Mayor to sign said change order, the city also accepts the project as complete and that all contract requirements have been fulfilled, subject to review by the City Attorney.

Ayes: Zadzilka, Braun, Schwandt, Rizzo

(4)

Nays: None

(0)

CARRIED.

## IV.3 Engineer

January 15, 2015

Arthur G. Pappas, Mayor

and Common Council Members  
 City Hall  
 North Tonawanda, New York 14120

Re: Project No. 2012-02, Gratwick Riverside Park Marina Improvements  
 Phase V, Construction of Docks, Utilities and Park Amenities  
 Engineering Amendment Agreement No. 4

Honorable Body:

Enclosed is the fourth amendment to the original engineering agreement for Phase V of the Gratwick Riverside Park Marina Project for design plans for the construction of docks, utilities, pathways, lighting and other amenities. Funding for this phase is from a grant from the New York State Department of State in the amount of \$208,125 with an equal match from the City of North Tonawanda in the City's 2015 budget, and a \$300,000 grant from the Niagara County Greenway Commission.

I therefore recommend that the Common Council approve amendment 4 for the engineering portion of Phase 5 Gratwick Riverside Park Marina Project with Conestoga-Rovers & Associates, 285 Delaware Avenue, Suite 500, Buffalo, NY 14202 in the amount of \$33,700, authorizing the Mayor to sign the enclosed agreement amendment subject to review by the City Attorney.

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

MOVED by Alderman Rizzo

SECONDED by Alderman Zadzilka

The Common Council hereby approves amendment 4 for the engineering portion of Phase 5 Gratwick Riverside Park Marina Project with Conestoga-Rovers & Associates, 285 Delaware Avenue, Suite 500, Buffalo, NY 14202 in the amount of \$33,700, authorizing the Mayor to sign said agreement amendment, subject to review by the City Attorney.

Ayes: Zadzilka, Braun, Schwandt, Rizzo

(4)

Nays: None

(0)

CARRIED.

#### VII.1 Accountant

January 15, 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 January 20, 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 Zadzilka

SECONDED by Alderman Braun

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated January 20, 2015 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$463,506.35
02	Water Fund	25,530.29
04	Sewer Fund	68,730.70
06	Capital Project Fund	93,099.44
07	Trust & Agency Fund	<u>28.34</u>
	Final Total	<u>\$ 650,895.12</u>

Ayes: Zadzilka, Braun, Schwandt, Rizzo (4)  
 Nays: None (0)  
**CARRIED.**

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#### XXV. Monthly Reports

.1 Clerk-Treasurer      .2 Youth Center      .3 Police Department

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

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#### XXI. Vacation & Sick Leave Reports

.1 Clerk-Treasurer      .2 Recreation & Parks      .3 Police Department

MOVED by Alderman Schwandt      SECONDED by Alderman Zadzilka  
 That the Common Council hereby receives and files the aforementioned Vacation & Sick  
 Leave Reports.  
**CARRIED.**

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#### XXVII. Annual Reports

.1 Youth Center      .2 Senior Citizen Center      .3 Clerk-Treasurer  
 .4 Police Department

MOVED by Alderman Zadzilka      SECONDED by Alderman Braun  
 That the Common Council hereby receives and files the aforementioned Annual Reports.  
**CARRIED.**

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### COMMUNICATIONS FROM OTHERS

A.  
 Gratwick Hose Co.

January 2, 2015

Honorable Mayor and  
 Common Council

The following member of the Gratwick Hose Fire Company has reached the years of  
 service indicated;

50 Years

Earl Sullivan, Jr.

Please issue the appropriate certificate.

David A. Rogge  
 Membership Secretary

01-20-2015



We are requesting your support and approval to continue to host this event on our Historic Webster Street between Goundry and Tremont Streets every Monday from May 11 through September 28, 2015. Of course, with the exception of Canal Fest Week.

With your support and the help of the Police and Public Works Departments, the 2014 Car Cruise was a great accomplishment. Throughout the summer the cruise began to grow as the word across Western New York got out. From weekly prizes to a professional 50's style Street Dance, visitors had to come check it out. During the month of August having often more than 125 classic cars, we had to turn away sometimes over 20 car cruisers as there was no more room. Every street parking spot was filled as hundreds of visitors came not only to see the cars and historic Webster Street, but to reminisce about the car they had growing up. Nearly everyone had a memory or a story to share.

You must know the ultimate success of this event comes from the support of many of our local businesses, the Downtown Merchants Association and others, who participated by donating weekly door prizes and purchasing ads. A special thanks goes to Don Raiser of Trend City Tire, who weekly paid for the DJ.

This highly successful and much spoke about event cannot continue without your support. We and the multitude of car enthusiasts, local businesses and mostly the hundreds of visitors that came to the Historic Webster Street, wish to thank you for your continued support of the Webster Street Classic Car Cruise.

Thank you in advance for anticipated approval of our request.

Respectfully submitted,  
Canalside Creamery  
Barbara Labruna – Owner

MOVED by Alderman Braun

SECONDED by Alderman Zadzilka

That the Common Council hereby approves the request of Canalside Creamery to host a weekly classic car cruise on Webster Street, every Monday evening from 6PM to 9PM beginning Monday, May 11, 2015 through Monday, September 28, 2015, (except when it conflicts with any other organized event normally held during the summer season), weather permitting and further directs the Department of Public Works to close off a section of Webster Street from Tremont Street to Goundry Street for the events.

Ayes: Zadzilka, Braun, Schwandt, Rizzo

(4)

Nays: None

(0)

CARRIED.

### LATE COMMUNICATION

MOVED by Alderman Zadzilka

SECONDED by Alderman Schwandt

To bring the following communication to the floor.

Ayes: Zadzilka, Braun, Schwandt, Rizzo

(4)

Nays: None

(0)

CARRIED.

#1.

Traffic Safety

January 20, 2015

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

RE: Additional Signage on Meadow Drive/KinKead Ave. by NT Senior High School

Dear Honorable Body:

