

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, December 1, 2015
6:34 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT RIZZO

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: None

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

AUDIENCE PARTICIPATION

Jean Kroetsch 465 Witmer Rd – Said she would like more information on the agenda sheet so she knows what the budget transfer is for.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION NOVEMBER 17, 2015

MOVED by Alderman Zadzilka SECONDED by Alderman Pecoraro
That the minutes of the regular session held November 17, 2015 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

I. Mayor

November 24, 2015

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

RE: Appointment of North Tonawanda City Court Judge

Dear Honorable Body:

Please be advised that I am appointing Shawn P. Nickerson, 324 Wheatfield Street, North Tonawanda, NY 14120, as acting North Tonawanda's City Court Judge. This will be a six year term commencing December 30, 2015 and ending December 30, 2021.

Sincerely,
Arthur G. Pappas
Mayor

12-01-2015

- a. 2016-2.25%
 - b. 2017-2.0%
 - c. 2018-2.0%
 - d. 2019-2.0%
 - e. 2020-2.0%
6. §7.15. Defines a list of specialty duties for Union Members and provides them with out-of-title pay for said duties should they be called in.
 7. §7.21 Removes the bullet points of a tiered payment structure for Critical Care Technicians
 8. §8.24 Holiday Compensation. Changes the language to reflect current shift structure
 9. §9.31 Vacation. Allows employees to break up their vacation days for use within shorter periods of time.
 10. §10.22 Increases the allowable sick leave credits to two thousand three hundred four hours.
 11. §10.53. Removes the cap on sick hours in the sick bank.
 12. §12.11 Increases the life insurance policy for employees to \$20,000.
 13. §12.12 Health Insurance: ALL PFA members shall now contribute a portion of monthly premiums for health insurance as follows:
 - a. Employees hired before January 1, 2003 shall pay \$1,400/year for family or \$607.92/year for single coverage (currently not paying anything) until separation
 - b. Employees hired between January 1, 2003 and January 1, 2009 will pay 25% for 10 years and upon their 10th anniversary they shall pay \$1,400/year for family or \$607.92/year for single coverage until separation
 - c. Employees hired after January 1, 2009 will continue to pay their current rate of 25% for 10 years and then 10% for the remainder of their employment.
 14. §12.12(c) Fixes typographical errors for medical plan
 15. §12.42 Medical Waiver: Employees wishing to waive the cost of medical coverage would be eligible to receive the sum below based upon the number of officers waiving the cost of medical insurance for the period of January 1 through December 31 in their pay check on the first payday in December, as a modification to wages (subject to taxes).

# of Officers	Amount
5 and below	\$1,500.00
6-9	\$3,000.00
10+	\$4,000.00

16. § 13.13 FLSA adjustment: Employees shall receive their FLSA adjustment within their first paycheck of April
17. § 13.22 Educational Benefits
 - a. Increases payment for a 4 year degree in Fire Science to \$600.00
 - b. Increases payment for a 2 year degree in Fire Science to \$300.00
 - c. Increases payment for all other two or four year degrees to \$200.00
 - d. Eliminates the payment to CPR instructors, and increases payment to SCBA Repairmen to \$300.00. SCBA Repairmen shall also be eligible for EMT payment
 - e. Increases payment for EMT's to \$550.00

The NTPFA 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,
Katherine Alexander, Esq.
Assistant City Attorney

MOVED by Alderman Zadzilka SECONDED by Alderman Braun
That the Common Council hereby approves the aforementioned NTPFA agreement and authorizes the Mayor to sign said agreement.

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

Nays: None (0)

CARRIED

II.3 Attorney

November 24, 2015

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

Re: Resignation as City Attorney

Dear Honorable Body:

Please be advised that I have been offered and accepted Mayor Pappas' appointment as acting North Tonawanda City Court Judge. This appointment will be effective December 30, 2015. As such, I will be resigning my position as duly-elected City Attorney also effective December 30, 2015.

At this time, I would like to take the opportunity to thank Mayor Pappas, the Common Council and the residents of North Tonawanda for the honor of allowing me to serve as City Attorney for the past ten years. I look forward to this opportunity to continue to serve my community as acting City Court Judge.

Yours truly,
Shawn P. Nickerson
City Attorney

MOVED by Alderman Schwandt SECONDED by Alderman Braun
That the Common Council hereby receives and files the aforementioned resignation of Shawn P. Nickerson 324 Wheatfield Street, as City Attorney of North Tonawanda effective December 30, 2015.

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

Nays: None (0)

CARRIED

III. Clerk-Treasurer

November 20, 2015

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

Dear Honorable Mayor and Common Council:

Please be advised that I have received payment in full for back City, School and County taxes, per the tax agreement with the City, for the following parcel:

182.24-1-39 792 Revere Avenue Michael Caron

Therefore, please pass the necessary resolution withdrawing this parcel from the appropriate In Rem foreclosure proceeding.

Thank you for your cooperation.

Very truly yours,
Daniel R. Quinn
City Clerk-Treasurer

MOVED by Alderman Schwandt SECONDED by Alderman Zadzilka
That the Common Council hereby approves withdrawing city parcel 182.24-1-39, 792 Revere Avenue owner Michael Caron from the appropriate In Rem proceeding.

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

Nays: None (0)

CARRIED

VII.1 Accountant

November 24, 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 December 1, 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 Pecoraro SECONDED by Alderman Rizzo
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated December 1, 2015 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$4,418,066.79
02	Water Fund	138,855.26
04	Sewer Fund	227,511.73
06	Capital Project Fund	13,575.27
07	Trust & Agency Fund	192.22
08	Community Development	<u>48,800.31</u>
00	Final Total	<u>\$4,847,001.58</u>

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)
Nays: None (0)
CARRIED

VII.2 Accountant

November 24, 2015

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

Dear Honorable Body:

In accordance with Section 2.2 of the Budgetary Transfer Policy, please authorize the City Accountant to make the following budget amendment of fiscal year 2015 revenues and appropriations, based on the requests of Department Heads:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>Amend Revenue Account</u>	<u>Amend Appropriation Account</u>
7	\$7,500.00	1-1000.3310 State Aid Police	1-3120.245 Federal/State Grant

Explanation: To amend the 2015 Budget for Grant monies received from NYS Division of Criminal Justice. Revenues and expenditures will offset; net effect to budget is zero.

Very truly yours,
Mark Dotterweich
City Accountant

MOVED by Alderman Zadzilka **SECONDED** by Alderman Braun
That the Common Council hereby authorizes the City Accountant to make the following budget amendment of fiscal year 2015 appropriations, based on the request of the Department Head:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>Amend Revenue Account</u>	<u>Amend Appropriation Account</u>
7	\$7,500.00	1-1000.3310 State Aid - Police	1-3120.245 Federal/State Grant

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)
Nays: None (0)
CARRIED

VII.3 Accountant

November 24, 2015

Honorable Arthur A. Pappas, Mayor
and Common Council
City Hall
North Tonawanda, NY 14120

Dear Honorable Body:

In accordance with Article V, Division 2, Section 5.023 and Section 2.2 of the Budgetary Transfer Policy, please authorize the City Accountant to make the following transfers of fiscal year 2015 appropriations, based on the request of the Department Head, copy attached:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From: Appropriation Account</u>	<u>Into: Appropriation Account</u>
10	1,702.16	1-1990.410 Contingent Account	1-1620.440 Repairs & Maintenance
11	30,000.00	1-3310.100 Traffic Personal Services	1-5142.480 Streets Operations

Very truly yours,
Mark W. Dotterweich
City Accountant

MOVED by Alderman Pecoraro **SECONDED** by Alderman Zadzilka
That the Common Council hereby authorizes the City Accountant to make the following transfers of fiscal year 2015 appropriations, based on the request of the Department Head:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From: Appropriation Account</u>	<u>Into: Appropriation Account</u>
10	1,702.16	1-1990.410 Contingent Account	1-1620.440 Repairs & Maintenance
11	30,000.00	1-3310.100 Traffic Personal Services	1-5142.480 Streets Operations

Ayes: Zadzilka, Braun, Schwandt, Pecoraro, Rizzo (5)
Nays: None (0)
CARRIED

City has 5 million in the bank and it is earning 0 to 2% interest, said we should use that money instead of putting it into the bank. Said not enough money is spent on roads. Said the city should use casino money to fix the roads.

Richard Madej 499 Witmer Road –Said he would like to agree with Ms. Kroetsch about the condition of Witmer Road, it is not good. Stated he called the DPW and they said they are not done with the streets, but the plant that produces the hot material for patching the streets is closing within a week. Stated the intersection of Warner and Witmer is in bad shape, officials should not only be touring these streets during the day, but they should be touring them when the weather conditions are not good.

Scott Kiedrowski 1253 Bowen Court – Said that he would like to congratulate Shawn Nickerson on receiving his appointment as judge, said that it was well deserved and is confident he will do a great job. Also applauded the council on doing a good job completing a hard budget, it is never easy when dealing with the tax payer's money.

ADJOURNMENT

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

Time of Adjournment: 7:05 P.M.

Respectfully submitted,



Daniel R. Quinn
City Clerk-Treasurer