

**THE HONORABLE BODY**  
**Council Chambers**  
**Municipal Building**  
**North Tonawanda, New York 14120**  
**Tuesday, July 21, 2015**  
**5:00P.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**

**Absent: Alderman Pecoraro**

**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 JULY 7, 2015**

**MOVED by Alderman Zadzilka                      SECONDED by Alderman Rizzo**  
**That the minutes of the regular session held July 7, 2015 be approved as circulated and**  
**filed in the Office of the City Clerk.**  
**CARRIED.**

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**PROOF OF PUBLICATION PUBLISHED JUNE 6, 2015**

- 1) Legal Notice – Rezoning of Property at 460 Schenck Street – City Clerk/Treasurers Office

**PROOF OF PUBLICATION PUBLISHED JUNE 11, 2015**

- 1) Legal Notice – Bids for “Upfitting” of 2015 Chevrolet Tahoe’s (PPV 2WD) – Police Department
- 2) Legal Notice – Bids for “Upfitting” of 2015 Chevrolet Impala’s (9C3 Unmarked Police Package) – Police Department

**PROOF OF PUBLICATION PUBLISHED JUNE 17, 2015**

- 1) Legal Notice – Fiscal Affairs for the City of North Tonawanda for year ended December 31, 2014 – City Accountant

**PROOF OF PUBLICATION PUBLISHED JUNE 18, 2015**

- 1) Legal Notice – Bids for Dry Cationic Organic Polymer – Wastewater Treatment Plant
- 2) Legal Notice – Bids for the purchase of Natural Gas – Wastewater Treatment Plant
- 3) Legal Notice – Bids for Anionic Polymer – Wastewater Treatment Plant

07-21-2015





## III.1 Clerk/Treasurer

July 6, 2015

Honorable Mayor and Common Council  
216 Payne Avenue, City Hall  
North Tonawanda, NY 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 their tax agreement with the City, for the following parcel:

175.11-2-30 335 Robinson Street Timothy Phelan

Therefore, please pass the necessary resolution withdrawing this parcel from the appropriate In Rem 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 withdraws 335 Robinson Street from the In Rem proceeding, due to payment in full for back taxes, subject to further review by the City Attorney.

Ayes: Zadzilka, Braun, Schwandt, Rizzo

(4)

Nays: None

(0)

CARRIED

## IV.1 Engineer

July 10, 2015

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

Re: Gratwick Riverside Park Marino Slip #3 Renovation  
Project No. 2015-03  
City of North Tonawanda, Niagara County

Dear Honorable Body:

The following is a list of extra work for the Gratwick Riverside Marina Project that was added to complete the project.

• Two spare conduits added for future phase work	\$3,094
• Additional pedestal, utilities and walk	\$11,610
• Two additional 12 inch pipe piles	\$3,635
• One additional EZ Dock gangway	\$4,554
• Cleats	\$3,284
• One additional light bollard	\$1,682
• Contract allowance	<u>-\$10,000</u>
	\$17,859

Accordingly, I respectfully request that the Common Council approve the change order for the Gratwick Riverside Park Marina Slip #3 Renovation Project to Pinto Construction Services, Inc., 1 Babcock Street, Buffalo, NY 14210, increasing the contract amount from \$330,417, to the final contract amount of \$348,276; authorizing the Mayor to sign said

07-21-2015

change order, subject to review by the City Attorney. Further, that the Common Council accept the project as complete, in accordance with the design plans prepared by CRA Consultants.

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

MOVED by Alderman Rizzo

SECONDED by Alderman Braun

That the Common Council hereby approves the change order for the Gratwick Riverside Park Marina Slip #3 Renovation Project to Pinto Construction Services, Inc., 1 Babcock Street, Buffalo, NY 14210, increasing the contract amount from \$330,417, to the final contract amount of #348,276; authorizing the Mayor to sign said change order, and also accepts said project as complete, in accordance with the design plans prepared by CRA Consultants, subject to review by the City Attorney.

Ayes: Zadzilka, Braun, Schwandt, Rizzo (4)

Nays: None (0)

CARRIED

IV.2  
Engineer

July 9, 2015

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

Re: Frederick B. Durkee Memorial Bridge Project  
PIN 5757.27  
Comptroller's Contract No. D030105  
City of North Tonawanda, Niagara County  
Change Order No.4 for Final Measured Quantities and Project Acceptance

Dear Honorable Body:

Approval of Change Order No.4 and Final Project Acceptance is hereby requested. Change Order No.4 is based on the final measured quantities of the contract which reduces the authorized contract amount by \$114,147.89.

I therefore respectfully request that the Common Council approve Deduct Change Order No.4 for Project 2003-07, The Frederick B. Durkee Bridge Rehabilitation Project, in the amount of \$114,147.89 to Yarussi Construction, 5650 Simmons Avenue, Niagara Falls, NY 14304, decreasing the contract amount from \$2,102,687.50 to \$1,988,539.61; authorizing the Mayor to sign said change order subject to review by the City Attorney. Further, that the Common Council accept the project as complete, in accordance with the design plans and specifications prepared by Greenman-Pedersen, Inc. – Buffalo.

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

MOVED by Alderman Zadzilka

SECONDED by Alderman Rizzo

That the Common Council hereby approves Deduct Change Order No.4 for Project 2003-07, The Frederick B. Durkee Bridge Rehabilitation Project, in the amount of \$114,147.89 to Yarussi Construction, 5650 Simmons Avenue, Niagara Falls, NY 14304, decreasing the contract amount from \$2,102,687.50 to \$1,988,539.61; authorizing the Mayor to sign said change order, and also accepts the project as complete, in accordance with the design plans and specifications prepared by Greenman-Pedersen, Inc. – Buffalo, subject to review by the City Attorney.

Ayes: Zadzilka, Braun, Schwandt, Rizzo (4)

Nays: None (0)

CARRIED

## VII. Accountant

July 16, 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 July 21, 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 Zadzilka  
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated July 21, 2015 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$334,693.14
02	Water Fund	7,441.72
04	Sewer Fund	35,123.57
06	Capital Project Fund	258,339.08
07	Trust & Agency Fund	<u>110.00</u>
00	Final Total	<u>\$635,707.51</u>

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

## XXV. Monthly Reports

.1 Clerk / Treasurer    .2 Police Department

MOVED by Alderman Rizzo                      SECONDED by Alderman Zadzilka  
That the Common Council hereby, approves the aforementioned Monthly Reports.  
CARRIED

COMMUNICATIONS FROM OTHERS

A.  
Gratwick Hose Co.

July 7, 2015

North Tonawanda Common Council  
216 Payne Ave.  
North Tonawanda, NY 14120

Dear Honorable Council:

As President of the Gratwick Hose Company, I recently applied for a building permit as we make change to the outside of our building on Ward Rd. I paid the \$35.00 fee for the permit and was advised that many times, The Council will reimburse the fee for volunteer

fire companies. I would ask the Council to waive the fee for this permit as well. I have attached a copy of the receipt and since I paid the fee out of my personal account, I would ask that the reimbursement be made directly to me.

Thank you in advance for your consideration of my request.

Robert Brennan  
Gratwick Hose Co., President

MOVED by Alderman Rizzo                      SECONDED by Alderman Zadzilka  
That the Common Council hereby approves waving the fee for said permit for Gratwick Hose Co. for repairs and authorizes the City Clerk / Treasurer to reimburse Robert Brennan, 333 Daniel Dr., for the amount of \$35.00 for permit.

Ayes: Zadzilka, Braun, Schwandt, Rizzo (4)

Nays: None (0)

CARRIED.

B.  
Greg Doel

July 9, 2015

North Tonawanda Common Council  
North Tonawanda City Hall  
North Tonawanda, NY 14120

Re: Summer Concert Series

Dear Mr. Mayor,

We would like to add a date to our summer concert series, due to a rainout for the first show on June 27<sup>th</sup>. The following date and band is proposed:

August 15<sup>th</sup>      Rocket Queen      Guns and Roses Tribute act

We would showcase a high end local act to open up the show, and follow with the main act. The first act would begin around 6 PM, with the main act beginning at 8 PM. Show would be completed by 11 PM. We plan on using the same "Campus" as the previous shows. Security detail would remain the same, as well as stage positioning and restroom facilities.

Needed from the city:    Closure of the 1<sup>st</sup> block of Webster Street, as well as the Renaissance Bridge, beginning at 5 PM on show date.

NO PARKING signs put up on show days for the block

Sincerely,  
Greg Doel, President  
Crazy Jakes Inc.

MOVED by Alderman Zadzilka                      SECONDED by Alderman Braun  
That the Common Council hereby grants permission to Greg Doel to add a rain date of August 15<sup>th</sup> to their Summer Concert Series with the City DPW and Police Department proving the same assistance as the previous concert along with the following:

Needed from the city:    Closure of the 1<sup>st</sup> block of Webster Street, as well as the Renaissance Bridge, beginning at 5 PM on show date.

NO PARKING signs put up on show days for the block

Ayes: Zadzilka, Braun, Schwandt, Rizzo (4)

Nays: None (0)

CARRIED



Thank you for your consideration on this matter, please forward any questions to legislature Richard L. Andres, Jr. or Alderwoman Donna Braun.

Sincerely,  
Richard L. Andres Jr.  
Legislator – 8<sup>th</sup> District

Donna L. Braun  
2<sup>nd</sup> Ward Alderwoman

**MOVED** by Alderman Schwandt                      **SECONDED** by Alderman Zadzilka  
That the Common Council grants permission to have Flix in the Park Movie Event August 1<sup>st</sup>, August 21<sup>st</sup> and September 19, 2015 and also directs the Department of Public Works, the Police Department and Recreation Department to provide the following accommodations for the events:

**August 1<sup>st</sup>**                      **Location – Gratwick Fire Hall**

- Assistance from Auxiliary Police
- Extra Event Garbage Totes

**August 21<sup>st</sup>**                      **Location – Pinewoods Park**

- Auxiliary Police to patrol the park during the event
- 10 Special Event Garbage Totes or equivalent
- Barricades at both entrances to the park
- Use of both pavilions at Pinewoods Park from 5 – 11 PM
- Use of bathrooms at the park until 10:30PM (approx.)

**September 19<sup>th</sup>**                      **Location – Sweeney Hose Company #7**

- Assistance from Auxiliary Police
- Extra Event Garbage Totes

<b>Ayes: Zadzilka, Schwandt, Rizzo</b>	<b>(3)</b>
<b>Nays: None</b>	<b>(0)</b>
<b>Abstained: Braun</b>	<b>(1)</b>
<b>CARRIED</b>	

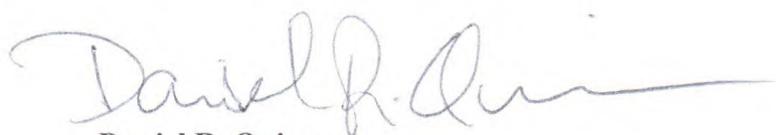
**AUDIENCE PARTICIPATION** – None

**ADJOURNMENT**

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

**Time of Adjournment: 5:11 P.M.**

Respectfully submitted,



**Daniel R. Quinn**  
City Clerk-Treasurer