

TO: Honorable Mayor & Common Council
President Rizzo
Aldermen Zadzilka, Braun, Schwandt, Pecoraro

FROM: Daniel R. Quinn, City Clerk-Treasurer

RE: Agenda for regular session TUESDAY, OCTOBER 4, 2016 6:30PM

AUDIENCE PARTICIPATION – Agenda items only, not to exceed 90 minutes with each speaker limited to a five-minute maximum.

PROOF OF PUBLICATION PUBLISHED 7/30, 8/20, & 9/24 2016

- 1) Legal Notice – (Niagara Gazette) Notice of Foreclosure of Tax Liens by the City of North Tonawanda by Auction In Rem – City Clerk-Treasurer

COMMUNICATIONS FROM CITY OFFICIALS

- II.1 Attorney - Re: Proposed Various Amendments to North Tonawanda City Code:
Chapter 25 - Building Permits
Chapter 48 - Grading and Storm Water Management
Chapter 81 - Streets – Article IV and Article V
Chapter 103 – Zoning
- II.2 Attorney - Re: Water Code Changes
- III. Clerk-Treasurer - Re: Designation of the *North Tonawanda Extra* as an official newspaper for the City of North Tonawanda
- IV. Engineer - Re: Project 2013-03 Erie Canal Kayak Launches Project Approval of Change Order and Final Payment

- VII. Accountant - Re: Payment of the Abstract of Claims Dated October 4, 2016.
- X. Police Chief - Re: Reappointment of Larry W. Kuebler as a Commissioner of Deeds for North Tonawanda
- XIV. Parks & Recreation - Re: Permission to apply for Greenway money to fund a new band shell at Raymond Klimek Park
- XVII. Traffic Safety - Re: Various Traffic Safety Recommendations

COMMUNICATIONS FROM OTHERS

- A.
Sweeney Hose Company - Re: Permission to waive permit fees for building remodeling
- B.
Tonawanda's Veterans Council - Re: Permission to close the Renaissance Bridge for the annual Veterans Day Observance, Friday November 11, 2016
- C.
Mark Zellner - Re: Request for a leave of absence from his position as Motor Equipment Operator
- D.
Rescue Fire Company - Re: Removal of Ryan Scott Moeller and Andrew Dybdahl from the Fire Rolls

Respectfully submitted,



Daniel R. Quinn
City Clerk-Treasurer

STATE OF NEW YORK
NIAGARA COUNTY, } SS, _____

RECEIVED
CITY CLERK'S OFFICE
2016 SEP 29 AM 11: 34
NORTH TONAWANDA, N.Y.

Janet M. Slipko, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Clerk of

NIAGARA GAZETTE

A newspaper published in the County and State aforesaid, and that the annexed printed legal # 179778 was printed and published in said paper on the following dates:

07/30/2016 08/20/2016 09/24/2016

Janet M. Slipko
Principal Clerk

Subscribed and sworn to before me this
9-26-16

Allyson A. Millette (Sriedman)

Allyson A. Millette 05/14/2019

Notary Public Expiration Date

ALLYSON A. MILLETTE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01MI6165762
Qualified in Niagara County
My Commission Expires May 14, 2019

RECEIVED
CITY CLERK'S OFFICE
2016 SEP 29 AM 10: 12
NORTH TONAWANDA, N.Y.

City of North Tonawanda

OFFICE OF THE CITY ATTORNEY
CITY HALL
216 PAYNE AVENUE
NORTH TONAWANDA, N.Y. 14120-5489

KATHERINE D. ALEXANDER
CITY ATTORNEY

LUKE A. BROWN
ASSISTANT CITY ATTORNEY

11.1
OCT 04 2016

TELEPHONE
(716) 695-8590
FAX (716) 695-8592

September 29, 2016

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

RE: Proposed Various Amendments to North Tonawanda City Code:
Chapter 25 – Building Permits
Chapter 48 – Grading and Storm Water Management
Chapter 81 – Streets – Article IV and Article V
Chapter 103 - Zoning

Dear Honorable Body:

Attached, for your consideration, are several proposed amendments to the North Tonawanda City Code, as suggested by the City Engineer, the Superintendent of Public Works and the Building Inspector. The various changes/additions are indicated in bold print.

Should your Honorable Body concur, please pass a resolution to amend the North Tonawanda City Code, as attached: Chapter 25-Building Permits; Chapter 48 - Grading and Storm Water Management; Chapter 81 - Streets - 12 – Articles IV and V; and Chapter 103 – Zoning, subject to any further review by the City Attorney. Should you have any questions, please do not hesitate to contact me.

Very truly yours,

Katherine D. Alexander
City Attorney

KDA/lk
Atts.

RECEIVED
CITY CLERK'S OFFICE
2016 SEP 29 PM 12:33
NORTH TONAWANDA, N.Y.

Chapter 25: Building Permits

§ 25-1 Issuance; application.

A.

All building permits shall be issued by the Building Inspector or the Acting Building Inspector **pursuant to and in accordance with §1203.3 of the New York State Uniform Fire Prevention and Building Code for any and all work described in that section including, but not limited to, §1203.3(b) and any concrete or blacktop flat work.**

Chapter 48: Grading and Storm Water Management

§ 48-3 Submittal of plan.

A. (1)

The applicant shall pay to the City Clerk a fee of **\$120** at the time the application is submitted, to cover the cost of reviews and inspections required by this article.

Chapter 81: Streets

Article IV: Road Cut Fees, Sidewalk Replacement and Terrace Restoration

§ 81-10 Fees.

A.

An application for street opening as provided for in § 81-1 shall be accompanied by a fee, to be deposited by the applicant with the City Treasurer in the following sums:

(1)

One hundred fifty dollars for any pavement cut.

(2)

Two dollars and fifty cents per square foot for any sidewalk cut.

(3)

One hundred dollars **per foot** per curb section for any curb cut.

§ 81-12 Pavement and sidewalk restoration and maintenance.

The Permittee shall be responsible for the restoration or replacement of all pavement and sidewalk surfaces to the satisfaction of the Superintendent of Public Works. Such restoration must be completed within ten (10) days of the completion of the permitted work.

Chapter 81: Streets

Article V: Curb Openings for Driveways

§ 81-16 Permit requirements; fee and conditions.

One curb cut shall be allowed per residential parcel. Such curb cut shall be made by means of saw cut only. It shall be the duty of every person, firm or corporation constructing a driveway from a premises to a street to cut the curb in front of such premises so as to permit proper ingress and egress by means of the driveway. No person, firm or corporation shall remove, lower or otherwise alter a street curbing for the purpose of installing a driveway entrance on any of the streets or alleys within the City of North Tonawanda, New York, without written permission first being obtained from and registration with the **City Engineer**. All such work done by the permittee shall conform to the latest construction standards and inspection requirements promulgated by the Department of Engineering as specified in the permit for curb openings for driveways. All persons are hereby forbidden from placing any temporary or permanent obstruction in the gutters of any street or alley for the purpose of passing over uncut curblines or for any other purpose.

§ 81-17 Penalties for offenses.

Any person, firm or corporation violating any of the provisions of this ordinance shall be responsible for the replacement of the defective work and/or be subject to a fine not to exceed \$100 for each offense.

Chapter 103: Zoning

§ 103-14 Off-street parking.

B(1)(f) Driveway Design:

- (1) No driveway shall be placed or constructed that exceeds in width one-third (1/3) of the total frontage of the parcel on which it is constructed or placed, but in no event shall the width exceed twenty (20) feet.
- (2) No driveway shall be placed or constructed as to exceed the opening width of the parcel's garage door by more than two (2) feet, but in no event shall the width of said driveway exceed twenty (20) feet.
- (3) No driveway apron shall be so placed or constructed as to exceed the width of the parcel's driveway by more than (3) feet, unless said apron is replacing an existing apron in kind. No apron shall be so placed or constructed so as to cross any projected property line.
- (4) The widening of any existing driveway or driveway apron requires review and issuance of a grading permit by the City Engineer subject to the provisions of Chapter 48 of The Code.
- (5) Must comply with all city of North Tonawanda flat work codes and regulation including, but not limited to, §§ 25, 48 and 81.

(3) The placement or construction of any required parking lots in any C or M District pursuant to this chapter shall be subject to approval and the issuance of a grading permit by the City Engineer subject to the provisions of Chapter 48 of The Code.

C Any person, firm or corporation violating any of the provisions of this ordinance shall be subject to a fine not to exceed \$100 for each offense.

§ 103-15 Supplemental Regulations

C. Area and yards

4 (d). Have the aggregate ground area for all accessory **structures, paved or concrete areas exceed 30%** of the required rear yard in any R District or 40% of any required rear yard in any C District or **M District**.

City of North Tonawanda

OFFICE OF THE CITY ATTORNEY
CITY HALL
216 PAYNE AVENUE
NORTH TONAWANDA, N.Y. 14120-5489

KATHERINE D. ALEXANDER
CITY ATTORNEY

LUKE A. BROWN
ASSISTANT CITY ATTORNEY

11.2
OCT 04 2016

TELEPHONE
(716) 695-8590
FAX (716) 695-8592

September 29, 2016

Hon. Mayor and Common Council
216 Payne Avenue
North Tonawanda, NY 14120

Re: Water Code Changes

Dear Honorable Body:

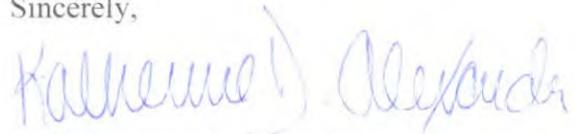
My office was contacted by the Water Department regarding an update to the Water Code (Article 98) for a number of changes and/or clarifications to be made. Those requested changes are attached to this correspondence.

A change was made to Section 98-2 (I) and 98-6 (B) to correspond with what the current protocol is with the Water Department. Section 98-6 (A) was changed to add in testing requirements for a new meter size. Finally, to clarify the procedure for violations of this Chapter, after a violation notice is sent by the Water Department, the Building Department will thereafter be responsible for enforcing compliance.

Should you have any questions, please do not hesitate to contact me.

RECEIVED
CITY CLERK'S OFFICE
2016 SEP 29 PM 12:41
NORTH TONAWANDA N.Y.

Sincerely,



Katherine D. Alexander, Esq.
City Attorney

§ 98-2. Conditions of service.

- I. At any premises, water ~~may~~ **must** be turned off or on by a plumber licensed in North Tonawanda who has obtained the proper permit ~~or~~, In the case of emergency, ~~by~~ a representative of the Water Department may turn off the water.

§ 98-6. Testing of meters. [

- A. All City-owned meters are tested for accuracy of registration at flow rates and test flow quantities in accordance with the AWWA Standard C705 before installation. To ensure reliable meter measurements, all privately owned meters must be tested periodically and must comply with AWWA Standard C705. A test certificate must be filed with the Water Department. The City may require the following frequency of testing:

Meter Size (inches)	Years Between Tests
3/4	8
1	6
1 1/4	5
1 1/2	4
2	4
3	3
4	2
6	1

- B. A **city** meter may be tested at the request of a property owner without charge, if the test reveals that the meter is not within the limits of accuracy according to the standards of the American Water Works Association. For service, a fee of \$55 will be charged if the **city** meter is found to be within the limits of accuracy. The property owner shall be billed for meter testing within the first water bill rendered after the date of such test.

§ 98-14. Penalties for offenses.

Any person, firm or corporation violating any provisions of this chapter, to include tampering with the meter, shall be fined not less than \$250 nor more than \$1,000 for each offense. **The Building Inspector and Code Enforcement Officer shall be responsible for enforcing compliance with this chapter.**

City of North Tonawanda

DANIEL R. QUINN
City Clerk-Treasurer
danquinn@northtonawanda.org

Lori Swartz
Assistant City Clerk

Denise Proefrock
Assistant City Treasurer

OFFICE OF THE CITY CLERK - TREASURER
VITAL STATISTICS
CITY HALL
216 PAYNE AVENUE
NORTH TONAWANDA, N.Y. 14120

111
OCT 04 2016

Treasurer's Office: (716) 695-8575
Clerk's Office: (716) 695-8555
Fax: (716) 695-8557

September 23, 2016

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

Dear Honorable Mayor and Common Council:

Due to the fact that the *North Tonawanda Extra* is now in circulation and being delivered to North Tonawanda residents, I respectfully request that your Honorable Body designate the *North Tonawanda Extra*, as an official newspaper of the City of North Tonawanda.

The above mentioned publication will be used for a variety of legal notices during the course of the year. The designation of this newspaper allows for a fair and balanced use for publication of said notices based on the best price quoted for the City of North Tonawanda.

If your Honorable Body should concur, I respectfully request that you vote in the affirmative for this official designation.

Sincerely,



Daniel R. Quinn
City Clerk-Treasurer



City of North Tonawanda
Department of Engineering
City Hall, 216 Payne Avenue
North Tonawanda, NY 14120-5493
www.northtonawanda.org


Dale W. Marshall, P. E.
City Engineer
Phone: (716) 695-8565
Fax: (716) 695-8568

September 29, 2016

OCT 04 2016

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

Re: Project 2013-03 Erie Canal Kayak Launches Project
Approval of Change Order and Final Payment

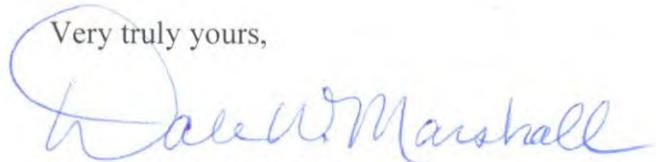
Dear Honorable Body:

The following additional work and credits were required in order to complete the kayak launch project:

• Upgrade from Gator Dock to EZ Dock system	\$2,700
• Raise two abutments 12 inches	\$2,950
• Regrade and raise path to meet raised abutment	\$1,000
• Credits for reduced asphalt work at Niagara Street	(\$4,600)
• Credit for asphalt at Botanical Gardens	(\$1,200)
• Additional rock and channel work at Gateway	<u>\$2,500</u>
Total Change Order	\$3,350

Accordingly, I respectfully request that the Common Council approve final payment and the change order in the amount of \$3,350 for the Erie Canal Kayak Launches Project contract with NFP and Sons, Inc., 7311 Ward Road North Tonawanda, NY 14120, increasing the contract amount from \$103,500 to the final contract amount of \$106,850; authorizing the Mayor to sign said change order; subject to review by the City Attorney.

Very truly yours,



Dale W. Marshall, P.E.
City Engineer

DWM:dwm

Cc: file
Katherine Alexander, City Attorney
Bradley Rowles, Superintendent Public Works
Mike Zimmerman, Director of Community Development



City of North Tonawanda

DEPARTMENT OF ACCOUNTING
CITY HALL
216 PAYNE AVENUE
NORTH TONAWANDA, NEW YORK 14120-5477

XII.

OCT 04 2016

MARK W. DOTTERWEICH
CITY ACCOUNTANT

AMANDA L. REIMER
STAFF ACCOUNTANT

TELEPHONE
(716) 695-8545

FAX
(716) 695-8573

September 29, 2016

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 **October 4, 2016**, and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Very truly yours,

Mark W. Dotterweich

City Accountant

MWD



Department of Police

CITY OF NORTH TONAWANDA
216 Payne Avenue
North Tonawanda, N.Y. 14120-5491

X.

OCT 04 2016

TELEPHONE
(716) 692-4111
FACSIMILE
(716) 692-4321
EMERGENCY NO.
9-1-1

Office of the Chief of Police

September 29, 2016

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

Dear Honorable Body;

Would you please reappoint Larry W. Kuebler, 367 Daniel Dr., North Tonawanda, NY 14120, as Commissioner of Deeds for the City of North Tonawanda beginning October 22, 2016 and ending October 21, 2018.

William R. Hall
Chief of Police

RECEIVED
CITY CLERK'S OFFICE
2016 SEP 29 PM 2:40
NORTH TONAWANDA N.Y.

CITY OF NORTH TONAWANDA

DEPARTMENT OF YOUTH, RECREATION, AND PARKS
500 Wheatfield St.
North Tonawanda, New York 14120

716-695-8520 FAX: 716-695-8533 Seniors: 716-695-8582

PATRICIA A. BROSILIUS
Director of Youth, Recreation, & Parks

XIV
OCT 04 2016

September 22, 2016

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

Dear Honorable Body:

The Department of Youth, Recreation and Parks along with Michael Zimmerman, Community Development Director, would like permission to apply for Greenway money of up to \$125,000 for 2017. This application would be necessary to pursue funding for a new band shell to be located in Raymond Klimek Veterans Park. This project would include construction of a new facility with storage space, as well as some site improvements in the park like new landscaping around the band shell.

The band shell would house the Easy Listening Summer Concerts where over 1000 visitors annually come and enjoy the park. The Department of Youth, Recreation and Parks would also be able to expand programming to include fitness classes, special events for the Seabees and Marines as well as hosting various cultural events.

At this time, I am requesting that this Honorable body authorize the City and Community Development to submit an application for this project.

Respectfully submitted,



Patricia A. Brosilius
Director of Youth, Recreation & Parks

Cc: M. Zimmerman

OCT 04 2016

September 20, 2016

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

RECEIVED
CITY CLERK'S OFFICE
2016 SEP 20 PM 2: 24
NORTH TONAWANDA NY

Traffic Safety Minutes:

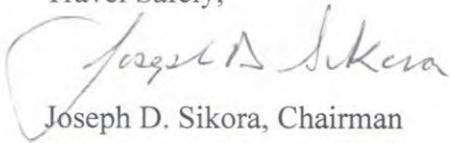
The September meeting of the North Tonawanda Traffic Safety Committee was called to order at 1900 hours. Roll call showed the following members present: R. Frank, M. Daigler, M. Anastasi, a. DiBernardo, E. Smolinski, and J. Sikora. The minutes from the previous meeting were read and accepted, the following new requests/concerns discussed, and recommendations made.

1. Member Daigler reported on remediation work being conducted on intersections along River Road.
2. Member Frank reported on traffic concerns in the area of the City Market. Daigler will contact the Market Clerk.
3. Member Frank reported a parking complaint in the area of East Felton and Winter has been monitored through routine patrol and no problems found.
4. A request to place a "no trucks over 5 ton" sign at both ends of the Meadow Drive extension was discussed. All members present are in favor of placing the signs.
5. A concerned citizen had questions on the North Tonawanda evacuation route. Member Daigler will report on this at the October meeting.
6. A letter received concerning removal of stop signs was discussed. Member Daigler will make contact and discuss the concerns of the resident.
7. A letter from Patricia Burngasser on implementing parking time limits was discussed and no action recommended.
8. A request to place a handicap parking sign on First Avenue was discussed. The Committee does not recommend placing handicap parking signs on Streets.
9. A request to place handicap parking spots in the area of the baseball fields on Steven Sikora was received and discussed. Member Daigler will look into placement and report at the October meeting.
10. Member Daigler spoke with resident Dan Skop, 128 9th Avenue, on area truck traffic. NTPD Patrol has been monitoring the area.
11. Member Sikora spoke with Richard Zylka, 411 Wheatfield Street, on his concerns with speeding on Wheatfield Street. This was discussed by the Committee and will be monitored through enforcement by the NTPD Traffic Division.

12. A Thank You letter from Kevin O'Conner, 1064 Remington Drive, for work done by the Committee was received and filed.
13. The Committee is scheduled to speak with the Common Council at the workshop meeting on September 27, 2016.

Meeting Adjourned at 2030 hours.

Travel Safely,

A handwritten signature in cursive script that reads "Joseph D. Sikora". The signature is written in black ink and is positioned above the printed name.

Joseph D. Sikora, Chairman

CFO-A

OCT 04 2016



Sweeney Hose Company, Inc. No. 7

100 YEARS OF DEDICATION AND SERVICE 1894-1994

P.O. BOX 30 • 499 ZIMMERMAN STREET • 716-694-0777 • NORTH TONAWANDA, NEW YORK 14120-0030

Honorable Mayor Arthur G. Pappas, Mayor
And Common Council
City Hall -216 Payne Ave
North Tonawanda, NY 14120

Dear Honorable Body,

Sweeney Hose Volunteer Fire Company is in the process of expanding our building. We would like to request that all permit fees be waived. That would include building permit, electrical permit, plumbing permit and any other permits or fees that we may be subject to pay for.

As you are aware, we are a non-profit organization and the money we would save from the permit fees will go towards the cost of the project.

I appreciate your time and consideration.

Sincerely,

Joseph Lavey, Jr.
President
Sweeney Hose Co#7 Inc.
PO Box 30
North Tonawanda, NY 14120
716-984-4262

RECEIVED
CITY CLERK'S OFFICE
2016 SEP - 7 AM 9:56
NORTH TONAWANDA N.Y.

Tonawanda's United Veterans Council

September 19, 2016

Mayor Arthur Papas

North Tonawanda Common Council,

The annual Veterans Day Observance is scheduled for Friday November 11, 2016. Our service is at 11:00am on the Renaissance Bridge, we would request that the bridge on the North Tonawanda side be closed to traffic at 10:30 am and reopen at 11:30am. This same request was also made to the Tonawanda Common Council. We would also like to invite all city officials to the service. Thank you for your consideration on this matter.

In Service to America,

Paul Pietrowski

President

Tonawanda's United Veterans Council

RECEIVED
CITY CLERK'S OFFICE
2016 SEP 20 PM 1:49
NORTH TONAWANDA NY

RECEIVED
SEP 20 2016
BY: _____

MEMO

CITY OF NORTH TONAWANDA, NEW YORK
DEPARTMENT OF PUBLIC WORKS



CFO-C

OCT 04 2016

TO— Mayor Art Pappas

DATE — September 26, 2016

FROM— Mark Zellner
Assistant Superintendent of Public Works

RE.— Request For Leave of Absence
Motor Equipment Operator

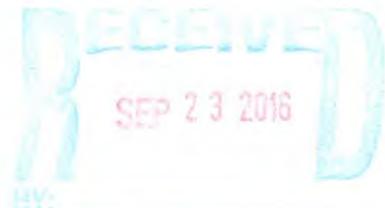
Thank you for your recent appointment of Assistant Superintendent of Public Works to myself. At this time I would like to request a leave of absence from my position as Motor Equipment Operator until my current position becomes permanent.

Mark Zellner
Assistant Superintendent Public Works

MZ/slc

cc: B. Rowles, Supt.

CITY CLERK'S OFFICE
RECEIVED
2016 SEP 23 PM 3:27
NORTH TONAWANDA N.Y.





CFO-D

OCT 04 2016

RESCUE FIRE COMPANY #5

September 27, 2016

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

RE: Rescue Fire Company Inc.

Dear Mr. Quinn:

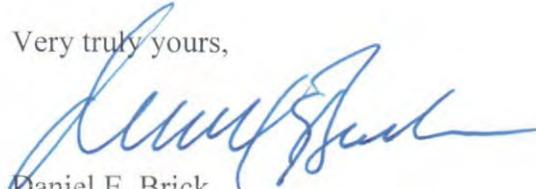
Please be advised that at a regularly scheduled meeting of Rescue Fire Company Inc. the following members resigned in good standing:

Ryan Scott Moeller
Andrew Dybdahl

Please remove them from the rolls of the City of North Tonawanda.

Thank you.

Very truly yours,


Daniel E. Brick
Recording Secretary

DEB:dm

RECEIVED
CITY CLERK'S OFFICE
2016 SEP 29 AM 11:32
NORTH TONAWANDA, NY