

**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, JUNE 7, 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 MAY 20, 2016

- 1) Legal Notice – Fiscal Affairs for the City of North Tonawanda for year ending December 31, 2015 – City Accountant

PROOF OF PUBLICATION PUBLISHED MAY 21 & 23, 2016

- 1) Legal Notice – Bid proposals for Installation of Storm Sewer Pipe on Christiana Street between Vandervoort Street and Payne Avenue – Engineering Department

COMMUNICATIONS FROM CITY OFFICIALS

- | | | |
|-----------------------------|---|---|
| I. Mayor | - | Re: Appointment of Mary Kate Fonzi to the Environmental Committee. |
| II.1 Attorney | - | Re: Proposed Amendment to City Code Chapter 12 – AMUSEMENT CENTERS AND GAMES |
| II.2 Attorney | - | Re: Proposed Agreement between City of North Tonawanda and Canal Fest of the Tonawandas, Inc. for Canal Fest 2016. |
| II.3 Attorney | - | Re: Calgon Carbon Road Request |
| III. Clerk-Treasurer | - | Re: Night Parking Restrictions (§96-9), Parking Violation Fines (1200-d,c,b V&T, and 96-9 City Ord.) |

- IV. Engineer - Re: The Durkee Memorial Bridge Project
PIN 5757.27 Supplemental Agreement
No.4

- V.1 Supt. Water / Wastewater - Re: Appointment of Anthony G. Cevaer to the
position of Wastewater Treatment Plant
Laboratory Technician.

- V.2 Supt. Water / Wastewater - Re: Renewal of Agreement with Enerscope

- VII.1 Accountant - Re: Payment of the Abstract of Claims Dated
June 7, 2016.

- VII.2 Accountant - Re: Authorizing the refund of a 2006 Serial
Bond.

- VII.3 Accountant - Re: Completion of the City Audit for year
ending December 31, 2015.

- VII.4 Accountant - Re: Budgetary Transfer- To purchase mobile
radios for the Auxiliary Vehicles.

- IX. Supt. Public Works - Re: Appointment of Sally Czaja and Kathleen
Gannon as Commissioner of Deeds.

- XVII.1 Traffic Safety - Re: Amending the Parking Sign Time Change
at Sweeney Street and Vandervoort Street

- XVII.2 Traffic Safety - Re: Various Traffic Safety Recommendations

- XXV. Monthly Reports
- .1 Police Department .2 Clerk-Treasurer .3 Senior Citizen Center

- XXXII.1 Community Development- Re: Fair Housing Plan

XXXII.2 Community Development-

Re: Compliance with Americans with Disabilities Act

COMMUNICATIONS FROM OTHERS

- A.**
Mark Lemke - **Re: Permission to hold a block party Saturday June 4, 2016 on Chipman Place.**
- B.**
St. Mark's Episcopal Church - **Re: Permission to hold their "St. Mark's, get set, go! 5K" race on Saturday, October 15, 2016.**
- C.**
Jason Pfaff - **Re: Permission to hold a fundraiser event, The Full Throttle Festival, October 1, 2016.**
- D.**
Linda Proch, Robert Schimschack III, Matthew Piwtorak, Melissa Davignon, Diana Moskalenko, Alina Vorobey and Antoinette Galyen - **Re: Requesting to be appointed as a Commissioner of Deeds for the City of North Tonawanda.**
- E.**
Canal Fest of the Tonawandas - **Re: Permission to hold the 34th Annual Canal Fest Sunday July 17 – Sunday July 22, 2016.**

Respectfully submitted,



Daniel R. Quinn
City Clerk-Treasurer

STATE OF NEW YORK
NIAGARA COUNTY, } SS, _____

RECEIVED
CITY CLERK'S OFFICE
2016 MAY 23 AM 10:25
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 # 175909 was printed and published in said paper on the following dates:

05/20/2016

Janet M. Slipko
Principal Clerk

Subscribed and sworn to before me this
5-20-16

Allyson A. Millette
Allyson A Millette 05/14/2019

Notary Public Expiration Date

ALLYSON A. MILLETTE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01M16165762
Qualified in Niagara County
My Commission Expires May 14, 2019

LEGAL NOTICE
CITY OF NORTH TONAWANDA, NEW YORK
Notice is hereby given that the fiscal affairs of the City of North Tonawanda, N.Y. for the year ended December 31, 2015 have been audited by Amato, Fox & Company, PC, Certified Public Accountants. A copy of the reports entitled Basic Financial Statements and Single Audit with Independent Auditor's Reports for the Year Ended December 31, 2015 has been filed in my office, where they are available as a public record for inspection by all interested persons. Pursuant to Section 35 of General Municipal Law, the North Tonawanda Common Council may, in its discretion, prepare a written response to these audits not later than October 1, 2016, and file any such response in my office as a public record for inspection by all interested persons.

Daniel R. Quinn
City Clerk-Treasurer

Mark W. Dotterweich
City Accountant
5/20/2016

#N175909

STATE OF NEW YORK
NIAGARA COUNTY, } SS, _____

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 # 175927 was printed and published in said paper on the following dates:

05/21/2016 05/23/2016

Janet M. Slipko
Principal Clerk

Subscribed and sworn to before me this

5-23-16

Allyson A. Millette
Allyson A Millette 05/14/2019

Notary Public Expiration Date

ALLYSON A. MILLETTE
NOTARY PUBLIC-STATE OF NEW YORK

No. 01M16166762

Qualified in Niagara County

My Commission Expires May 14, 2019

LEGAL NOTICE
CITY OF NORTH TONAWANDA, NEW YORK
ENGINEERING DEPARTMENT

NOTICE TO BIDDERS

SEALED PROPOSALS for the installation of approximately 615 feet of new 12 inch storm sewer pipe, 351 feet of new 15 inch storm sewer pipe and 52 feet of new 18 inch storm sewer pipe on Christiana Street between Vandervoort Street and Payne Avenue, as indicated on the drawings and specifications herein, will be received by the City Clerk of the City of North Tonawanda, New York, until 11:00 a.m., Prevailing Time, Tuesday, June 14, 2016, at which time they will be publicly opened.

A copy of the Contract Documents is on file and is available for inspection during the usual business hours at the office of the City Engineer in the City Hall, Payne Avenue, North Tonawanda, New York.

Copies of the Contract Documents required for review or bidding purposes may be obtained at the City Engineer's office, City Hall, 216 Payne Avenue, North Tonawanda, New York, upon deposit of \$50.00 (2 - \$25.00 checks made payable to the City Treasurer of North Tonawanda) for each set of documents so obtained. The full amount of the deposit for one set of documents, and one-half of the deposit for any additional sets of documents will be refunded to each bidder who submits a formal proposal to the City, and who also returns the documents in good condition to the office of the City Engineer within thirty (30) days after his bid security has been returned to him. Equipment manufacturers, contractors, subcontractors and others who do not submit formal proposals to the City, will be refunded one-half the amount of the deposit for all sets of complete documents returned in good condition to the office of the City Engineer within thirty (30) days after the opening of bids. No refund will be made for documents received after this thirty - (30) day period.

Each proposal must be accompanied by cash, a certified check payable to the City of North Tonawanda, or bid bond, having as surety thereon a surety company acceptable to the City Attorney, in an amount not less than five percent (5%) of the amount of the base bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute any such further security as may be required for the

NORTH TONAWANDA N.Y.

2016 MAY 25 AM 9:36

RECEIVED
CITY CLERK'S OFFICE

JUN 07 2016

Office of the Mayor

ARTHUR G. PAPPAS

June 1, 2016

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

RE: Environmental Committee

Dear Honorable Body:

Please be advised that I am appointing Mary Kate Fonzi, 609 Christiana Street, North Tonawanda, NY 14120, to the Environmental Committee, effective immediately, for a term that will expire on December 31, 2017.

Sincerely,



Arthur G. Pappas
Mayor

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
JUN 07 2016

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

May 26, 2016

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

RE: Proposed Amendment to North Tonawanda City Code
Chapter 12 – AMUSEMENT CENTERS AND GAMES

Dear Honorable Body:

Attached, for your consideration, is a proposed amendment to the North Tonawanda City Code, Chapter 12, AMUSEMENT CENTERS AND GAMES – Article I, §12-1 and §12-2. The changes/additions are underlined.

Should your Honorable Body concur, please pass a resolution to amend the North Tonawanda City Code, Chapter 12 – AMUSEMENT CENTERS AND GAMES, Article I, §12-1 and §12-2, as indicated, 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
Att.

RECEIVED
CITY CLERK'S OFFICE
2016 MAY 26 PM 12:31
NORTH TONAWANDA N.Y.

Article I: Amusement Centers

§ 12-1 Definitions.

As used in this article, the following terms shall have the meanings indicated:

AMUSEMENT CENTER

Any premises, place or enclosure which is open to the public, containing five or more amusement games.

AMUSEMENT GAME

Any mechanical, electric or electronic device used or designed to be operated for entertainment, amusement or as a game by the insertion of a piece of coin, money, token or other article. This definition is not intended to include a jukebox, musical device or any machine, contrivance or device which dispenses tobacco or would be commonly known as a "vending machine."

AMUSEMENT GAME DISTRIBUTOR

Any person who owns, places, distributes or locates an amusement game in the City of North Tonawanda.

OWNER

A record owner, contract purchaser, lessee, assignee, bailee, receiver or trustee.

PERSON

One or more individuals, a corporation, partnership, association, trust or firm and any trustee, receiver or assignee.

SIMULATOR

Any amusement game that is self-contained using a motion picture simulation, along with a mechanical movement, to simulate activities that provide amusement or excitement for the patron.

§ 12-2 Amusement center license.

- A. License requirement. No person shall maintain or operate an amusement center within the City of North Tonawanda without having in full force and effect an amusement center license issued by the City Clerk. Said license shall be prominently displayed on the premises at all times.
- B. Application for license. Any person desiring to operate an amusement center shall file an application with the City Clerk, which shall contain the following information:
 - (1) Name, address and telephone number of the applicant.
 - (2) The address of the premises to be used as an amusement center.

- (3) If the applicant is an individual, the age, date and place of birth of the applicant and, if the applicant is a partnership, firm, association or other business entity, the same information shall be supplied for each stockholder, officer and director of the corporation or of the partners, members or principals of such business entity or other organization.
- (4) The name, home address and home telephone number of the manager or other authorized agent of the applicant who shall be principally in charge of or conduct the business of the applicant on the designated premises.
- (5) The prior criminal conviction record of the applicant, other than convictions for minor traffic infractions. Said information shall be supplied for each partner, stockholder, officer, director or principal of the business entity or organization.
- (6) Proof of liability insurance of at least \$1,000,000 per occurrence naming the City of North Tonawanda as an additional insured.**
- (7) Proof of compliance with the New York State Department of Labor amusement ride inspection to be performed in compliance with the rules and procedures promulgated by the New York State Department of Labor.**

C. Approval or disapproval of application.

- (1) The City Clerk shall promptly forward a copy of the application to the Building Inspector and to the Chief of Police for investigation, review and report. The Building Inspector and Chief of Police shall promptly review all information contained in the application and recommend approval or disapproval of the application. If the application is approved, the City Clerk shall issue the permit upon payment of the fee as hereinafter provided.
- (2) The application for a permit may be disapproved for any of the following reasons:
 - (a) Conviction of a crime involving moral turpitude.
 - (b) False statements contained in the application.
 - (c) The operation of the proposed amusement center would not be in accordance with the appropriate provisions of the Zoning Ordinances of the City of North Tonawanda.[1]
 - (d) The location of such machines upon the premises constitutes a safety or fire hazard under the applicable provisions of the City of North Tonawanda Ordinances.
 - (e) The premises do not comply with the appropriate Building, Electrical and Plumbing Codes of the City of North Tonawanda.[2]
 - (f) The premises are located within 500 feet of a lot line of any public or private school, church or other place of religious worship.
 - (g) Inadequate liability insurance limits.**

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
JUN 07 2016

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

June 1, 2016

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

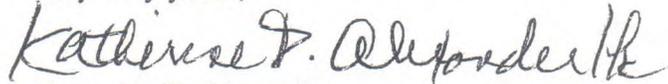
RE: Proposed Agreement between City of North Tonawanda and
Canal Fest of the Tonawandas, Inc. for Canal Fest 2016

Dear Honorable Body:

Attached, for your review, is a proposed Agreement between the City of North Tonawanda and the Canal Fest of the Tonawandas, Inc. to facilitate Canal Fest 2016, which is to be held July 17, 2016 through July 24, 2016.

Should your Honorable Body need more information, please pass a resolution to allow the Mayor to execute the Agreement between the City of North Tonawanda and Canal Fest of the Tonawandas, Inc. to facilitate Canal Fest 2016, subject to any further review by the City Attorney.

Very truly yours,



Katherine D. Alexander
City Attorney

KDA/lk
Att.

cc: Daniel R. Quinn, City Clerk-Treasurer

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

11.3
JUN 07 2016

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

June 2, 2016

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

Re: Calgon Carbon Road Request

Dear Honorable Body:

The City was recently approached by Calgon Carbon regarding the property they are leasing at 476 Niagara Parkway. The Company is looking for permission from the City to pave a portion of the terrace on the Eastern side of Niagara Parkway, adjacent to the First Student Bus Company property, as well as the south-western corner of the intersection of Niagara Parkway and Wheatfield Street. The City tax map provides a road measurement of 66 feet, however the current paved section is much smaller. Providing this permission should alleviate many of the resident's concerns over truck ruts on the western side of Niagara Parkway. All work in this area would be performed by Calgon Carbon at no expense to the City

Should your Honorable Body agree, the City Attorney's Office will provide a contract with proper insurance and indemnification requirements to the company for their signature. Please let us know should you have any questions.

Very truly yours,



Luke A. Brown, Esq.

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.
JUN 07 2016

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

May 19, 2016

RECEIVED
CITY CLERK'S OFFICE
2016 MAY 20 AM 10:48
NORTH TONAWANDA N.Y.

Honorable Mayor Arthur G. Pappas
North Tonawanda Common Council
216 Payne Avenue
North Tonawanda NY 14120

Re: Night Parking Restrictions (§96-9), Parking Violation Fines (1200-d, c, b V&T, and 96-9 City Ord.)

Dear Honorable Body:

I am requesting the Council approve a change to the Night Parking Restrictions §96-9 which reads:

No automobile or other motor vehicle shall be parked or allowed to stand in and upon any of the streets, highways or public places of this City for more than 15 minutes continuously between the hours of 3:00 a.m. and 6:00 a.m. beginning November 1 of each year and ending April 15 of the next succeeding year.

I am requesting that the Council changes the dates of the Night Parking Restrictions from November 1 of each year to April 1 of the next succeeding year.

I am also requesting the Council approve an increase in the fines for 4 of the Parking Regulation Violations. The Violations are:

- | | |
|---|--------------------|
| 1. Parking over time limit (1200-d V&T) | \$15.00 to \$20.00 |
| 2. Restricted Zones (1200-c V&T) | \$15.00 to \$20.00 |
| 3. No Standing Zones (1200-b V&T) | \$15.00 to \$20.00 |
| 4. Parked more than 15 min. between
3 a.m. and 6 a.m. between Nov. 1 and
Apr. 1 (§96-9 City Ord.) | \$15.00 to \$20.00 |

Best Regards;



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

June 3, 2016

JUN 07 2016

Arthur G. Pappas, Mayor and Common Council Members
City Hall North Tonawanda
216 Payne Avenue
North Tonawanda, New York

**Re: Frederick B. Durkee Memorial Bridge Project
PIN 5757.27
Supplemental Agreement No. 4
Comptroller's Contract No. D030105**

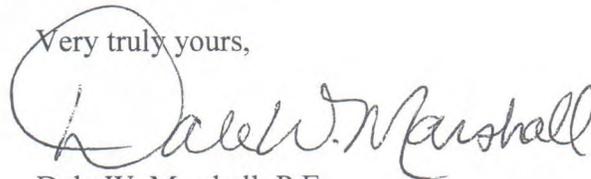
Honorable Body:

The New York State Department of Transportation has agreed to provide an additional \$30,000 in Federal Aid for the Frederick B. Durkee Memorial Bridge Rehabilitation Project. The City will need to provide the attached resolution and enclosed agreement with the New York State Department of Transportation that indicates the City's continued commitment to participate in the administration and funding of the construction of the project.

Accordingly, please approve the attached resolution, authorizing the Mayor to sign the enclosed Marchiselli Aid Supplemental Agreement No. 4 with the State of New York Department of Transportation that commits the City's previously appropriated \$615,000 in funds, which approximates the current Non-Federal share of the costs of the Frederick B. Durkee Memorial Bridge Rehabilitation Project, subject to review by the City Attorney.

If you have any questions, please do not hesitate to call me at 695-8565.

Very truly yours,



Dale W. Marshall, P.E.
City Engineer

DWM:dwm

Cc: file, w/encls
Katharine Alexander, City Attorney, w/encls
Bradley Rowles, Superintendent of Public Works

V.I

CITY OF NORTH TONAWANDA WATER WORKS

830 RIVER ROAD

NORTH TONAWANDA, NEW YORK 14120

PHONE: (716) 695 - 8560

FAX: (716) 695 - 8563

JUN 07 2016



William M. Davignon
Superintendent

May 24, 2016

RECEIVED
CITY CLERK'S OFFICE
2016 MAY 24 AM 11:23
NORTH TONAWANDA N.Y.

Honorable Mayor and Common Council,

The CSEA Union recently posted for the position of *Wastewater Treatment Plant Laboratory Technician*. No CSEA Union members applied for this position. There is no current Niagara County Civil Service exam list for this position. The Niagara County Civil Service Department has informed me that they anticipate the next exam for this position will be given sometime within the next 18 - 24 months.

Due to a lack of certified civil service list for this position I had to advertise in the Buffalo News and Niagara Gazette for open applications with a deadline of 3/31/16. We received 16 applications with none of them being North Tonawanda residents.

Sanitary Chemist Mike Gibbons, Sr. Lab Technician Mike Lehman and I conducted 4 interviews. After careful and thorough review of the applicants, I would like to hire **Anthony G. Cevaer** of 6530 Heather Dr., Lockport, NY 14094 to fill this position.

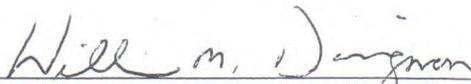
Mr. Cevaer has already passed his required pre-employment physical, drug test and police background check. He will be appointed "*Permanent Contingent*" pending the results of the upcoming exam and certification of the Civil Service list.

Due to Mr. Cevaer not living in the City as per our residency requirement, I would like to request that he be granted a residency "waiver" for 6 months to allow him time to move into North Tonawanda. Therefore, I respectfully ask that his residency "waiver" be approved by the Common Council at their next available meeting.

Mr. Cevaer has requested that he be allowed to give his former employer proper notice before he starts his new employment with the City of North Tonawanda. Therefore, he will start work on Friday, June 17, 2016.

Thank you for your time and consideration of my request. Please contact me if you need any further information or have any questions regarding this matter.

Sincerely yours,


William M. Davignon, Superintendent

CITY OF NORTH TONAWANDA WATER WORKS
WASTEWATER DIVISION
830 RIVER ROAD
NORTH TONAWANDA, NEW YORK 14120
PHONE: (716) 695 - 8560
FAX: (716) 695 - 8563

Y.2

JUN 07 2016

William M. Davignon
Superintendent



Don Alesse
Chief Operator

Kelley J. Williams
Maintenance Supervisor

Michael W. Gibbons
Lab Director / Chemist

June 2, 2016

Hon. Mayor and Common Council
216 Payne Ave. – City Hall
North Tonawanda, NY 14120

Re: Renewal of Agreement with Enerscope

Dear Honorable Body:

Our annual agreement with Enerscope will expire as of June 30, 2016. Enerscope provides consulting services for the procurement of Natural Gas for the Wastewater & Water Treatment Plants.

The renewal fee will be \$3,600.00 (\$300.00 per month) inclusive for the Wastewater account. Continued inclusion of the Water Filtration Plant account for this contract will be an additional \$600.00 (\$50.00 per month). In addition, the annual fee for bidding for the 2016 – 2017 fiscal year will be \$690.00. Total annual contract cost will be \$4,890.00.

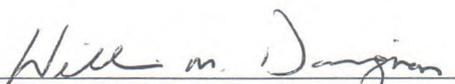
We have used Enerscope for several years and have realized significant savings in our Natural Gas costs. For example, we saved \$26,300 for the year starting Sept. 2014 and ending Aug. 2015.

I would like to retain their services for the next year with the City Attorney's and your approval.

Thank you in advance for your time and consideration of my request.

NORTH TONAWANDA, N.Y.
2016 JUN - 2 AM 11: 08
RECEIVED
CITY CLERK'S OFFICE

Sincerely,


William M. Davignon, Superintendent



City of North Tonawanda

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

X11.1

JUN 07 2016

MARK W. DOTTERWEICH
CITY ACCOUNTANT

AMANDA L. REIMER
STAFF ACCOUNTANT

TELEPHONE
(716) 695-8545

FAX
(716) 695-8573

June 2, 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 **June 7, 2016**, and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Very truly yours,

NORTH TONAWANDA, N.Y. Dotterweich

Accountant
2016 JUN - 2 PM 12:17

RECEIVED
CITY CLERK'S OFFICE

MWD



City of North Tonawanda

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

VII.2

JUN 07 2016

MARK W. DOTTERWEICH
CITY ACCOUNTANT

AMANDA L. REIMER
STAFF ACCOUNTANT

TELEPHONE
(716) 695-8545

FAX
(716) 695-8573

May 20, 2016

RECEIVED
CITY CLERK'S OFFICE
2016 MAY 23 PM 2:09
NORTH TONAWANDA, N.Y.

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

Dear Honorable Body:

Please find a serial bond resolution in the aggregate amount of \$1,865,000, from our Bond Counsel, Harris Beach LLP. The resolution authorizes the issuance of refunding bonds in the principal amount not to exceed \$1,865,000 for the purpose of refunding the outstanding principal amount of the City's Various Purpose (Serial) Bonds, 2006, dated July 15, 2006, maturing in the years 2017 and thereafter, which bonds were issued in the aggregate principal amount of \$5,276,000 refinancing the City's 2006 Serial Bonds.

The refunding of the 2006 Serial Bonds is projected to save the City \$112,000 over the remaining 11 years of the 2006 Serial Bond issue.

Accordingly, please have this resolution adopted by at least a two-thirds vote of the body and have it published in the official newspaper of the City, together with the legal notice of estoppel.

Very truly yours,

Mark W. Dotterweich

Mark W. Dotterweich
City Accountant

At a regular meeting of the Common Council of the City of North Tonawanda, Niagara County, New York, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:00 p.m. on June 7, 2016.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____, who moved its adoption, seconded by _____, to-wit:

REFUNDING BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE "CITY") AUTHORIZING THE ISSUANCE OF REFUNDING BONDS OF THE CITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,865,000 PURSUANT TO THE LOCAL FINANCE LAW, AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY

WHEREAS, the City of North Tonawanda, Niagara County, New York (the "City") heretofore issued its Various Purpose (Serial) Bonds, 2006, dated July 15, 2006 in the original aggregate principal amount of \$5,276,000 (the "Series 2006 Bonds"), pursuant to bond resolutions adopted by the Common Council of the City on November 6, 2005 and March 15, 2006 for the specific objects or purposes identified in Exhibit A-1 attached hereto, which bonds have an outstanding principal amount of \$1,950,000, and mature in the following respective years and principal amounts: \$275,000 in the year 2016, \$275,000 in the year 2017, \$275,000 in the year 2018, \$225,000 in the year 2019, \$200,000 in the year 2020, \$200,000 in the year 2021, \$100,000 in the year 2022, \$100,000 in the year 2023, \$100,000 in the year 2024, \$100,000 in the year 2025, and \$100,000 in the year 2026 (the "Prior Bonds"); and

WHEREAS, the City has the power and authority to issue refunding bonds of the City for the purpose of refunding and thereby refinancing the outstanding Prior Bonds, including provision for incidental costs of issuance in connection therewith, pursuant to the provisions of Section 90.10 of the Local Finance Law; and

WHEREAS, in order for the City to realize the potential for substantial long-term debt service savings with respect to the Prior Bonds, the Common Council of the City has determined, acting in consultation with the financial advisory and bond counsel firms retained by the City, that it is advisable and prudent for the City to consider the refunding of all or a portion of the outstanding Prior Bonds maturing in the years 2017 and thereafter (the "Refunded Bonds"); and

WHEREAS, the City has received a draft refunding financial plan (the “Refunding Financial Plan”), a copy of which is attached hereto as Exhibit B, from Capital Markets Advisors, LLC, the financial advisory firm retained by the City, with respect to a proposed refunding of the Refunded Bonds, which refunding would result in present value savings in debt service as required by Section 90.10 of the Local Finance Law; and

WHEREAS, Section 90.10 of the Local Finance Law requires that the City adopt a refunding bond resolution which includes a refunding financial plan setting forth all of the details in connection with the proposed refunding transaction.

NOW, THEREFORE, BE IT RESOLVED, THAT THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (BY THE FAVORABLE VOTE OF NOT LESS THAN TWO-THIRDS (2/3’S) OF ALL THE MEMBERS OF THE COMMON COUNCIL) AS FOLLOWS:

SECTION 1. Based on the recommendation of Capital Markets Advisors, LLC, the financial advisory firm retained by the City, the Common Council hereby determines to undertake a refunding of the Refunded Bonds, through the issuance of refunding bonds of the City, such refunding bonds to be offered and sold either at a public sale or, at the determination of the City Treasurer, in a negotiated sale with an underwriter selected by the City Treasurer, in accordance with the authority granted in Section 15 hereof.

SECTION 2. For the object or purpose of refunding the \$1,675,000 aggregate outstanding principal balance of the Refunded Bonds, including providing moneys which together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (a) the principal amount of the Refunded Bonds, (b) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date or dates on which the Refunded Bonds are to be called for redemption prior to their respective maturities in accordance with the refunding financial plan, (c) the redemption premiums, if any, payable on the Refunded Bonds which are to be called for redemption prior to their respective maturities, (d) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including without limitation the development of the refunding financial plan, compensation to the underwriter, costs and expenses of executing and performing the terms and conditions of the Escrow Contract (as defined in Section 7 of this resolution), and fees and charges of the Escrow Holder (as defined in Section 7 of this resolution), financial advisory fees, printing fees and legal fees and (e) the premium or premiums for any policy or policies of municipal bond insurance or other form of credit enhancement facility or facilities for the refunding bonds as herein authorized, or any portion thereof, there are hereby authorized to be issued the “Public Improvement Refunding (Serial) Bonds” of the City in an aggregate principal amount not to exceed \$1,865,000 pursuant to the provisions of Section 90.10 of the Local Finance Law (the “Refunding Bonds”), it being currently anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$1,775,000 as described in Section 6 hereof. The Refunding Bonds shall be dated as of such date as shall hereinafter be determined by the City Treasurer pursuant to Section 6 hereof, and shall be of the denomination of \$5,000 or any integral multiple thereof not exceeding the principal amount of each respective maturity. The Refunding Bonds shall mature annually and shall bear interest payable semi-annually on

such dates as shall be determined by the City Treasurer pursuant to Section 6 hereof, at the rate or rates of interest per annum as may be necessary to sell the same, all as shall be determined by the City Treasurer. Notwithstanding anything in this resolution to the contrary, the Refunded Bonds shall only be issued by the City if the refunding of the Refunding Bonds will result in present value savings as determined in accordance with the methodology set forth in Section 90.10(b)(2) of the Local Finance Law.

SECTION 3. The City Treasurer, as the chief fiscal officer, is hereby delegated all powers of the Common Council with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

SECTION 4. The Refunding Bonds shall be executed in the name of the City by the manual or facsimile signature of the City Treasurer, and a facsimile of its corporate seal shall be imprinted thereon and attested by the City Clerk. The Refunding Bonds shall contain the recital required by Section 90.10(j)(4) of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals as the City Treasurer shall determine.

SECTION 5. It is hereby determined that:

(a) The maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by Section 90.10(b)(1) of the Local Finance Law;

(b) The maximum period or periods of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for each of the objects or purposes for which the Refunded Bonds were issued is as shown in Exhibits A-1 attached hereto.

(c) In accordance with Section 90.10(c)(1) of the Local Finance Law, the last installment of the Refunding Bonds or each separate series of Refunding Bonds will mature not later than the expiration of the remaining period of probable usefulness for each object or purpose for which the Refunded Bonds were issued, or the weighted average remaining period of probable usefulness of the objects or purposes (or classes of objects or purposes) financed with the Refunded Bonds, in each case computed from the date of issuance of the Refunded Bonds, or from the date of issuance of the first bond anticipation note issued in anticipation thereof, whichever is earlier.

(d) The estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of Section 90.10(c)(1) of the Local Finance Law, is as shown in the Refunding financial plan described in Section 6 hereof.

SECTION 6. The financial plan for the refunding authorized by this resolution, showing the sources and amounts of all moneys required to accomplish such refunding, and the estimated

present value of the total debt service savings computed in accordance with the requirements of Section 90.10(b)(2)(a) of the Local Finance Law are set forth in Exhibit B attached hereto and made a part of this resolution. The final refunding financial plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the principal amount of \$1,775,000 and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in Exhibit B. This Common Council recognizes that the amount of the Refunding Bonds, and the maturities, terms, and interest rate and rates borne by the Refunding Bonds will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit B. The City Treasurer is hereby authorized and directed to determine the actual amount of the Refunding Bonds to be issued (not in excess of the maximum principal amount authorized by Section 2 of this resolution), the maturities and amount of the Refunded Bonds to be refunded, the details as to the redemption of the Refunded Bonds, including the date and amount of such redemption or redemptions in accordance with Section 12 hereof and authorizing and directing the Escrow Holder described in Section 7 hereof to cause notice of such redemption or redemptions to be given in the name of the City, the dated date of the Refunding Bonds, and the date of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds shall provide for substantially level or declining debt service as authorized by Section 21.00 of the Local Finance Law, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities pursuant to Section 168.00 of the Local Finance Law, the amount of the annual installments of the Refunding Bonds to be paid pursuant to Section 90.10(c)(3) of the Local Finance Law, whether the Refunding Bonds shall be sold at a discount in the manner authorized by Section 57.00(e) of the Local Finance Law, and the rate or rates of interest to be borne thereby, and to prepare, or cause to be provided, a final refunding financial plan (the "Final Refunding Financial Plan") for the Refunding Bonds, and, pursuant to Sections 50.00 and 56.00 of the Local Finance Law, all powers in connection therewith are hereby delegated to the City Treasurer; provided that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The City Treasurer shall file with the City Clerk not later than the date of issuance of the Refunding Bonds, as herein provided, (a) a certificate determining the details of the Refunding Bonds and the Final Refunding Financial Plan and (b) the Certificate of the State Comptroller approving a certificate of the City Treasurer setting forth the present value of the total debt service savings, as required by Section 90.10(g) of the Local Finance Law.

SECTION 7. The City Treasurer is hereby authorized and directed to enter into an escrow contract (the "Escrow Contract") with a bank or trust company located and authorized to do business in this State as the City Treasurer shall designate (the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunded Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

SECTION 8. The faith and credit of said City are hereby irrevocably pledged for the payment of the principal of and interest on the Refunding Bonds herein authorized as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the City, a tax sufficient,

after taking into consideration the amount of building aid to be received by the City from the State of New York for debt service on the Refunding Bonds, to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 9.

(a) All of the proceeds from the sale of the Refunding Bonds, including the premium, if any (the "Proceeds of the Refunding Bonds"), shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. From the Proceeds of the Refunding Bonds, the portion thereof as is necessary to pay the outstanding principal amount of the Refunded Bonds, the aggregate amount of unmaturing interest on the Refunded Bonds to and including the respective maturity dates or redemption dates thereof as set forth in the Final Refunding Financial Plan prepared by, or caused to be prepared by, the City Treasurer in accordance with Section 6 of this resolution, and the redemption premiums, if any, payable on the Refunded Bonds on such redemption dates (such amount being hereinafter referred to as the "Escrow Deposit Amount"), shall be deposited in the escrow deposit fund to be established pursuant to the Escrow Contract, and either held in cash or invested in direct obligations of the United States of America or in obligations, the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations shall mature or be subject to redemption at the option of the holder thereof not later than the respective dates such moneys will be required to make payments in accordance with the Final Refunding Financial Plan. Amounts held on deposit in the Escrow Fund, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of, interest on, and redemption price of the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such monies held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the Escrow Fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims or any kind in tort, contract or otherwise against the City irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledge and liens, need be filed or recorded.

(b) After depositing the Escrow Deposit Amount into the Escrow Fund, in accordance with paragraph (a) above, the remaining balance, if any, of the Proceeds of the Refunding Bonds not so deposited shall immediately upon receipt thereof, be placed in escrow with the Escrow Holder for the Refunded Bonds and deposited in the expense fund to be established under the Escrow Contract by the Escrow Holder to pay, to the City Treasurer, as chief fiscal officer, or as the City Treasurer may direct and applied to pay (i) accrued interest on the Refunding Bonds from the dated date thereof to the date of issuance thereof, and (ii) costs of issuance or other administrative costs incurred in connection with the issuance of the Refunding Bonds.

SECTION 10. The City Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Refunding Bonds, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, if applicable, to designate the Refunding Bonds authorized by this resolution as "qualified tax-exempt bonds" in accordance with Section 265 of the Code.

SECTION 11. The Common Council hereby determines that issuance of the Refunding Bonds is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") is required.

SECTION 12. In accordance with the provisions of Section 53.00 and of paragraph (h) of Section 90.10 of the Local Finance Law, the Common Council of the City hereby elects to call in and redeem the Refunded Bonds on October 1, 2016, or such later date or dates as may be hereinafter determined by the City Treasurer and provided for in the Final Refunding Financial Plan (each a "Redemption Date"). The sum to be paid therefor on such Redemption Date shall be the par value of the Refunded Bonds being redeemed on such date plus the redemption premium, if any, and the accrued interest thereon to such Redemption Date. The Escrow Holder is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the City in the manner and within the times provided in the Refunded Bonds being redeemed or in the certificates or documentation of the City pursuant to which they were issued. Upon the issuance of the Refunding Bonds or a series thereof, the election to call in and redeem the applicable Refunded Bonds that are subject to redemption at the option of the City and the direction to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of Section 53.00(a) of the Local Finance Law, or any successor law thereto.

SECTION 13. In connection with the issuance of the Refunding Bonds, the City Treasurer is further authorized to enter into a continuing disclosure undertaking on behalf of the City, containing provisions in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 14. In the absence or unavailability of the City Treasurer, the Deputy Treasurer then in office is hereby specifically authorized to exercise the powers delegated to the City Treasurer in this resolution.

SECTION 15. Subject to compliance with the provisions of Section 90.10(f)(2) of the Local Finance Law, the Refunding Bonds shall be sold at either a public sale or a private sale, as determined by the City Treasurer to be in the best financial interest of the City. If the Refunding Bonds are to be sold at a private sale, the City Treasurer is hereby authorized to negotiate the terms of such private sale with such underwriter or underwriters as may be selected by the City Treasurer, consistent with the Refunding Financial Plan approved in Section 6 hereof. Subject to the approval of the terms and conditions of such sale by the State Comptroller as required by Section 90.10(f)(2) of the Local Finance Law, the City Treasurer is hereby authorized to execute

and deliver a bond purchase agreement for the Refunding Bonds in the name and on behalf of the City providing the terms and conditions for the sale and delivery of the Refunding Bonds. If the Refunding Bonds are to be sold at a public sale, the City Treasurer is authorized to conduct such public sale in accordance with the provisions of the Local Finance Law and all other applicable statutes and regulations, and to make all final decisions with respect to or arising out of such public sale. After the Refunding Bonds have been duly executed, they shall be delivered by the City Treasurer to the purchaser of such Refunding Bonds in accordance with the terms of such private or public sale, as applicable, upon the receipt by the City of the applicable purchase price, including any premium or accrued interest.

SECTION 16. The City Treasurer and the City Clerk and all other officers, employees and agents of the City are hereby authorized and directed for and on behalf of the City to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

SECTION 17. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the City Treasurer and all powers in connection therewith are hereby delegated to the City Treasurer.

SECTION 18. The validity of the Refunding Bonds may be contested only if:

- (a) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

- (c) Such obligations are authorized in violation of the provisions of the Constitution.

SECTION 19. Upon this resolution taking effect, the City Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, together with a notice in substantially the form set forth in Section 81.00 of the Local Finance Law in the official newspaper of the City for legal notices.

SECTION 20. This resolution shall take effect immediately upon its adoption.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

The foregoing resolution was thereupon declared duly adopted.

Exhibit A-1
Summary of the Prior Bonds

Various Purpose (Serial) Bonds, 2006

Dated Date: July 15, 2006
 Original Principal Amount: \$5,276,000
 Outstanding Principal Amount: \$1,950,000¹
 Principal Amount to be Refunded: \$1,675,000
 Interest Payment Dates: April 1st and October 1st

Maturity Schedule of the Series 2006 Refunded Bonds

<u>Date (October 1st)</u>	<u>Principal Amount</u>	<u>Date (October 1st)</u>	<u>Principal Amount</u>
2017	\$275,000	2022	\$100,000
2018	275,000	2023	100,000
2019	225,000	2024	100,000
2020	200,000	2025	100,000
2021	200,000	2026	100,000

Period of Probable Usefulness

*(determined as of the date of issuance of
 the Series 2006 Bonds or the first bond anticipation
 note issued in anticipation thereof)*

Objects or Purposes

- | | |
|---|--|
| (i) acquiring various Department of Public Works equipment; | 15 years - subdivision 28. of paragraph (a) of §11.00 of Local Finance Law (the "Law") |
| (ii) upgrades to Archer Street Pump Station; | 40 years - subdivision 1. of paragraph (a) of §11.00 of the Law |
| (iii) replacement of sand filters at waste water treatment plant; | 30 years - subdivision 4. of paragraph (a) of §11.00 of the Law |
| (iv) acquiring various DPW equipment; | 15 years - subdivision 28. of paragraph (a) of §11.00 of the Law |
| (v) rehabilitation of sanitation sewer mains along Old Falls Boulevard; | 40 years - subdivision 4. of paragraph (a) of §11.00 of the Law |
| (vi) upgrades and improvements to the City's water distribution system; and | 40 years - subdivision 1. of paragraph (a) of §11.00 of the Law |
| (vii) improvements to Wastewater Treatment Plant located at 830 River Road. | 40 years - subdivision 4. of paragraph (a) of §11.00 of the Law |

¹ The Prior Bonds maturing on October 1, 2016 in the principal amount of \$275,000 are not being refunded by the Refunding Bonds.

Exhibit B
Refunding Financial Plan

[attached]

STATE OF NEW YORK) ss.
COUNTY OF NIAGARA)

I, Daniel R. Quinn, City Clerk of the City of North Tonawanda, Niagara County, New York, DO HEREBY CERTIFY:

I am the duly qualified and acting City Clerk of the City of North Tonawanda, Niagara County, New York (the "City") and the custodian of the records of the City, including the minutes of the proceedings of the Common Council, and am duly authorized to execute this certificate.

Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Common Council held on June 7, 2016 and entitled:

REFUNDING BOND RESOLUTION OF THE COMMON COUNCIL OF CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE "CITY") AUTHORIZING THE ISSUANCE OF REFUNDING BONDS OF THE CITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,865,000 PURSUANT TO THE LOCAL FINANCE LAW, AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY

That said meeting was duly convened and held and that said resolution was duly adopted in all respects in accordance with the law and regulations of the City. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (2/3's of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under the law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including the publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand as of the 7th day of June, 2016.

Daniel R. Quinn, County Clerk

[SEAL]

ESTOPPEL NOTICE

The resolution, a summary of which is published herewith, has been adopted on the 7th day of June, 2016, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of North Tonawanda, Niagara County, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

Daniel R. Quinn, City Clerk
City of North Tonawanda

SUMMARY OF REFUNDING BOND RESOLUTION

Set forth below is a summary of said resolution adopted by the Common Council of the City of North Tonawanda, Niagara County, New York, on June 7, 2016.

1. The resolution is entitled “REFUNDING BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE “CITY”) AUTHORIZING THE ISSUANCE OF REFUNDING BONDS OF THE CITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,865,000 PURSUANT TO THE LOCAL FINANCE LAW, AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY”.

2. The resolution authorizes the issuance of refunding bonds in the principal amount not to exceed \$1,865,000 for the purpose of refunding the outstanding principal amount of the City’s Various Purpose (Serial) Bonds, 2006, dated July 15, 2006, maturing in the years 2017 and thereafter, which bonds were issued in the aggregate principal amount of \$5,276,000 (the “Refunded Bonds”) for the specific objects or purposes identified below.

3. The Refunded Bonds were issued for the following objects or purposes and for the following periods of probable usefulness, respectively: (i) acquiring various Department of Public Works equipment; (ii) upgrades to Archer Street Pump Station, and the period of probable usefulness for such object or purpose was 40 years; (iii) replacement of sand filters at the waste water treatment plant, and the period of probable usefulness for such object or purpose was 30 years; (iv) acquiring various DPW equipment, and the period of probable usefulness for such object or purpose was 15 years; (v) rehabilitation of sanitation sewer mains along Old Falls Boulevard, and the period of probable usefulness for such object or purpose was 40 years; (vi) upgrades and improvements to the City’s water distribution system, and the period of probable usefulness for such object or purpose was 40 years; and (vii) improvements to Wastewater Treatment Plant located at 830 River Road, and the period of probable usefulness for such object or purpose was 40 years.

The resolution summarized herein, including the refunding financial analysis attached thereto, shall be available for public inspection during normal business hours at the office of the City of North Tonawanda City Clerk, 216 Payne Avenue, North Tonawanda, NY 14120.



City of North Tonawanda

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

XII.3

JUN 07 2016

MARK W. DOTTERWEICH
CITY ACCOUNTANT
markdot@northtonawanda.org

TELEPHONE
(716) 695-8545

FAX
(716) 695-8573

AMANDA L. REIMER
STAFF ACCOUNTANT
amandarei@northtonawanda.org

May 19, 2016

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

Dear Honorable Body:

In accordance with General Municipal Law, as amended by Chapter 376 of the Laws of 1988, I have attached a copy of the City of North Tonawanda Single Audit with Independent Auditor's Report, Communication with Those Charged with Governance, and Management Letter, for the fiscal year ended December 31, 2015. The City Clerk-Treasurer has published a legal notice in the newspaper stating that these reports are available to the public.

The auditor's opinion is that the General Purpose Financial Statements present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and aggregate remaining fund information of the City of North Tonawanda as of December 31, 2015, and the respective changes in financial position thereof, and the respective budgetary comparison for the General Fund for the year ended in conformity with accounting principles generally accepted in the United States of America.

Copies of the audits will be mailed to the appropriate Federal and State Agencies.

If you have any questions on these documents, please feel free to contact me.

Very truly yours,

Mark W. Dotterweich
NORTH TONAWANDA N.Y.

Mark W. Dotterweich
City Accountant

2016 MAY 19 AM 10:32

RECEIVED
CITY CLERK'S OFFICE

Attachments

Amato, Fox & Company, PC

Certified Public Accountants

Amato
Fox

May 11, 2016

Mr. Mark W. Dotterweich,
City Accountant
City of North Tonawanda
City Hall
216 Payne Avenue
North Tonawanda, NY 14120

Dear Mark:

**Re: Audited Financial Statements
Year Ended December 31, 2015**

Enclosed are the following financial statements relating to the City of North Tonawanda, New York for the year ended December 31, 2015:

20 copies	-	Single Audit with Independent Auditor's Report
20 copies	-	Management Letter
20 copies	-	Communication with Those Charged with Governance

Within ten (10) days of your receiving these reports, you should distribute them as follows:

	<u>Single Audit</u>	<u>Management Letter</u>	<u>Communication with Those Charged with Governance</u>
City Clerk	7	7	7
City Treasurer	1	1	1
State Comptroller's Office	1	1	1
U.S. Department of Housing and Urban Development - Buffalo	1	1	1
Additional copies for distribution and/or your files	10	10	10
	<u>20</u>	<u>20</u>	<u>20</u>

36 Niagara Street
Tonawanda, New York 14150
Phone: 716.694.0336
Fax: 716.694.5081
email: info@amatofox.com

811.4



City of North Tonawanda

DEPARTMENT OF ACCOUNTING
CITY HALL

216 PAYNE AVENUE
NORTH TONAWANDA, NEW YORK 14120-5477

TELEPHONE
(716) 695-8545

FAX
(716) 695-8573

JUN 07 2016

MARK W. DOTTERWEICH
CITY ACCOUNTANT
markdot@northtonawanda.org

AMANDA L. REIMER
STAFF ACCOUNTANT
amandare@northtonawanda.org

June 2, 2016

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 2016 appropriations, based on the request of the Department Head, copy attached:

Control Number	Dollar Amount	From: Appropriation Account	Into: Appropriation Account
3	6,501.00	1-1990.410 Contingent Account	1-3120.410 Police Administration Account

Very truly yours,

Mark W. Dotterweich
City Accountant

MWD
Attachment

Budgetary Transfer Request Form

Department: Police Dept

Date: March 1, 2016

Dollar Amount	Appropriation Accounts and Documentation	
\$6,501	From Appropriation Account 1.1990.0410 Account Number	Contingent Account Description 1.3120.410 Police Admin Account Description
Explanation: See attached.		
Please Check One (V)		
V		
Common Council Action	No Common Council Action	
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <i>CHIEF W. R. ORR</i> Department Head Signature </div>		<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <i>6/2/16</i> Date </div>

Budgetary Transfer Policy

- 2.1.1 - Budgetary transfers can be initiated by a Department Head on his or her signature if all of the following criteria is met:
1. Transfer of appropriations is less than \$1000.00
 2. Transfer is between existing appropriation accounts within the Department's Budget
 3. Within the fiscal year, aggregate transfers, made in any one appropriation account do not exceed \$1000.00
- 2.2.1 - Budgetary transfers must be initiated by a Department Head through the Common Council if one of the following criteria is met:
1. Transfer of appropriations is over \$1000.00
 2. Transfer involves the establishment of a new appropriation account; or,
 3. Transfer is between Department's (not within one Department's own Budget)

For Accounting Department Use Only

Control #	Department of Accounting Audit	Common Council Meeting Date
3	W	6-7-16



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

Department of Police



TELEPHONE

(716) 692-4325

FACSIMILE

(716) 692-7555

William R. Hall
Chief of Police

June 2, 2016

To Honorable Common Council Members:

I am requesting money from the contingent fund in the amount of \$6,501.12 to purchase mobile radios for the new Auxiliary Vehicles.

When our department originally told the Sheriff's Department how many radios we needed the Auxiliary Police were left out. The Sheriff has however provided us with portable radios for them to use.

I have tried other avenues to obtain these radios, state grants, East Hill Foundation, etc with no success.

I feel as a safety concern these vehicles should have the mobile radios installed in them

Thank you for your time and consideration in this matter, if you need further information please feel free to contact me.

Respectfully yours,

William R. Hall
Chief of Police

cc: File



Quote Number: QU000356010
 Effective: 18 MAR 2016
 Effective To: 16 JUN 2016

Bill-To:

NORTH TONAWANDA POLICE DEPT
 216 PAYNE AVE
 NORTH TONAWANDA, NY 14120
 United States

Ultimate Destination:

NORTH TONAWANDA POLICE DEPT
 216 PAYNE AVE
 NORTH TONAWANDA, NY 14120
 United States

Attention:

Name: Todd Bush
 Email: tbush@ntpolice.com
 Phone: 716-692-4119

Sales Contact:

Name: Jennifer Saia MR
 Email: jenn.saia@saiacomm.com
 Phone: 7168922900

Contract Number: 21629 --- National Convenience
 Freight terms: FOB Destination
 Payment terms: Net 30 Due

Item	Quantity	Nomenclature	Description	List price	Your price	Extended Price
l	3	M36QSS9PW1AN	APX1500 UHF1	\$1,504.00	\$962.56	\$2,887.68
la	3	GA05100AA	ENH STD WARRANTY APPLIES-NO SFS	-	-	-
lb	3	W22BA	ADD PA1 M MICROPHONE	\$72.00	\$46.08	\$138.24
lc	3	GA01339AA	ENH SW P25 TRUNKING	\$1,070.00	\$684.80	\$2,054.40
ld	3	G66AW	ADD DASH MOUNT O2 WWM	\$125.00	\$80.00	\$210.00
le	3	GA00804AA	ADD APX O2 CONTROL HEAD (Grey)	\$492.00	\$314.88	\$944.64
lf	3	G444AH	ADD APX CONTROL HEAD SOFTWARE	-	-	-
lg	3	G431AC	ADD ANT WIDEBAND 380-470 MHZ MAXRA	\$58.00	\$37.12	\$111.36
lh	3	GA00235AA	ADD NO GPS ANTENNA NEEDED	-	-	-
li	3	B18CR	ADD AUXILIARY SPKR 7.5 WATT	\$60.00	\$38.10	\$115.20
lj	3	QA01648AA	ADD ADVANCED SYSTEM KEY - HARDWARE KEY	\$5.00	\$3.20	\$9.60

Total Quote in USD \$6,501.12

* This quote contains items with approved price exceptions applied against it

PRICING REFLECTS NIAGARA COUNTY SYSTEM LOADING DISCOUNT. APX1500 UNITS ARE NOT CAPABLE OF AES ENCRYPTION. PRICE DOES NOT INCLUDE PROGRAMMING & SET-UP.

PO Issued to Motorola Solutions Inc. must:

- >Be a valid Purchase Order (PO)/Contract/Notice to Proceed on Company Letterhead. Note: Purchase Requisitions cannot be accepted
- >Have a PO Number/Contract Number & Date
- >Identify "Motorola Solutions Inc." as the Vendor
- >Have Payment Terms or Contract Number
- >Be issued in the Legal Entity's Name
- >Include a Bill-To Address with a Contact Name and Phone Number
- >Include a Ship-To Address with a Contact Name and Phone Number
- >Include an Ultimate Address (only if different than the Ship-To)
- >Be Greater than or Equal to the Value of the Order

Department of Public Works
CITY OF NORTH TONAWANDA, NEW YORK

IX
JUN 07 2016

758 ERIE AVENUE
NORTH TONAWANDA, N. Y. 14120

PHONE: 695-8585
FAX: 695-8587

May 31, 2016

Honorable Mayor & Common Council
City Hall, 216 Payne Avenue
No. Tonawanda, NY 14120

Re: Commissioner of Deeds

Dear Honorable Body:

I would like to request the following Employees be appointed Commissioner of Deeds:

Sally L. Czaja
150 Jefferson Avenue
North Tonawanda, NY 14120

Kathleen M. Gannon
111 Spencer Street
North Tonawanda, NY 14120

Very truly yours,



Bradley A. Rowles
Superintendent of Public Works

BAR/slc

NORTH TONAWANDA N.Y.

2016 JUN - 1 PM 2:52

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CITY CLERK'S OFFICE

XVII.1

May 18, 2016

JUN 07 2016

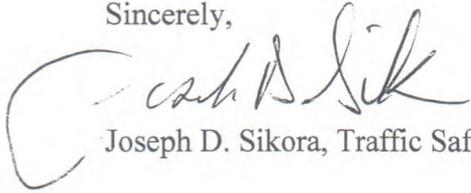
Attn: Daniel R. Quinn
City Clerk – Treasurer
216 Payne Avenue
North Tonawanda, NY 14120

RE: Parking Sign Time Change
Sweeney Street at Vandervoort Street

Dan:

The Traffic Safety Committee voted in favor of creating additional parking spaces, with a 1 hour time limit, on Sweeney Street at Vandervoort during its April meeting. Recently member Daigler received a request to have the time limit set at 2 hours. This change was discussed at the May meeting and the Committee is in favor of a two hour limit.

Sincerely,



Joseph D. Sikora, Traffic Safety Chairman

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CITY CLERK'S OFFICE
2016 MAY 18 PM 3 18
NORTH TONAWANDA N.Y.

XV.11.2

JUN 07 2016

May 17, 2016

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

Traffic Safety Minutes:

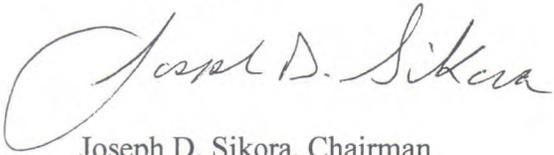
The May meeting of the North Tonawanda Traffic Safety Committee was called to order at 7 pm. Roll call showed all members present. The minutes from the previous meeting were read and accepted, the following new requests/concerns were discussed, and recommendations made.

1. Robert Liebeck approached members of the Committee in the downstairs hall and discussed terrace parking rules in the City of North Tonawanda. Mr. Liebeck was informed the Traffic Safety Committee does not make the terrace parking rules and cannot change them. He was advised to speak with the City Attorney and Common Council.
2. Member Vater reported on parking concerns in the area of 412 Oliver Street. He will give an additional report at the June meeting.
3. Member Smolinski made a motion with a second from Vater to form new parking spots along the North and South sides of Goundry Street between River road and Manhattan Street. The motion passed unanimously.
4. Member Smolinski reported there have been no problems with the changes made to the intersection of Payne Avenue and Schenck Street. He made a motion with a second from Vater to replace the flashing two way light with stop signs on Schenck Street. All members are in agreement.
5. A request from Mimi Robel, 101 Porter Avenue, to place children at play signs in her neighborhood was received. It is the Committees position that children at play signs are for playgrounds and schools not neighborhoods.
6. A letter from Lora Randles, 1169 Sweeney Street, concerning traffic on Sweeney Street was received. Side lines along Sweeney are scheduled for repainting once the painting season starts and should help with some of Ms.Randles concerns. Additionally placing delineator signs was discussed. Placement of children at play signs was not recommended for the same reason as stated in item number 5.
7. A letter from Kolleen Marshall was received and discussed. A couple of calls made from Member Vater to Mrs. Marshall have not been returned. The Committee will have the NTPD Traffic Officer watch the area and report on traffic as well as children in the area. The matter will be further discussed at the June meeting.

8. A terrace parking application, from Anthony Capozzi, 11281 Crego Road, Akron, for 207 Robinson Street, was received, and will be held for discussion at the October meeting.
9. The Committee will request attendance at a future Common Council Workshop to discuss parking on Oliver Street from Sweeney to Tremont Streets and bike paths in NT.

Meeting adjourned at 8:30 pm.

Travel Safely,

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

Joseph D. Sikora, Chairman



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

XXV.1

JUN 07 2016



Department of Police

William R. Hall
Chief of Police

TELEPHONE
(716) 692-4325
FACSIMILE
(716) 692-7555

May 13, 2016

Honorable Mayor Arthur G. Pappas and
Members of the City of North Tonawanda Common Council

Ladies and Gentlemen:

Please find attached the Summary of Police Activities Report, the Summary of Criminal Activities Report and the V&T Report for the month of April 2016.

Respectfully submitted,

William R. Hall
Chief of Police

- cc: Donna Braun
- cc: Robert Pecoraro
- cc: Philip Rizzo
- cc: Catherine Schwandt
- cc: Eric Zadilka

WRH/sd

NORTH TONAWANDA N.Y.

2016 MAY 13 AM 11:44

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NORTH TONAWANDA POLICE DEPARTMENT SUMMARY OF POLICE ACTIVITIES FOR THE MONTH OF APRIL 2016

CRIMINAL

Complaints received and investigated	154
Complaints cleared by arrest or exceptional clearance	66
Complaints ruled unfounded	2
Number of males arrested under 18: 1 over 18: 30	31
Number of females arrested under 18: 0 over 18: 4	4
Arrests for other authorities	2
Failure to Appear/Violation of Probation Warrant Arrests	29
Above complaints cleared by J.A.B.	10
Complaints cleared by J.A.B. from previous months	3

TRAFFIC

Traffic summonses issued	480
DWI arrests	8
Parking tags issued	43

MISCELLANEOUS

Miscellaneous service	2,199
Incident reports	159
Vehicle accidents	46
Vehicle accidents (fatal)	1
Vehicle stops	490
Police escorts	42
Prisoner meals	62
911 Emergency calls	0
Mug shots taken	30
Fingerprints taken	30
Persons missing and located	5
Automobiles stolen	2
Automobiles recovered	2
Automobiles recovered for other authorities	0
Record check fees	\$ 135.00
Photocopy fees	\$ 6.25
Fingerprint fees	\$ -
Fines collected	\$ 30,942.40
Value of property damaged	\$ 14,903.00
Value of property stolen	\$ 94,280.07
Value of property recovered	\$ 36,988.34

Respectfully submitted,



William R. Hall
Chief of Police

WRH/sd

NORTH TONAWANDA POLICE DEPARTMENT SUMMARY OF CRIMINAL ACTIVITIES FOR THE MONTH OF APRIL 2016

CRIMINAL FELONIES, MISDEMEANORS AND OFFENSES

<u>TYPE OF OFFENSE</u>	<u>COMPLAINTS</u>		
	Received	Cleared	Unfounded
AGG. ASSAULT	0	0	
ALL OTHER OFFENSES	6	6	
ARSON	0	0	
BURGLARY	8	0	
COERCION	0	0	
CRIMINAL MISCHIEF	29	0	1
CRIM POSS WEAPON	2	2	
DIS CON/HARASS	18	8	
DRUG OFFENSES	7	5	
EMBEZZLEMENT	0	0	
FAILURE TO APPEAR	29	29	
FORGERY	3	0	
FRAUD (ID THEFT)	5	0	
LARCENY	32	6	
LEAVING THE SCENE	8	1	
MURDER	0	0	
RAPE	0	0	
ROBBERY	3	1	
SEXUAL OFFENSES	1	1	
SIMPLE ASSAULT	0	0	
STOLEN PROPERTY	1	1	
UNAUTH USE M/V	2	1	1
VIOL OF PROBATION	0	0	
ARRESTS FOR OTHER AUTHORITIES		2	
ARRESTS/CLEAR COMPS. FM PREV MONTHS		3	
TOTALS	154	66	2
# OF ABOVE COMPLAINTS CLEARED BY JAB		10	
# CLEARED BY JAB FROM PREV MONTHS		3	

V & T REPORT FOR THE MONTH OF APRIL 2016

SPEEDING	168
REDLIGHT VIO.	19
STOP SIGN VIO.	36
NO REGISTRATION	9
NO LICENSE	11
FAULTY EQUIPMENT	41
NO INSPECTION	47
FAILED TO YIELD RIGHT OF WAY	2
SEAT BELT VIO.	22
NO INSURANCE	3
LICENSE PLATE VIO.	2
IMPROPER TURN	13
DROVE ON LEFT OF PAVEMENT MARKINGS	6
FAILED TO KEEP RIGHT	1
FAILURE TO SUBMIT TO PRE-SCREEN BREATH TEST	2
AVOIDING INTERSECTION OR TRAFFIC CONTROL DEVICE	3
FAILURE TO NOTIFY COMMISSIONER OF CHANGE OF ADDRESS	3
UNSAFE BACKING	1
MISCELLANEOUS	38
TOTAL	
	427

TRAFFICE MISD.

#OF COMPLAINTS/ARRESTS

DWI-----	8
OPERATING WHILE REG. SUSPENDED/REVOKED-----	2
AGGRAVATED UNLICENSED OPERATION 3 RD .-----	12
AGGRAVATED UNLICENSED OPERATION 2 ND .-----	6
RECKLESS DRIVING-----	2

FELONIES

None

FINES:

(CITY IMPOSED):

TRAFFIC:	\$ 27,112.40
PENAL LAW:	\$ 1,485.00
CITY ORDINANCE:	\$ 0.00
BAIL FORFEITURE:	\$ 0.00
PARKING TAGS:	\$ 2,345.00
TOTAL FINES	<u>\$ 30,942.40</u>

MUG SHOTS: 30

PARKING TAGS: 43

MEAL TICKETS: 62

XXV 2

JUN 07 2016

Account#	Account Description	Fee Description	Qty	Local Share
A1255	Minor Sales	Certified Copies - Marriage	14	140.00
		Sub-Total:		\$140.00
A1550	Minor Sales	Public Pound Fee	1	30.00
		Sub-Total:		\$30.00
A1603	Misc. Fees	Birth Certificates	54	540.00
		Death Certificates	93	930.00
		Deaths Recorded	16	0.00
		Free Birth Certificates	3	0.00
		Geneology Death	4	44.00
		Geneology Search	1	11.00
		Sub-Total:		\$1,525.00
A2110	Planning & Zoning Fees	Board of Appeals App.	5	220.00
		Planning - Rezoning	1	100.00
		Terrace Park. Permit	6	30.00
		Sub-Total:		\$350.00
A2501	Minor Sales	Solicitors Permit - Yearly	3	85.00
	Permit Fees	Food Truck	1	100.00
		Special Event	1	100.00
		Sub-Total:		\$285.00
A2505	Marriage License Fee	Marriage License Fee	17	297.50
		Sub-Total:		\$297.50
A2506	Conservation	Conservation	20	55.25
		Sub-Total:		\$55.25
A2540	Racing & Wagering Fees	Bingo Proceeds	14	160.78
		Sub-Total:		\$160.78
A2542	Dog Licensing	Exempt Dogs	3	0.00
		Female, Spayed	100	600.00
		Female, Unspayed	3	36.00
		Male, Neutered	107	642.00
		Male, Unneutered	12	144.00
		Replacement Tags	3	9.00
		Sub-Total:		\$1,431.00

NORTH TONAWANDA, N.Y.

2016 JUN - 1 AM 11:46

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Account#	Account Description	Fee Description	Qty	Local Share
Total Local Shares Remitted:				\$4,274.53
Amount paid to:	New York State Department of Health			382.50
Amount paid to:	NYS Ag. & Markets for spay/neuter program			252.00
Amount paid to:	NYS Environmental Conservation			944.75
Total State, County & Local Revenues:		\$5,853.78	Total Non-Local Revenues:	\$1,579.25

Pursuant to Section 27, Sub 1, of the City Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by the City Clerks Office, City of North Tonawanda, during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.


 City Clerk-Treasurer

6/1/16
 Date

XXV.3

CITY OF NORTH TONAWANDA
Senior Citizen Center
110 Goundry St.
North Tonawanda, New York 14120
716-695-8582

JUN 07 2016

June 2, 2016

The Honorable Mayor Arthur Pappas
And Common Council
216 Payne Avenue
North Tonawanda, New York 14120

Ladies and Gentlemen:

The following information is submitted for your perusal concerning participants in various programs offered at the Senior Citizen Center for the month of May 2016.

Senior Center's Total Monthly Attendance 1,244

Recreation Programs: Bingo, Card Party, General Membership Meetings, Club 99, club events, newsletter, games & pool room.

Unduplicated: 462 Duplicated: 143

Educational Programs: AARP Driving Course, Speakers series & Information/Referral

Unduplicated: 9 Duplicated: 16

Service Programs: Grocery Shopping, Food Pantry, Nutrition, Food Stamp, Attorney

Unduplicated: 341 Duplicated: 273

Sincerely,

Pamela A. Hogan

NORTH TONAWANDA N.Y.
2016 JUN -3 AM 9:26
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CITY CLERK'S OFFICE



City of North Tonawanda

Department of Community Development
500 Wheatfield Street
North Tonawanda, New York 14120
716-695-8580
716-614-0519 (fax)

XXXII, I
JUN 07 2016

May 24, 2016

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

Re: Fair Housing Plan

Dear Honorable Body:

As a recipient of Federal Community Block Grant funds, the City of North Tonawanda is required to have in place an adopted, up to date Fair Housing Plan. In summary, the Fair Housing Plan adopts procedures to ensure the City is in compliance with applicable Federal and State laws which contain anti-discrimination provisions, including: Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Fair Housing Amendments Act of 1988 and the Human Rights Law (Executive Law, Article 15) of the State of New York, to protect the citizens of North Tonawanda from discriminatory housing practices and provide a procedure for receiving, filing, and resolving complaints of this nature.

I respectfully request this Honorable Body review and consider approving the enclosed Fair Housing Plan.

Kindest regards,

Michael Zimmerman
Director of Community Development

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CITY CLERK'S OFFICE
2016 MAY 19 PM 3:34
NORTH TONAWANDA N.Y.

FAIR HOUSING PLAN

City of North Tonawanda

May 24, 2016

I. Introduction

The City of North Tonawanda understands the importance of taking action to further fair housing in the community and is committed to meeting its responsibilities in this respect as a recipient of Federal Community Development Block Grant funds. To ensure that residents are aware of fair housing provisions under Federal and State law and of the processes and assistance available to obtain compliance with existing statutes, the City has developed this Fair Housing Plan. The Plan describes the procedures developed to further fair housing in the community.

II. Availability of Information

The City's Fair Housing Plan recognizes that public knowledge of fair housing provisions is the first step in expanding equal opportunity. Toward that end, the City has taken, or will take the following actions:

A. *Appoint a Fair Housing Officer*

The Fair Housing Officer, appointed to the Director of Community Development, appointed by the Common Council, has the following responsibilities:

1. Maintain Federal and State fair housing information in the City Community Development Department including brochures issued by the U. S. Department of Housing and Urban Development (HUD) and the New York State Division of Human Rights.
2. Record initial information regarding housing discrimination complaints on a standard form.
3. Forward copies of all complaints to and, as appropriate, consult with the Fair Housing/Equal Opportunity Division of the applicable HUD Office.

B. *Provide Information*

The City will make available, upon request, copies of applicable Federal and State laws which contain anti-discrimination provisions, including: Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Fair Housing Amendments Act of 1988 and the Human Rights Law (Executive Law, Article 15) of the State of New York.

C. *Promote Fair Housing Activities and Available Resources*

The City will designate the month of April as *Fair Housing Month* and will promote said designation through Common Council proclamation.

The City will further promote fair housing and housing resources by posting Fair Housing posters in visible locations within all City buildings.

III. Discrimination Complaints

The City will provide information and assistance to individuals who feel that they have been the victims of discrimination in regard to housing.

A. *Discriminatory Housing Practices*

For the purpose of this Plan, a discriminatory housing practice means an act that is unlawful under sections 804, 805, 806 or 818 of the Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended). Such discriminatory housing practices include discrimination in the sale or rental of housing, discrimination in the provision of brokerage services, or interference, coercion, or intimidation, as defined under the Act, on the basis of race, color, religion, national origin, sex, handicap or familial status.

B. *Receiving Complaints*

The Fair Housing Officer will record information on a standard form to ensure that a complete file is established. Following this, the Fair Housing Officer will then contact the Department of HUD and/or the New York State Division of Human Rights to review the particulars of the complaint and request guidance in the formal filing of the complaint in cases where the individual decides to use this method. Copies of all complaints will also be forwarded to the Fair Housing and Equal Opportunity Division of the HUD Office in Buffalo, New York. If the complainant decides to take his/her case directly to Federal Court, the City will consult with the County Bar Association on the appropriate procedures to be followed and the procedure for securing affordable legal services if the individual is of low- or moderate-income.



City of North Tonawanda

Department of Community Development
500 Wheatfield Street
North Tonawanda, New York 14120
716-695-8580
716-614-0519 (fax)

XXXII.2

JUN 07 2016

May 24, 2016

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

Re: Compliance with Americans with Disabilities Act

Dear Honorable Body:

As a recipient of Federal Community Block Grant funds, the City of North Tonawanda is required to have in place an adopted grievance procedure compliant with the Americans with Disabilities Act.

The enclosed Grievance Procedure and Notice affirm that City's commitment to compliance with the Americans with Disabilities Act and outline a procedure for residents to follow if any person with disabilities wishes to file a complaint alleging discrimination based on disability.

I respectfully request this Honorable Body review and consider approving the enclosed Grievance Procedure under the Americans with Disabilities Act.

Kindest regards,

Michael Zimmerman
Director of Community Development

NORTH TONAWANDA N.Y.

2016 MAY 19 PM 3:34

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CITY CLERK'S OFFICE

City of North Tonawanda

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of North Tonawanda. Employment related complaints of disability discrimination are covered elsewhere, in policies available from the human resources office of the City of North Tonawanda

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem. No particular format of the complaint is required. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted in writing by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Michael Zimmerman
ADA Coordinator / Director of Community Development
500 Wheatfield Street
North Tonawanda, NY 14120

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of North Tonawanda and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the agency head or his/her designee.

Within 15 calendar days after receipt of the appeal, the agency head or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with the agency's final resolution of the complaint, or indicating that the matter has been returned to the ADA Coordinator for further action. If further response is indicated, the complainant will be contacted within 15 calendar days.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the agency head or his/her designee, and responses from these two offices will be retained by the City of North Tonawanda for at least three (3) years.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the City of North Tonawanda will not discriminate against qualified individuals with disabilities on the basis of disability in its services, program, or activities.

Employment: City of North Tonawanda does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: City of North Tonawanda will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in City of North Tonawanda programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: City of North Tonawanda will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in City of North Tonawanda offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of City of North Tonawanda should contact the office of Michael Zimmerman, ADA coordinator, 500 Wheatfield Street, North Tonawanda NY 14120, or 716-695-8580; as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of North Tonawanda to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of City of North Tonawanda is not accessible to persons with disabilities should be directed to Michael Zimmerman, ADA coordinator, 500 Wheatfield Street, North Tonawanda NY 14120, or 716-695-8580.

The City of North Tonawanda will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

CFO - A.

JUN 07 2016

May 23 2016

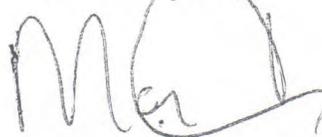
Dear Common Council Members

Chipman Place is planning a block party reunion on Saturday
June 4th 2016

We would like permission to block off Chipman Place between
Dahlgren and Gilmore.

This would be between the hours of 1:00 PM and 9:00 PM

Thank you,



Mark Lemke

0117-899

NORTH TONAWANDA N.Y.

2016 MAY 24 AM 8 41

RECEIVED
CITY CLERK'S OFFICE

CFO-B

JUN 07 2016

ST. MARK'S EPISCOPAL CHURCH

61 Payne Avenue
North Tonawanda, New York 14120
Phone: (716) 692-3735
Fax: (716) 692-3155



May 31, 2016

Dear Members of the Common Council:

St. Mark's Episcopal Church in North Tonawanda is looking to host its third - "St. Mark's, get set, go! 5k" race on Saturday, October 15, 2016.

The race is scheduled to start at 9:30 a.m. with runners beginning on Tremont Street on the side of St. Mark's Church and ending back at our church. (See attached map of the route). Notice will be posted throughout the neighborhoods prior to the race advising the residents of the race. I have already spoken with Captain Roger Zgolak, who supervised the race last year, and he has agreed to assist us again this year, once we have your approval.

As such, we are respectfully requesting the approval of the Common Council to run this race and permission to have a police escort during the race for the protection of our runners and bystanders.

We had more participants last year and are confident this race will be an even bigger success this year. This is a positive event for both our parish community and the greater community of North Tonawanda.

Should you require any further information, you may contact the coordinators of this event, Katie Orłowski-Williams at (716) 628-0561, Scott Ferguson at (716) 909-8834 or Faith E. Elliott at (716) 951-0704.

On behalf of St. Mark's Episcopal Church, I would like to thank you for your time and consideration of our request and await to hear from the honorable council in the near future.

Sincerely yours,

Faith E. Elliott
Coordinator

RECEIVED
CITY CLERK'S OFFICE
2016 MAY 31 AM 10:15
NORTH TONAWANDA NY

MILE SPLITS

START 315 Tremont Ave, and 4' 6" west of pole NG 309, and 93' east of Payne Ave, and 74' east of STOP sign at Payne Ave.

1 MILE 35 Louisa Pkwy, mid-driveway.

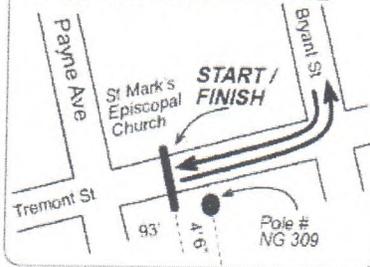
TURN AROUND Falconer St, 30' south of pole # NG 17, and 37' north of Sweeney St.

2 MILE 226 Niagara St, and 20' before (south of) pole NG 227.

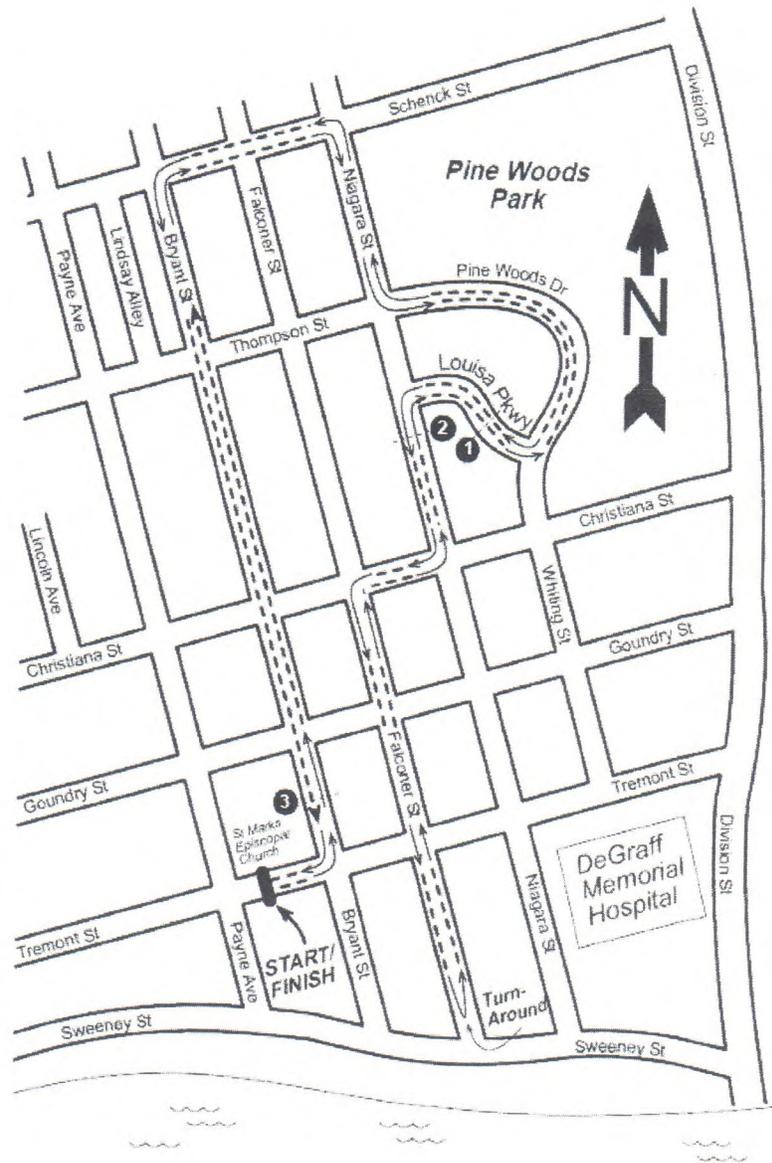
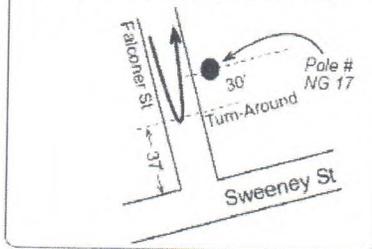
3 MILE Bryant St, 10' past pole # NG 104 and north of church driveway.

FINISH Same location as START

START/FINISH DETAIL



TURN-AROUND DETAIL



CFO-C

JUN 07 2016

Jason Pfaff
1038 East River Road
Grand Island, New York 14072
(716) 861-6954
jasonpfaff23@yahoo.com

05/27/2016

Clerk/Treasurer, City Hall
216 Payne Ave
North Tonawanda, NY 14120

Dear Daniel Quinn and City Council,

Thank you for inviting me to the council meeting and allowing me to discuss my fundraiser event: The Full Throttle Festival. As requested, the exact date we would like to reserve is for Saturday, October 1st, 2016- and again this is intended to be an all day event. I would be honored if the City of North Tonawanda would accept my proposal and confirm the date at your next council meeting.

The biggest question that arose was whether or not alcohol should be served at this type of event. I am flexible on this and open to your feedback. In the meantime, I have removed "local beer brewery" from the festival website until we decide. If we change our mind, obtaining an alcohol vendor (with liquor license) later in the summer would not likely be difficult. Since there are pro's and con's to serving alcohol, I've come up with a potential angle. We could be discreet about it and only serve alcohol in a separate VIP TENT area. For example, the VIP TENT could be setup behind the main stage and out of view. We could also charge significantly more for VIP tickets and only mention that alcohol will be available to specific parties. The goal of the festival itself is to attract as many people as possible, and display a great network of available help (a lot of resourceful information for people who are thinking about getting help or know someone that needs it). Then, to generate as much money as we can specifically for a scholarship fund for recovery program cost assistance (specifically for opiate addicts in Western New York). If this should require further discussion, I would be happy to meet with you and Council at any point.

I look forward to this opportunity and believe the festival will be successful and make a positive impact in our community. Please let me know if any other details need to be discussed. Thanks.

Sincerely,
Jason Pfaff: Director of AFA, President of Warm Jets Music

NORTH TONAWANDA NY

2016 MAY 31 PM 12:02

CITY CLERK'S OFFICE
RECEIVED

CFO-D

JUN 07 2016

North Tonawanda Common Council
216 Payne Avenue
North Tonawanda, New York 14120

Dear Honorable Body:

I am requesting to be ~~re~~appointed as a Commissioner of Deeds for the City of North
Tonawanda. *ep*

Thank you.

Sincerely,

Linda Proch
Linda Proch

571 Wurliizer Dr.

No. Ton, NY 14120

RECEIVED
CITY CLERK'S OFFICE
2016 MAY 19 AM 8:56
NORTH TONAWANDA NY

CFO-D

JUN 07 2016

North Tonawanda Common Council
216 Payne Avenue
North Tonawanda, New York 14120

Dear Honorable Body:

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

Thank you.

Sincerely,

Robert J. Schimschack III
Robert J. Schimschack III
7202 Graydon dr
North, Tonawanda NY, 14120

RECEIVED
CITY CLERK'S OFFICE
2016 MAY 19 AM 8:56
NORTH TONAWANDA N.Y.

CFO-D

JUN 07 2016

May 11, 2016

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

Dear Honorable Body:

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

Thank you.

Sincerely,

Matthew Pintorak



169 Pine St.

North Tonawanda, NY 14120

NORTH TONAWANDA NY

2016 MAY 27 PM 12:06

RECEIVED
CITY CLERK'S OFFICE

CFO-D

JUN 07 2016

May 11, 2016

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

Dear Honorable Body:

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

Thank you.

Sincerely,

Melissa L. Davignon

Melissa L. Davignon

154 Jefferson Ave.

N. Tonawanda, NY 14120

NORTH TONAWANDA, NY

2016 MAY 27 PM 12:06

RECEIVED
CITY CLERK'S OFFICE

CFO-D

JUN 07 2016

May 11, 2016

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

Dear Honorable Body:

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

Thank you.

Sincerely,



Diana ~~Korotki~~ Moskalenko

141 Witmer Rd. Apt. B6

North Tonawanda, NY 14120

RECEIVED
CITY CLERK'S OFFICE
2016 MAY 31 AM 11:01
NORTH TONAWANDA, N.Y.

CFO-D

JUN 07 2016

May 11, 2016

North Tonawanda Common Council

216 Payne Avenue

North Tonawanda, NY 14120

Dear Honorable Body:

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

Thank you.

Sincerely,



Alina Vorobey
824 Ruie Rd.

North Tonawanda, NY 14120

RECEIVED
CITY CLERK'S OFFICE
2016 MAY 31 AM 11:01
NORTH TONAWANDA N.Y.

CFD - A

May 11, 2016

JUN 07 2016

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

Dear Honorable Body:

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

Thank you.

Sincerely,

Antoinette M. Halpin
Antoinette ~~De~~ Galpin
254 Bay St.

W. Ison, NY 14172

RECEIVED
CITY CLERK'S OFFICE
2016 JUN - 1 PM 12:30
NORTH TONAWANDA N.Y.

CFO-E

JUN 07 2016



P.O. Box 1243
North Tonawanda, NY 14120

May 12, 2016,

Honorable Mayor Arthur G. Pappas
North Tonawanda City Hall
216 Payne Avenue
North Tonawanda, NY 14120

Dear Mayor Pappas,

Canal Fest of the Tonawandas Inc is requesting permission from the City of North Tonawanda to hold the 34th annual festival from Sunday, July 17 – Sunday, July 22, 2016. We are seeking permission to use certain city facilities and streets including manpower from certain city departments. Included with this letter are our requests for the year 2016. At your earliest convenience, please contact me for any clarification before issuance of the Mayor's Permit.

As discussed in previous meetings, payment to the city of fourteen thousand dollars (\$14,000), would follow no later than September 1st 2016. As a timely payment was a concern, the 1st of September will give us ample time to collect some of the income to reimburse the city. Insurance requirements are the same as previous years and will be provided upon authorization of this request. Letters to the city department heads requesting a common or separate coordination meeting can be scheduled by your office and at your convenience.

Canal Fest looks forward to another successful event for our membership and the Twin Cities. North Tonawanda has always contributed to this success and we hope to maintain our good working relationship for many years to come.

Thank you for your time and consideration of our requests.

Respectfully,

Peter R Chenier Jr, President
Canal Fest of the Tonawandas Inc
693-1917

TH TONAWANDA NY
JUN -2 AM 9:53
RECEIVED
CLERK'S OFFICE

Canal Fest requests for the year 2016:

1. Canal Fest will be held July 17th through July 24th 2015.
2. The use of Gateway Park on Sweeney St between Main Street and Webster St for the purpose of setting up tents by our members and for the use of entertainment. As in the past, the beer tent may go up as soon as **Thursday, July 14th** with all tents to be removed no later than the eve of **Monday, July 25th** (canal side) and noon (building side).
3. Barricades to be placed for closing of the Renaissance Bridge by 5:00pm on **Friday, July 15th** and at other locations as necessary. Water connections at the Pavilion and other locations across Sweeney will be required at this time also.
4. **Tim Frank 4 Mile Run.** Sweeney Street between Main Street and approx Mayor's Park for the use of the 4 Mile Run coordinated by The Boy's and Girl's Club of the Tonawandas on **Thursday, July 21st** with Sweeney closed off accordingly for a race start 7:00pm. Starting point will be on Sweeney c/o Main Street. The race committee has told us they have already been in touch with the Police Dept.
5. **Parade.** Webster Street from Sweeney to Goundry St for the parade on **Tuesday, July 21st** with Webster Street being posted for vehicle removal by an agreed time before the parade. The city grandstand and viewing stand will also be required in front of the Riviera Theater.
6. **Car Cruise.** Webster Street from Sweeney to Goundry St, and Tremont from Webster to Main St at 4:00 pm on **Wednesday, July 20th** for the Twin Cities Car Cruise. "No parking after" signage to be placed accordingly to close the street after 4:00pm. The use of Gratwick Park as a pre-staging area.
7. **Diaper Derby.** Tremont Street between Webster and Main Streets for the use of the Diaper Derby on **Thursday, July 21st** with Tremont Street closed accordingly. Coordination of this event is handled by the DeGraff Hospital Volunteers and Phyllis Guenter. Rain location will be Salem Church in Tonawanda.
8. **ANTIQUÉ FIRE TRUCK MUSTER.** – Webster St between Sweeney and Tremont for the use of the parking antique fire apparatus on **Sunday, July 19th** from noon-6pm. "No Parking After" signage to be placed accordingly to close that part of the street after 4:00pm.(because of the size it takes longer to park these vehicles than it does cars) We will know by July 1 if this block will be needed. If not, I will inform the Mayor's office to cancel this request. The City of Tonawanda will also be used for the initial parking.
9. **Bike Night.** The Bike Cruise and Show on Webster St on **Friday, July 22nd**. The stage will again be located on Webster (Riviera Theater area) with the direction of our site set-up committee. The band is scheduled to begin approx at 7:00pm and continue no later than 10:30pm. Usage of Webster Street from Sweeney to Goundry St, Tremont from Webster to Main St(only one side) **and Main St from Goundry to Tremont St to Sweeney St** at 4:00 pm on **Friday, July 22nd** for the Bike Cruise & Show. "No parking after" signage to be placed accordingly to close the street by 4:00pm.
10. **Craft Show.** Webster Street between Sweeney and Goundry for the use of our 2-day Craft Show to be held on **Saturday and Sunday, July 23rd and 24th**.

11. **Craft Show.** Tremont Street between Webster and Main Streets for the use of our 2-day Craft Show to be held on **Saturday and Sunday, July 23rd and 24th.**
12. **Craft Show.** Main Street from Sweeney Street to Goundry Street for the use of our 2-day Craft Show to be held on **Saturday and Sunday, July 23rd and 24th.**
13. The scheduling of manpower from the D.P.W., Water Department, Parks and Recreation, Fire Department and Police Department plus material and services that were supplied by these departments in previous years.
14. Nightly closing of Webster Street between Tremont and Sweeney as requested in the past.
Support from the Police Department with crowd control and also in keeping animals, bike riders, skate boarders, roller bladers, etc, out of the campus area for safety concerns.
Support from the Fire Department in manning our First Aid tent during the 8 days.
Support from the Water Department in the water hookup at the Fire Training Tower the amusements mobile living quarters to be coordinated by the Carrousel Society.
Support from the Parks and Recreation Department in daily cleanup and to supply us with the following; trash cans, garbage bags, bleachers for the parade and a reviewing stand for the parade judges. We are also requesting extra garbage containers for the Friday night Bike Cruise and Saturday/Sunday Craft Show.
Support from the Dive Rescue Team to provide manpower and equipment for all events that take place directly on the water.
15. Dock space for two 36' boats at the west end of the Gateway Pavilion for Lawrence Deneff and the family of Lois Wesolowski(corporate secretary).
16. Permission to place 6 restroom facilities between the sidewalk and curb along Webster St between Sweeney and Tremont. An alternate location will be utilized during the Craft Show. Also, the grease barrels typically located in the forbidden alley will probably be placed at the individual tents utilizing this service.
17. The use of the Renaissance Bridge for a low level fireworks display on **Sunday evening, July 24th.** The fireworks display have been and will continue to be coordinated by the fire departments of both the City of North Tonawanda and City of Tonawanda in the lead role, the police departments of both cities, the fireworks display company, Canal Fest and other policing organizations that normally patrol this section of the Erie Canal. Baseline rules were established for the 2009 shoot and will continue to be the normal procedure with improvements and changes as required.
18. Anything else I may have missed as was provided in previous years.

Thank you in advance
Peter R. Chenier Jr, President
Canal Fest of the Tonawandas Inc