

**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, AUGUST 16, 2016 6:30PM**

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

### **COMMUNICATIONS FROM CITY OFFICIALS**

**Common Council - Re: Appointment of members to the Cable Television Advisory Board**

**VII.1 Accountant - Re: Payment of the Abstract of Claims Dated August 16, 2016.**

**VII.2 Accountant - Re: Budgetary Transfer – To clean out Water Filtration Plant’s intake pipe and screen**

**XXV. Monthly Reports**

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

### **COMMUNICATIONS FROM OTHERS**

**A.  
YWCA - Re: Petition to rezone YWCA 49 Tremont Street from M-1 Light Manufacturing District to a C-1 Neighborhood Business District**

**B.  
Glen Axberg - Re: Permission for a leave of absence from position as Wastewater Treatment Plant Operator**

**C.**  
**OLC Parish**

- **Re: Permission to hang banner across Payne Avenue for their "Feast Day Festival"**

**D.**  
**Paul Schwandt**

- **Re: Permission to serve food in front of Canal Club 62, located at 62 Webster Street**

**E.**  
**Sweeney Hose Company**

- **Re: Request for removal of Restrictive Deed Covenants**

**Respectfully submitted,**

A handwritten signature in black ink, appearing to read "Dan Quinn", written in a cursive style.

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

Common Council

# City of North Tonawanda

COMMON COUNCIL  
CITY HALL  
216 PAYNE AVENUE  
NORTH TONAWANDA, N.Y. 14120  
(716) 695-8555

AUG 16 2016

August 10, 2016

Daniel Quinn  
City Clerk-Treasurer  
City of North Tonawanda  
216 Payne Avenue  
North Tonawanda, NY 14120

*Re: Cable Television Advisory Board*

Dear Mr. Quinn:

Due to the renewal of our cable franchise agreement and the recent merger of Time Warner Cable, the Common Council, pursuant to Chapter 26 of the City Code, seeks to appoint members to the Cable Television Advisory Board. Said board will assist the Council in the review and provide recommendations of the franchise renewal.

Section 26-2 of the City Code establishes that the board be composed of five North Tonawanda Residents who are appointed each by a member of the Common Council. The Council, pursuant to a resolution, hereby appoints:

Common Council President Russ Rizzo appoints: Mark Berube, 1258 Payne Avenue  
Alderswoman Cathy Schwandt appoints: Joseph Boryszewski III, 30 Donald Drive  
Alderman Robert Pecoraro appoints: Michael Carney, 407 Bennett Street  
Alderswoman Donna Braun appoints: Frank DiBernardo, 19 Niagara Circle  
Alderman Eric Zadzilka appoints: Amy Bradt, 403 Deerfield Drive

We look forward to working with these residents in the future.

NORTH TONAWANDA N.Y.

2016 AUG 11 AM 10:56

RECEIVED  
CITY CLERK'S OFFICE



# City of North Tonawanda

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

VII.

AUG 16 2016

MARK W. DOTTERWEICH  
CITY ACCOUNTANT

AMANDA L. REIMER  
STAFF ACCOUNTANT

TELEPHONE  
(716) 695-8545

FAX  
(716) 695-8573

August 11, 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 **August 16, 2016**, and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Very truly yours,

Mark W. Dotterweich

City Accountant

MWD

NORTH TONAWANDA N.Y.  
2016 AUG 11 AM 10:56  
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CITY CLERK'S OFFICE



# City of North Tonawanda

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

VII.2

AUG 16 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

August 12, 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:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From: Appropriation Account</u>	<u>Into: Appropriation Account</u>
4	41,000.00	2-1990.410 Contingent Account	2-8320.420 Repairs & Maintenance Account

Very truly yours,

NORTH TONAWANDA NY

Mark W. Dotterweich  
City Accountant

2016 AUG 12 AM 9:53

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CITY CLERK'S OFFICE

MWD  
Attachment

## Budgetary Transfer Request Form

Department: Water Filtration & Pumping Plant

Date: 8/11/16

Dollar Amount	Appropriation Accounts and Documentation	
<del>41,000</del> \$50,000 <del>\$15,000</del>	From Appropriation Account 2.1990.410 Account Number	Contingency Account Description 2.8320.420 Water Supply/Pumping - Repairs & Maintenance Account Number Account Description

**Explanation:**  
 Our water intake pipe and screen chamber are approximately 40% blocked. This money is needed to clean them out.  
 Our water intake and screen chamber have not been properly cleaned-out since 2004. NY State Dept. of Health recommends that inspections should be done every 3 - 5 years and any necessary cleaning should be performed at that time. This is way over-due.

Please Check One (X)			
X	Common Council Action	William J. [Signature] Department Head Signature	8/11/2016 Date
<input type="checkbox"/>	No Common Council Action		

**Budgetary Transfer Policy**

- 2.11 - 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
- 2.21 - 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
4	[Signature]	8/16/16



CITY OF NORTH TONAWANDA WATER WORKS

830 RIVER ROAD

NORTH TONAWANDA, NEW YORK 14120

PHONE: (716) 695 – 8560, ext. #11

FAX: (716) 695 – 8563

e-mail: billdavignon@northonawanda.org

**William M. Davignon**  
*Superintendent*

August 11, 2016

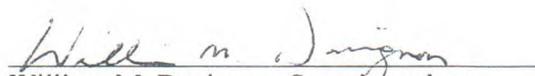
**Honorable Mayor Pappas & Common Council Members:**

On July 8, 2016 we had the Water Filtration Plant's water intake inspected. The results of the inspection show that our intake and filter / screen chamber are 40% blocked and must be cleaned-out.

Attached please find the inspection results, price quote for cleaning and my budgetary transfer request form. I am recommending that we accept item #1 and #4 as proposed by Allen Marine for \$41,000 (+ 20% contingency) for a **total of \$49,200** to complete this very necessary project. If you would like, I will gladly meet with you to explain this project in greater detail.

Thank you for your time and consideration of my request.

Sincerely,

  
William M. Davignon, Superintendent

XXV:1

AUG 16 2016

Account#	Account Description	Fee Description	Qty	Local Share
A1255	Minor Sales	Certified Copies - Marriage	17	170.00
		Xerox Copies	1	3.50
		<b>Sub-Total:</b>		<b>\$173.50</b>
A1550	Minor Sales	Public Pound Fee	1	30.00
		<b>Sub-Total:</b>		<b>\$30.00</b>
A1603	Misc. Fees	Birth Certificates	47	470.00
		Death Certificates	101	1,010.00
		Deaths Recorded	12	0.00
		Geneology Birth	3	33.00
		Geneology Death	3	33.00
		Geneology Search	1	11.00
		Miscellaneous	1	0.00
		<b>Sub-Total:</b>		<b>\$1,557.00</b>
A2110	Planning & Zoning Fees	Board of Appeals App.	2	100.00
		Planning - Rezoning	1	100.00
		<b>Sub-Total:</b>		<b>\$200.00</b>
A2410	Minor Sales	Boathouse 2016	6	6,175.00
		<b>Sub-Total:</b>		<b>\$6,175.00</b>
A2501	Minor Sales	Solicitors Permit - Yearly	5	125.00
	Permit Fees	Chicken Permits	1	25.00
		<b>Sub-Total:</b>		<b>\$150.00</b>
A2505	Marriage License Fee	Marriage License Fee	24	420.00
		<b>Sub-Total:</b>		<b>\$420.00</b>
A2506	Conservation	Conservation	19	58.19
		<b>Sub-Total:</b>		<b>\$58.19</b>
A2540	Racing & Wagering Fees	Bingo Proceeds	13	208.19
		<b>Sub-Total:</b>		<b>\$208.19</b>
A2542	Dog Licensing	Female, Spayed	109	654.00
		Female, Unspayed	8	96.00
		Male, Neutered	84	504.00
		Male, Unneutered	10	120.00
		Replacement Tags	1	3.00
		<b>Sub-Total:</b>		<b>\$1,377.00</b>
A2610	Minor Sales	Parking Tickets	33	4,275.00
		<b>Sub-Total:</b>		<b>\$4,275.00</b>

NORTH TONAWANDA NY

2016 AUG -2 AM 9:08  
CITY CLERK'S OFFICE  
RECEIVED

Account#	Account Description	Fee Description	Qty	Local Share
<b>Total Local Shares Remitted:</b>				<b>\$14,623.88</b>
Amount paid to:	New York State Department of Health			540.00
Amount paid to:	NYS Ag. & Markets for spay/neuter program			247.00
Amount paid to:	NYS Environmental Conservation			1,423.81
<b>Total State, County &amp; Local Revenues:</b>		<b>\$16,834.69</b>	<b>Total Non-Local Revenues:</b>	<b>\$2,210.81</b>

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

8/2/16

Date

# City of North Tonawanda

XXVI.1

AUG 16 2016

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

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

8/8/2016

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

Dear Sirs and Mesdames:

The status of the City of North Tonawanda accounts is reflected by this cash statement for the month of July 2016.

RECEIVED  
CITY CLERK'S OFFICE  
2016 AUG - 8 PM 3: 02  
NORTH TONAWANDA N.Y.

## General Fund

Balance Fwd - Checking	577,701.67
Balance Fwd - Money Market	14,393,055.02
Receipts for the month	1,230,106.02
Warrants Drawn	(2,183,232.88)
	<hr/>
	\$14,017,629.83

## Sewer Fund

Balance Fwd - Checking	872,558.34
Balance Fwd - Money Market	885,943.07
Receipts for the month	50,749.82
Warrants Drawn	(272,329.91)
	<hr/>
	\$1,536,921.32

## Water Fund

Balance Fwd - Checking	508,763.99
Balance Fwd - Money Market	2,537,565.21
Receipts for the month	24,600.01
Warrants Drawn	(150,173.49)
	<hr/>
	\$2,920,755.72

## Trust & Agency Fund

Balance Fwd - Checking	386,171.51
Receipts for the month	61,916.02
Warrants Drawn	(46,691.43)
	<hr/>
	\$401,396.10

## Capital Construction Fund

Balance Fwd - Checking	657,359.79
Balance Fwd - Money Market	3,560,343.97
Receipts for the month	208,300.58
Warrants Drawn	(363,093.83)
	<hr/>
	\$4,062,910.51

## Community Development Fund

Balance Fwd - Checking	18,886.78
Receipts for the month	0.00
Warrants Drawn	0.00
	<hr/>
	\$18,886.78

## Rental Assistance Fund

Balance Fwd - Checking	0.00
Receipts for the month	231,571.00
Warrants Drawn	(231,571.00)
	<hr/>
	\$0.00

## Housing Rehabilitation Fund

Balance Fwd	150,007.55
Receipts for the month	3.33
Warrants Drawn	0.00
	<hr/>
	\$150,010.88

## Home Rehabilitation Fund

Balance Fwd	47,196.06
Receipts for the month	0.00
Warrants Drawn	0.00
	<hr/>
	\$47,196.06

## Section 108 Fund

Balance Fwd	13,092.47
Receipts for the month	5,908.97
Warrants Drawn	(15,743.35)
	<hr/>
	\$3,258.09

Respectfully submitted,



Daniel R. Quinn  
City Clerk - Treasurer

cc: M. Dotterweich

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

XXV.2

**AUG 16 2016**

August 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 July 2016.

**Senior Center's Total Monthly Attendance**      **1,221**

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

Unduplicated: 305      Duplicated: 105

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

Unduplicated: 31      Duplicated: 54

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

Unduplicated: 402      Duplicated: 324

Sincerely,

Pamela A. Hogan

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CITY CLERK'S OFFICE  
2016 AUG - 2 PM 3:23  
NORTH TONAWANDA N.Y.



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

XXV3  
 TELEPHONE  
 (716) 692-4111  
 FACSIMILE  
 (716) 692-4321  
 EMERGENCY NO.  
 9-1-1

Office of the Chief of Police

AUG 16 2016

August 4, 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 July 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 AUG - 4 PM 4: 22

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 CITY CLERK'S OFFICE

NORTH TONAWANDA POLICE DEPARTMENT SUMMARY OF POLICE ACTIVITIES FOR THE MONTH OF JULY 2016
--

CRIMINAL

Complaints received and investigated	193
Complaints cleared by arrest or exceptional clearance	116
Complaints ruled unfounded	1
Number of males arrested      under 18:      3      over 18:      42	45
Number of females arrested      under 18:      1      over 18:      19	20
Arrests for other authorities	2
Failure to Appear/Violation of Probation Warrant Arrests	49
Above complaints cleared by J.A.B.	19
Complaints cleared by J.A.B. from previous months	6

TRAFFIC

Traffic summonses issued	344
DWI arrests	8
Parking tags issued	190

MISCELLANEOUS

Miscellaneous service	2,725
Incident reports	166
Vehicle accidents	63
Vehicle accidents (fatal)	0
Vehicle stops	349
Police escorts	40
Prisoner meals	93
911 Emergency calls	0
Mug shots taken	53
Fingerprints taken	53
Persons missing and located	8
Automobiles stolen	4
Automobiles recovered	3
Automobiles recovered for other authorities	0
Record check fees	\$ 180.00
Photocopy fees	\$ 4.25
Fingerprint fees	\$ -
Fines collected	\$ 36,841.00
Value of property damaged	\$ 14,075.00
Value of property stolen	\$ 46,016.16
Value of property recovered	\$ 21,714.83

Respectfully submitted,



William R. Hall  
Chief of Police

WRH/sd

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

CRIMINAL FELONIES, MISDEMEANORS AND OFFENSES

<u>TYPE OF OFFENSE</u>	<u>COMPLAINTS</u>		
	Received	Cleared	Unfounded
AGG. ASSAULT	1	0	
ALL OTHER OFFENSES	6	3	
ARSON	0	0	
BURGLARY	17	7	
COERCION	0	0	
CRIMINAL MISCHIEF	20	3	
CRIM POSS WEAPON	2	2	
DIS CON/HARASS	29	16	1
DRUG OFFENSES	6	9	
EMBEZZLEMENT	0	0	
FAILURE TO APPEAR	49	49	
FORGERY	1	1	
FRAUD (ID THEFT)	5	0	
LARCENY	34	8	
LEAVING THE SCENE	9	4	
MURDER	0	0	
RAPE	0	0	
ROBBERY	2	0	
SEXUAL OFFENSES	2	1	
SIMPLE ASSAULT	4	2	
STOLEN PROPERTY	2	2	
UNAUTH USE M/V	4	0	
VIOL OF PROBATION	0	0	
ARRESTS FOR OTHER AUTHORITIES		2	
ARRESTS/CLEAR COMPS. FM PREV MONTHS		7	
TOTALS	193	116	1
# OF ABOVE COMPLAINTS CLEARED BY JAB		19	
# CLEARED BY JAB FROM PREV MONTHS		6	

**V & T REPORT FOR THE MONTH OF JULY 2016**

SPEEDING	125
REDLIGHT VIO.	23
STOP SIGN VIO.	38
NO REGISTRATION	2
NO LICENSE	13
FAULTY EQUIPMENT	37
NO INSPECTION	27
FAILED TO YIELD RIGHT OF WAY	4
SEAT BELT VIO.	31
NO INSURANCE	2
LICENSE PLATE VIO.	7
IMPROPER TURN	7
DROVE ON LEFT OF PAVEMENT MARKINGS	2
AVOIDING INTERSECTION OR TRAFFIC CONTROL DEVICE	6
FAILURE TO NOTIFY COMMISSIONER OF CHANGE OF ADDRESS	4
MISCELLANEOUS	34

TOTAL            362

**TRAFFICE MISD.**

**#OF COMPLAINTS/ARRESTS**

DWI-----	7
OPERATING WHILE REG. SUSPENDED/REVOKED-----	2
AGGRAVATED UNLICENSED OPERATION 3 <sup>RD</sup> -----	9
AGGRAVATED UNLICENSED OPERATION 2 <sup>ND</sup> -----	2

**FELONIES**

AGGRAVATED UNLICENSED OPERATION 1 <sup>ST</sup> -----	1
DWI-----	1

**FINES:**            (CITY IMPOSED):

TRAFFIC:	\$ 32,310.00
PENAL LAW:	\$    225.00
CITY ORDINANCE:	\$     50.00
BAIL FORFEITURE:	\$  291.00
ABC VIOLATION:	\$    10.00
PARKING TAGS:	\$ 3,955.00

TOTAL FINES                            \$ 36,841.00

MUG SHOTS: 53            PARKING TAGS: 190            MEAL TICKETS: 93

CFO-A

eliminating racism  
empowering women  
**ywca**

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CITY CLERK'S OFFICE  
2016 AUG -3 PM 3:46

AUG 16 2016

August 1, 2016

NORTH TONAWANDA N.Y

Mr. Daniel Quinn  
Clerk / Treasurer  
City Hall  
216 Payne Ave.  
North Tonawanda, NY 14120

Dear Mr. Quinn,

The YWCA of the Niagara Frontier is requesting the Common Council to re-zone 49 Tremont from M-1 Light Manufacturing District to C-1 Neighborhood Business District.

The YWCA of the Niagara Frontiers' 49 Tremont location is not currently used to capacity and is in need of continued repairs. The repurposing of the facility will not only provide relevant programs for the changing needs of the community, it will renovate an aging structure into a new energy efficient facility that fits within the vibrant renaissance of the downtown corridor. The proposed plan seeks to repurpose the 49 Tremont facility into a mixed-use housing facility, creating affordable permanent housing for low income and homeless single women in North Tonawanda. Included in the proposed site will be workforce training services and a culinary social enterprise to respond to the targeted areas of growth and tourism.

The development of mixed-use housing in the downtown corridor is in alignment with the Niagara County Continuum of Care priorities and the 2015 North Tonawanda Housing Market Analysis and the Needs Assessment that identified the need for increased mixed-use housing, housing for single women and rental options in the downtown district. Additionally, the development of on-site culinary social enterprise with workforce training, a successful model used for ten years by the YWCA, will respond to the goal of leveraging the burgeoning tourism sector while increasing job training and employment opportunities for disadvantaged communities. The Riviera Theatre, located across from the YWCA, is undergoing massive expansion and an on-site café/coffee house would provide an additional venue for the increased downtown commercial traffic. The proposed project is unique in that it captures Smart Growth priorities of mixed-use housing and connecting disadvantaged communities with employment opportunities while simultaneously building on the economic revitalization of the North Tonawanda downtown corridor.

The project will directly benefit single women who cannot afford safe and decent permanent housing in North Tonawanda. Housing with on-site workforce development programs and employment opportunities increases the workforce and enhances the sustainability of the program and community. Smart growth and centrally located housing options eliminates transportation obstacles to critical services and resources and

for every woman

encourages a walking community. The project will also benefit the downtown corridor of North Tonawanda by repurposing a fixed asset into mixed-use housing and a commercial business to support the targeted industry of tourism.

The commercial repurposing of the building has the full support of the Lumber City Development Corporation as it exemplifies the goals of the strategic plan and builds on the momentum of the downtown economic revival. Workforce training with employment opportunities builds sustainable career paths for disadvantaged populations. The program will facilitate equal access to employment through education, skill training and transferable credentials. The multiplier effects of increased employment opportunities will provide broader economic growth in the community.

Thank you for your consideration.

Sincerely,

*Kathleen A. Granchelli*

Kathleen A. Granchelli  
CEO

CFD - B

August, 3 2016 **AUG 16 2016**

Honorable Mayor Pappas & Common Council Members:

Please consider my request for a leave of absence from my current permanent competitive Civil Service position of Wastewater Treatment Plant Operator to accept a competitive Civil Service Operator Water trainee position at the Water Treatment Plant. I am requesting a leave from my current position until I receive my permanent Water Treatment Plant Operator position.

Thank you for your time and consideration.

Sincerely yours,

Glen P Axberg



NORTH TONAWANDA N.Y.

2016 AUG - 8 - 8 AM 11: 42

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CITY CLERK'S OFFICE

CFO - C

AUG 16 2016

OLC Church  
August 8, 2016

To the Common Council,

OLC Parish requests permission to have a banner hung promoting their Feast Day Festival. The festival will be on Sunday, August 28, 2016. The banner may be hung either on Payne Avenue or Oliver Street, whichever is more convenient.

Thank you for your attention to this matter.

Sincerely,  
Patricia Faushaber  
(parishoner)  
716-440-6139

NORTH TONAWANDA, NY

2016 AUG - 8 - PM 12:04

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CFO - D

AUG 16 2016

CANAL CLUB 62, LLC  
DBA Canal Club 62 Tap and Eatery  
62 Webster Street  
North Tonawanda, NY 14120

August 1, 2016

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

Dear Council Members:

Please allow this letter to serve as a formal request. I would like the approval of the City of North Tonawanda to grant permission to serve food in front of Canal Club 62, located at 62 Webster Street.

If granted, this will allow people to sit outside and enjoy the atmosphere and entertainment during our beautiful summer and fall months.

If you have any questions, I can be reached at 716-534-2230. I look forward to a positive response as we continue to grow with the city in the best interests of all.

Thank you,



Paul Schwandt  
Canal Club 62, LLC

NORTH TONAWANDA NY  
2016 AUG 10 AM 11:08  
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CITY CLERK'S OFFICE

AUG 16 2016

# Sweeney Hose Company, Inc. No. 7

100 YEARS OF DEDICATION AND SERVICE

1894-1994

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



**TRANSMITTED VIA FACSIMILE: 695-8557  
HARD COPY TO FOLLOW BY US MAIL**

August 10, 2016

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

Re: Request for Removal of Restrictive Deed Covenants

Dear Mr. Quinn:

I am writing this letter on behalf of Sweeney Hose Company, Number 7, of North Tonawanda ("Sweeney Hose Co."), to request an accommodation from the City of North Tonawanda (the "City") with respect to the removal of restrictive covenants in the deed to the Sweeney Hose Co. property which is located at 499 Zimmerman Street and includes its Fire Hall (the "Property").

Sweeney Hose Co. is preparing to make certain renovations and improvements to its Fire Hall, portions of which are going to be financed with a loan from Key Bank, N.A. ("Key Bank"), with the Property being collateral for the loan. However, there are provisions in the deed to the Property which would cause it to revert to the City if the Property were to cease to be used for volunteer fire company purposes (the "Restrictive Deed Covenants"). As a result, Key Bank would not be able to enforce foreclosure rights against the Property if Sweeney Hose Co. were to default on the loans. As long as the Restrictive Deed Covenants remain, the Property cannot be used as collateral and Key Bank will not make the loan to Sweeney Hose Co.

Since 1894, the members of Sweeney Hose Co. have on countless occasions volunteered their services to fight fires, give first aid and promote the health and safety of residents and visitors to the community. The Fire Hall itself is used not only as a facility to train firefighters, but also as a refuge for the people of North Tonawanda during power outages, storms and times of crisis. An investment in the Fire Hall is an investment for the community as a whole. But, Sweeney Hose Co. is not asking the taxpayers of North Tonawanda to fund this project. Rather it is requesting a no cost accommodation from the City which will allow Sweeney Hose to access the equity in the Property to ensure that the Fire Hall continues to be a vital community asset for years to come.

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On behalf of Sweeney Hose Co., I kindly request that you place this matter on the Agenda for the next City Council Meeting with our request that it pass a resolution in favor of removing the Restrictive Deed Covenants. I have spoken with City Attorney, Katherine Alexander, about this matter to provide additional background information and seek her support. It is my understanding that Joseph E. Lavey, Jr., Sweeney Hose Co., President, has done the same with Mayor Arthur G. Pappas. Mr. Lavey and I are available to answer any questions which the City may have with respect to this matter. A copy of the document entitled "Release of Deed Restrictions", which has been requested by Key Bank as a condition of granting the loan, is enclosed with this letter and provides greater details regarding the removal of the Restrictive Deed Covenants.

If there are any questions or concerns, I can be contacted during business hours at my office at 805-2901, or any time on my cell phone at 430-9410. Thank you for your time and attention.

Very truly yours,



Randy C. Fahs  
Attorney at Law  
Sweeney Hose Co.

Copy to: Arthur G. Pappas, Mayor  
Katherine Alexander, City Attorney  
Joseph Lavey, Jr., President of Sweeney Hose Co.

Enclosure