

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, February 16, 2016
6:30P.M.

REGULAR SESSION CALLED TO ORDER BY ALDERMAN SCHWANDT

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Alderman Zadzilka, Braun, Schwandt, Pecoraro

Absent: Council President Rizzo

Also Present: Mayor Arthur G. Pappas
City Attorney Katherine D. Alexander

AUDIENCE PARTICIPATION

Sonia Dusza 123 Miller Street – Wanted to know if everything that is listed on the agenda included in the agenda packet. Said that the legal notice in regards to the proof of publication for the Assistant City Attorney, didn't make the connection until that night or the next day with Paul Brown. Said that she asked the City Attorney Alexander if she was looking for someone with experience with municipal law. Said Code Enforcement has been lacking for decades, she has been asking for Code Enforcement since the 60's when she was in high school. Said when she looked at what was in the paper, expecting knowledge and experience in municipal matters. Asked what experience Mr. Luke Brown has in this area, does he have any government work and will the city make his resume available for the public to see? Stated that when she makes a comment to the Common Council it doesn't mean they are responsible for everything. Said there have been Common Councils before them and she wanted the recent members to never forget that. Stated that Paul Brown resigning from the Planning Board, he has been a property owner in North Tonawanda who has picked up properties in North Tonawanda at auctions and was on the Planning Board at the same time, this should not have been allowed. She would like to see the Mayor and Common Council appoint someone who has an interest in Planning and Zoning. She would also like to see when there is an opening for an appointment; she would like to see it in the paper. Said that not only is it a disservice, but it is a slap in the face, she would like to see new people in these positions that no one knows.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION FEBRUARY 2, 2016

MOVED by Alderman Zadzilka **SECONDED** by Alderman Braun
That the minutes of the regular session meeting held February 2, 2016 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED DECEMBER 20, 2015 TO JANUARY 14, 2016

1) Legal Notice – Assistant City Attorney Vacancy – Attorney's Office

PROOF OF PUBLICATION PUBLISHED JANUARY 29 & FEBRUARY 5, 2016

1) Legal Notice – Notice for the Collection of the 2016 Niagara County Tax –
Clerk-Treasurer's Office

02-16-2016

MOVED by Alderman Pecoraro SECONDED by Alderman Zadzilka
That the Common Council hereby receives and files the appointment of Peter Grinnell, 565 Chestnut Street, North Tonawanda, NY 14120 to the North Tonawanda Planning Board, Mr. Grinnell will fulfill Mr. Browns term which expires on December 31, 2018.
CARRIED.

II. Attorney

February 10, 2016

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

**RE: Proposed Memorandum of Understanding between City of North
Tonawanda and Local 832, Civil Service Employees Association, Inc.,
for the Use of Compensatory Time by Water/Wastewater Employees.**

Dear Honorable Body:

Attached, for your consideration, is a proposed Memorandum of Understanding between the City of North Tonawanda and the CSEA, Local Unit 832, which clarifies the use of compensatory time at the Water and Wastewater Treatment Plants, for the duration of the current collective bargaining agreement (January 1, 2015 through December 31, 2018).

Should your Honorable Body concur, please pass a resolution to approve the Memorandum of Agreement for signature by the Mayor, subject to any further review by the City Attorney.

**Very truly yours,
Katherine D. Alexander
City Attorney**

MOVED by Alderman Pecoraro SECONDED by Alderman Braun
That the Common Council hereby approves the proposed Memorandum of Understanding between the City of North Tonawanda and the CSEA, Local Unit 832, which clarifies the use of compensatory time at the Water and Wastewater Treatment Plants, for the duration of the current collective bargaining agreement (January 1, 2015 through December 31, 2018) as follows:

Memorandum of Agreement

Between

City of North Tonawanda

And

Civil service Employees Association, Inc.

Local 1000, AFSCME, AFL-CIO, Local 832

City of North Tonawanda Unit 6792

THIS UNDERSTANDING, by and between the City of North Tonawanda, (hereinafter, "City" and the Civil Service Employees Association, Local 1000, AFSCMSE, AFL-CIO, Local 832 Unit 6792 (CSEA) and,

WHEREAS, the City and CSEA are parties to a collective bargaining agreement (hereinafter, "CBA") covering the period January 1, 2015 through December 31, 2018 and

NOW, THEREFORE, in consideration of the mutual agreements and covenants contained herein, it is understood and agreed by and between the parties as follows:

Effective upon the execution of this Memorandum, Both parties agree to:

1. For the duration of the current January 1, 2015 – December 31, 2018 Collective Bargaining Agreement that Water Plant/Wastewater Plant CSEA employees will submit request for Compensation Time in Lieu of Overtime earned from overtime worked. This does not include the use of “Compensation Time earned as owed Holidays” as per sec. 8.2 of the CBA.
2. Water Plant/Wastewater Plant CSEA member shall be granted 4 Compensation Time days in Lieu of Overtime days off per year with 2 days’ notice, and any additional Compensation Time in Lieu of Overtime days off will be submitted 12 days prior to the effective date of time off requested. Compensation Time in Lieu of Overtime days off is considered a 24 hour period. It includes the 8 hour period before and after the requested shift off.
3. The City will respond to the employee no less than 24 hours prior to effective date of time off for the 4 short notice days, and no less than 7 days prior to the effective date of the time off for the 12 day notice days. Denial can be based on the needs of the plant. Overtime cannot be the basis for denial.
4. Time blocks will be no more than 14 scheduled shift over a 3 week shift rotation and no less than a 4 hours block. The 4 hour blocks will be either the first half or the second half of a shift.
5. CSEA will retain all Grievance rights stated in Article 3 of CBA.

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

III. Clerk-Treasurer

Date: February 16, 2016
 To: Mayor/Common Council
 From: Daniel R. Quinn - City Clerk/Treasurer

Subject: Standard Work Day and Reporting Resolution – 2016

New Regulation 315.4 outlines additional reporting requirements for elected or appointed officials and more clearly defines the process for reporting time worked by those officials.

This regulation became effective August 12, 2009.

I offer the following resolution for your consideration:

BE IT RESOLVED, that the City of North Tonawanda hereby establishes the following as standard work days for elected and appointed officials and will report (see attached) the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these Officials to the Clerk of this body.

Sincerely,
 Daniel R. Quinn
 City Clerk-Treasurer

MOVED by Alderman Zadzilka **SECONDED** by Alderman Pecoraro
BE IT RESOLVED, that the City of North Tonawanda hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these Officials to the Clerk of this body:

2016 Elected/ Appointed Work Schedule City of North Tonawanda New York

ELECTED OFFICIALS:

<u>TITLE</u>	<u>NAME</u>	<u>STANDARD WORKDAY</u>	<u>TERM BEGINS/ENDS</u>	<u>PARTICIPATES IN TIME KEEPING</u>	<u>DAY/MONTH</u>
Mayor	Arthur G. Pappas	7	1/01/16 – 12/31/17	N	20
Clerk-Treasurer	Daniel R. Quinn	7	1/01/16 – 12/31/19	Y	20
Attorney	Katherine D. Alexander	7	1/01/16 – 12/31/16	Y	20
2 nd Ward Alderwoman	Donna Braun	6	1/01/16 – 12/31/17	Y	20
Alderman at Large	Robert E. Pecoraro	6	1/01/16 – 12/31/19	Y	20
Alderwoman at Large	Catherine G. Schwandt	6	1/01/16 – 12/31/17	Y	20
3 rd Ward Alderman	Eric Zadzilka	6	1/01/16 – 12/31/17	N	20
1 st Ward Alderman	Philip Rizzo	6	1/01/16 – 12/31/17	N	20

APPOINTED OFFICIALS

Adm. Assistant Mayor's Office	Robert W. Welch	7	1/01/16 – 12/31/17	Y	20
Mayor's Secretary	Ashlee Rydzewski	7	1/01/16 – 12/31/17	Y	20
Asst. City Attorney	Luke Brown	6	2/03/16 – 12/31/16	Y	20

Daniel R. Quinn
City Clerk-Treasurer

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

V. Supt. Water/Wastewater

January 28, 2016

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

Dear Honorable Mayor and Common Council:

The CSEA Union recently posted for the position of Wastewater Treatment Plant Operator Trainee. Therefore, with your approval, I would like to appoint Tyler L. Dragonette of 133 Ward Road, North Tonawanda, NY 14120 to the position of Wastewater Treatment Plant Operator effective February 22, 2016 on the 7AM-3PM shift.

Tyler is replacing William O'Connor who transferred to the Water Treatment Plant on 2/3/16. He is being chosen from the current certified Niagara County Civil Service exam list for this position. He will serve a 1 year training period at which time he will be evaluated by the Chief Operator to see if he is qualified to become a permanent Wastewater Treatment Plant Operator.

This appointment is contingent upon Tyler passing his pre-employment physical, drug testing and NTPD background check.

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 of Water/Wastewater

MOVED by Alderman Braun SECONDED by Alderman Pecoraro
That the Common Council hereby approves the appointment of Tyler L. Dragonette, 133
Ward Road North Tonawanda, to the position of Wastewater Treatment Plant Operator

Trainee effective February 22, 2016 with a 1 year training period to receive the Wastewater Treatment Plant Operator License.

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

Nays: None (0)

CARRIED.

VII.1 Accountant

February 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 February 16, 2016, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Very truly yours,
Mark W. Dotterweich
City Accountant

MOVED by Alderman Schwandt SECONDED by Alderman Zadzilka
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated February 16, 2016 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$828,228.46
02	Water Fund	26,832.69
04	Sewer Fund	59,724.30
06	Capital Project Fund	<u>112,079.58</u>
00	Final Total	<u>\$1,026,865.03</u>

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

Nays: None (0)

CARRIED.

XVII. Traffic Safety

January 19, 2016

Daniel R. Quinn
City Clerk-Treasurer
216 Payne Avenue
North Tonawanda, New York 14120

Traffic Safety Minutes:

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

1. Member R. Frank received a request to place a "no turn on red" sign for East bound vehicles on Robinson turning right onto the TCMH. With the addition of a left turn

arrow for West bound vehicles turning left onto the TCMH last year the Committee agrees with this request and recommends placement of the sign.

2. Member Smolinski requested the Committee look at intersections around the City where right on red after 9pm signs could be placed. Members will research and make recommendations at the February meeting.
3. Member Smolinski made a motion, with a second by Vater, to remove the signal located at the intersection of Payne Avenue and Schenck Street. The motion is to replace the signal with stop signs for Schenck and let traffic flow on Payne. After a vote of 8 in favor, 0 against, the Committee is in favor of the motion.
4. Placement of a handicapped parking sign in the area of 25 First Avenue will be researched and discussed at the February meeting.
5. A request to reactivate the signal at Nash Road and Revere Avenue was discussed. This signal was removed after a traffic study /signal synchronization of Nash Road. The Committee recommends leaving the intersection as it is.
6. A request to place a stop sign at the intersection of Gilmore and Fourteenth Avenue was discussed. The Committee does not recommend placement of the sign.
7. A request to place the signal located at the intersection of Nash Road and Deerfield Drive on flash from 11pm to 6am was discussed. Committee members will watch the area and report at the February meeting.
8. Traffic on Christiana Street in the area of Grant School was discussed. This area has been discussed in the past. There is limited parking in the area for the number of vehicles using the area. The Committee does not recommend any change at this time.
9. A request to place a new street sign at Warner Avenue and Homestead Drive was discussed. The Committee is in favor and recommends placing the sign.
10. A terrace parking permit application from 357 Daniel Drive was received. The request will be researched and discussed at the February meeting.

Meeting adjourned at 2015 hours.

Travel Safely,
Joseph D. Sikora, Chairman

MOVED by Alderman Pecoraro **SECONDED** by Alderman Zadzilka
That the Common Council hereby approves only Traffic Safety recommendation #1 and #9,
the council would like #3 to be further reviewed by the committee.

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

Nays: None (0)

CARRIED.

XXV. Monthly Reports

.1 Clerk-Treasurer .2 Senior Citizen Center .3 Police Department .4 Youth Center

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

XXVI. Annual Vacation & Sick Leave Reports

.1 Public Works

MOVED by Alderman Schwandt **SECONDED** by Alderman Pecoraro
That the Common Council hereby, approves the aforementioned Annual Vacation & Sick
Leave Reports.
CARRIED.

